

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving a Deed for Right of Way Purposes and Temporary Construction Easement to the City of Portland

The Multnomah County Board of Commissioners Finds:

- a. The City of Portland Bureau of Transportation ("City") is implementing the St. Johns Pedestrian and Freight Improvement Project, including work widening the street at the intersection of North Ivanhoe and North St. Louis Streets. The City's project area includes the perimeter of the patient parking lot for the North Portland Health Clinic at 9000 North Lombard Street owned and operated by the Multnomah County.
- b. The City has requested that a perpetual easement be granted for public street and right of way purposes in a portion of real property owned by the County for construction of these public improvements at this location.
- c. The area of this proposed perpetual easement is approximately 477 square feet and is more particularly described in the attached Exhibit 1.. The grant of this perpetual easement is done through the execution by the County of an instrument titled a "Deed For Right Of Way Purposes", the form of which is attached included as part of Exhibit 1.
- d. The City has also requested a "Temporary Construction Easement" (TCE) at this same location to do the Project. The area of the TCE is approximately 138 square feet and is more particularly described in Exhibit 1, The form of the TCE Instrument is also included as a part of Exhibit 1.
- e. Multnomah County Facilities and Property Management Division staff have worked cooperatively with the City's Bureau of Transportation to negotiate a construction and restoration plan to minimize disruption to vital clinic operations. Theses negotiations resulted in the City to undertake the reconstruction of the County facility's perimeter brick and metal surrounding fence, which work is done under the "City Obligations Agreement" (which is Exhibit C to the TCE) as part of the consideration for the property rights acquired. The form of the City Obligations Agreement is also included as a part of Exhibit 1.
- f. The public interest is best served by the County's execution of the Deed For Right-Of-Way Purposes and the TCE substantially in conformance with the terms and conditions as set forth in the attached Exhibit 1.

The Multnomah County Board of Commissioners Resolves:

1. The Deed For Right of Way Purposes of the certain real property as more particularly described in Exhibit 1 is approved.
2. The Chair is authorized to execute on behalf of the County a Deed For Right Of Way Purposes in substantial conformance with the form attached as part of Exhibit 1.
3. The Temporary Construction Easement for the area adjacent to the right of way along North Ivanhoe and North St. Louis Streets is approved.
4. The Chair is authorized to execute on behalf of the County a Temporary Construction Easement in substantial conformance with the form attached as part of Exhibit 1,
5. The Chair is authorized to execute on behalf of the County the City Obligations Agreement identified as Exhibit C to the Temporary Construction Easement in substantial conformance with the form attached as part of Exhibit 1 to this Resolution,
6. The County Chair is authorized to execute amendments to the Temporary Construction Easement and City Obligations Agreement without further Board action.
7. The County staff is authorized to deliver the fully executed Deed For Right Of Way Purposes and the Temporary Construction Easement to the City upon the payment of the requisite consideration the County is due for these grants.

ADOPTED this 3rd day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED: HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: Mindy Harris, Interim Director, Dept. of County Management