

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

**RESOLUTION NO. \_\_\_\_\_**

**REVISED**

Declaring Certain Property Acquired with Road Fund to be Surplus, Authorizing the Sale of the Property to **City of Portland** and Directing the Proceeds be Deposited into the Road Fund.

**The Multnomah County Board of Commissioners Finds:**

- a. The real property more particularly described in attached Deed identified as Exhibit 1, (the "Property") was acquired, in fee, by Multnomah County for use in conjunction with NE Elrod Road, County Road No. 3082.
- b. Road jurisdiction for NE Elrod Road has been transferred to the City of Portland.
- c. After the County transferred the road jurisdiction over the Property, the City of Portland subsequently vacated this portion of NE Elrod Road in 1987 by City Ordinance No. 159558.
- d. The City's vacation of the right of way did not alter the fact that ownership of the underlying land; i.e., the Property, was still vested in Multnomah County.
- e. Metro in conjunction with the City has expressed a desire to acquire the property for access to adjacent property that Metro owns,
- f. Metro and the City have proposed to pay the County \$15,000.00 for the Property; the City of Portland is contributing the major portion of that purchase price, with the Property to be conveyed to the City of Portland. As the Property was originally acquired with Road Fund monies, any proceeds from the sale or transfer are to be deposited into the Road Fund.
- g. The County Land Use and Transportation Program supports the proposed sale to City of Portland for the amount offered as the Program finds that the price offered is a reasonable price to pay for the Property.
- h. The Property is no longer needed by Multnomah County. By Resolution 04-185, dated December 9, 2004, the Multnomah County Board of Commissioners ("Board") adopted a policy for declaring real property owned by the County as surplus ("Process"). The Resolution provides that the Board may exempt a particular property from the Process upon determining that it is in the best interest of the County to do so. Due to the intergovernmental transfer process, it is advisable for the Board to exempt the Property from the Process.

**The Multnomah County Board of Commissioners Resolves:**

1. The Property is declared to be surplus.
2. Upon receipt of the purchase price of \$15,000.00, the County Chair is authorized to execute a deed for the Property to the City of Portland in substantial conformance with the form of deed attached as Exhibit 1.
3. All net proceeds of the sale of the Property shall be deposited into County's Road Fund No. 1501.

ADOPTED this 8th day of November, 2012.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

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Jeff Cogen, Chair

REVIEWED:

JENNY M. MORF, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By 

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Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Collier, Director  
Department of Community Services