

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Transfer of Tax Foreclosed Property to Other Governments for Non-Housing Public Purposes.

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code (MCC) Chapter 7 allow for transfer of tax foreclosed real property to governmental bodies provided the property is used for a public purpose.
- b. Metro and the City of Portland have requested, under ORS 271.330 and MCC Chapter 7, the transfer of certain tax foreclosed properties (the "Properties") for non-housing public purposes.
- c. Metro has requested the transfer of two tax foreclosed properties, which are more particularly described in the proposed deed to Metro, attached and identified as Exhibit 1.
- d. The City of Portland, Bureau of Transportation has requested one tax foreclosed property, which is more particularly described in the proposed deed to the City of Portland, attached and identified as Exhibit 2.
- e. The City of Portland, Bureau of Environmental Services has requested one tax foreclosed property, which is more particularly described in the proposed deed to the City of Portland, attached and identified as Exhibit 3.
- f. The County's Special Program Section published notice of the April 26, 2012, public hearing to consider the proposed transfer of the Properties as required under ORS 271.330 (5) and MCC § 7.407.
- g. The Properties are not needed for public use by the County and are eligible for transfer to governmental bodies for public purposes, and a transfer to these governmental bodies without monetary consideration will serve the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The transfer of the Properties to Metro and The City of Portland is in compliance with ORS 271.330 and MCC § 7.407(G) is approved.
2. Each deed of conveyance must provide that the subject property be used and continue to be used for public purposes; and should the property cease to be used for public purposes, the interests of the Grantee shall automatically terminate and title shall revert to the County.
3. The County Chair on behalf of Multnomah County is authorized to execute deeds that are substantially in conformance with the deeds attached as Exhibits 1, 2, and 3.

ADOPTED this 26th day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

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

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Management

Until a change is requested, all tax statements shall be sent to the following address:

(Grantee) METRO Parks & Environmental Services
600 NE GRAND AVE
PORTLAND OR 97232

After recording return to:

(Grantor) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

Exhibit 1 to Resolution

DEED D122260

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Metro, a municipal corporation of the State of Oregon, **Grantee** the following described real property: See the attached Exhibit A.

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 17th day of May, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 17th day of May 2012, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Marina A. Baker
Notary Public for Oregon
My Commission expires: 7/14/2014

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

By _____
Matthew O. Ryan, Assistant County Attorney

This conveyance is approved as to form and content and accepted by Metro, an Oregon municipal corporation, as of the date first written above.

Metro

By: _____
Martha J. Bennett
Chief Operating Officer

State of Oregon
County of Multnomah

This instrument was acknowledged before me on _____, 2012 by
Martha J. Bennett as Chief Operating Officer of Metro, an Oregon municipal corporation.

Notary Public - State of Oregon

EXHIBIT A (Deed D122260)

1. a. Legal Description:

The East One-Half of the East One-Half of the Southeast One-Quarter of the Northwest One-Quarter of the Southeast One-Quarter of Section 31, Township 2 North, Range 1 West, of the Willamette Meridian, in Multnomah County, Oregon.

b. Tax Account No.: R325351.

2. a. Legal Description:

The Southwest One-Quarter of the Northeast One-Quarter of the Southeast One-Quarter and the Northwest One-Quarter of the Southeast One-Quarter of the Southeast One-Quarter and the North One-Half of the Southwest One-Quarter of the Southeast One-Quarter of the Southeast One-Quarter of Section 31, Township 2 North, Range 1 West, of the Willamette Meridian, in Multnomah County, Oregon.

b. Tax Account No.: R325352.

Until a change is requested, all tax statements shall be sent to the following address:

(Grantee) COP, BUREAU OF TRANSPORTATION
1120 SW 5th SUITE 800
PORTLAND OR 97204

After recording return to:

(Grantor) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

Exhibit 2 to Resolution

DEED D122261

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to City of Portland, a municipal corporation of the State of Oregon, **Grantee**, the following described real property: See the attached Exhibit A..

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 26th day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 26th day of April 2012, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Marina A. Baker
Notary Public for Oregon
My Commission expires: 7/14/2014

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

ACCEPTED:
CITY OF PORTLAND
BUREAU OF TRANSPORTATION

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Christine Leon, Division Manager

EXHIBIT A (Deed D122261)

1. a. Legal Description:

Lot 1, Block 3, Green Hills, a recorded plat, recorded May 25, 1911, in Plat Book 561, Page 23-24 (on SW Patton and SW Hewett Boulevard), described as follows:

That part of said Lot 1 which lies 120 rods east of and parallel with the west line of section 8, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, Oregon, including part of vacated SW Hewett Boulevard adjacent.

b. Tax Account No.: R172789.

Until a change is requested, all tax statements shall be sent to the following address:

Exhibit 3 to Resolution

(Grantee) COP, BUREAU OF ENVIRONMENTAL SERVICES
1120 SW 5th SUITE 1000
PORTLAND OR 97204

After recording return to:

(Grantor) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

DEED D122263

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to City of Portland, a municipal corporation of the State of Oregon, **Grantee**, the following described real property: See the attached Exhibit A.

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 26th day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 26th day of April 2012, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Marina A. Baker
Notary Public for Oregon
My Commission expires: 7/14/2014

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

ACCEPTED:
CITY OF PORTLAND
BUREAU OF ENVIRONMENTAL SERVICES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Scott Turpen, Facilities/Administrative Services Manager

EXHIBIT A (Deed D122263)

1. a. Legal Description:

A tract of land in the Northeast One-Quarter of Section 23, Township 1 South, Range 2 East of the Willamette Meridian, Multnomah County Oregon, being a portion of Lots 30 and 31, Lamargent Park No. 2 and described as:

All that part of the following described tract of land lying Southerly of the South line of Creekwood Estates as recorded in Plat Book 1251 at Pages 95 and 96 on August, 14, 2001, Multnomah County Plat Records:

Commencing at the Northeast corner of the duly recorded subdivision of Lamargent Park No. 2, said corner being in the centerline of S. E. Claybourne Street; thence South, along the East line of said Lot 31, a distance of 400.00 feet to the point of beginning of the tract of land herein described: thence continuing South, along the East line of said Lot 31, a distance of 328.60 feet more or less to the Southeast corner of said Lot 31; thence West, along the South line of said Lamargent Park No. 2, a distance of 497 feet more or less to the Southwest corner of Lot 30 of said subdivision; thence North, along the West line of said Lot 30, a distance of 327.60 feet more or less to a point which is 400 feet South of the Northwest corner of said Lot 30; thence East, and parallel with and 400 feet South of the North lines of said Lots 30 and 31, a distance of 503.70 feet to the point of beginning.

Excepting therefrom any portion of said Lots 30 and 31, Lamargent Park No. 2 conveyed to Mary Brost by deed recorded on May 14, 1936 in Book 338 at Page 111, Multnomah County Deed Records and more particularly described as follows: Beginning at the Southeast corner of the Ezra Johnson Donation Land Claim; thence N00°28'W, a distance of 20.95 feet to an iron rod in Johnson Creek; thence N89°07'W, a distance of 373.03 feet, more or less to an iron pipe in the West bank of the said Johnson Creek; thence following the West bank of the said Johnson Creek in a Southwesterly direction to its intersection with the South line of the said Ezra Johnson Donation Land Claim; thence S88°41'E, a distance of 395.00 feet more or less to the point of beginning.

Also excepting therefrom any portion of said Lot 30 that is described in the following: Beginning at the Southwest corner of the aforesaid Creekwood Estates; thence S87°35'02"E, along the South line of said Creekwood Estates, a distance of 133.65 feet more or less to the Northeast corner of that tract of land conveyed to Kenneth A. Niezgoda and Shireen M. Millington by deed recorded December 4, 1987 in Deed Book 2063 at Page 444, Multnomah County Deed Records; thence S01°30'00"E, along the East line of said Niezgoda and Millington tract, a distance of 35 feet to a point on the North line of the Jacob Johnson Donation Land Claim that is N88°41'W, a distance of 395 feet from the S.E. Corner of said Jacob Johnson Donation Land Claim; thence West, along said North line to the Southwest corner of said Lot 30, Lamargent Park No. 2; thence North, along said West line of said Lot 30 to the point of beginning.

b. Tax Account No.:R201520.