

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 08-125

Authorizing Transfer Of Tax Foreclosed Property To The Cities of Gresham, Portland and Metro For Non-Housing Public Purposes

The Multnomah County Board of Commissioners Finds:

- a) ORS 271.330 and Multnomah County Code Chapter 7 allow for transfer of tax foreclosed real property to governmental bodies provided the property is used for a public purpose.
- b) The City of Gresham, Department of Environmental Services, Metro, Parks & Greenspaces, City of Portland, Parks & Recreation, and City of Portland, Office of Transportation (Governmental Agencies), have requested the transfer of thirteen tax foreclosed properties (Properties) for non-housing public purposes as described in the attached deeds, identified as Exhibits Nos. 1-4.
- c) On September 4, 2008, the Board scheduled a public hearing for September 18, 2008, to consider the proposed transfers, and directed the Multnomah County Tax Title Division (Division) to publish notice of the hearing. The Division published the notice as directed and as required by ORS 271.330 (5) and MCC § 7.407.
- d) The Properties are no longer needed by the County and are eligible for transfer for public purpose, and a transfer to these Governmental Agencies without monetary consideration will serve the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The Properties described in the attached deeds (Exhibits Nos. 1-4) are transferred to the Governmental Agencies as requested; provided that the Properties are used and continue to be used by the Governmental Agencies for public purposes.
2. Should any of the Properties cease to be used for public purposes, any interest of the Governmental Agency in the Property is automatically terminated and fee title shall revert to Multnomah County.
3. The Chair is directed to execute deeds that substantially conform with Exhibits Nos. 1-4; conveying the Properties to the Governmental Agencies as requested.

ADOPTED this 18th day of September, 2008.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT 1

Until a change is requested, all tax statements
Shall be sent to the following address:
CITY OF GRESHAM
DEPT OF ENVIRONMENTAL SERVICES
1333 NW EASTMAN PARKWAY
GRESHAM OR 97030-3813

After recording return to:
Multnomah County Tax Title 503/4

DEED D082162

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF GRESHAM, a municipal corporation of the State of Oregon, Grantee, the following parcels of real property, located in the City of Gresham, Multnomah County, Oregon:

LOT B BALTZ TERRACE
LOT C BALTZ TERRACE

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. 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.

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 18th day of September 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF GRESHAM
DEPARTMENT OF ENVIRONMENTAL SERVICES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Erik Kvarsten, City Manager

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 18th day of September, by Ted Wheeler, 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.

Ana Karnes
Notary Public for Oregon
My Commission expires: 01/25/09

EXHIBIT 2

Until a change is requested, all tax statements

Shall be sent to the following address:

METRO
600 NE GRAND AVE
PORTLAND OR 97232

After recording return to:

Multnomah County Tax Title 503/4

DEED D082163 FOR R325134

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to METRO, a municipal corporation of the State of Oregon, Grantee, the parcel of real property, located in the City of Portland, Multnomah County, Oregon, and described in 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. 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.

This transfer is without monetary consideration.

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Dated this 18th day of September 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
METRO
PARKS & GREENSPACES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Michael Jordan, Chief Operating Officer

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 18th day of September, by Ted Wheeler, 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.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/09

EXHIBIT 2 (Deed D082163 For R325134)

A parcel of land located in the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 20, Township 2 North, Range 1 West, Willamette Meridian, in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

Commencing at the Southeast corner of the John G. Tomlinson Donation Land Claim No. 52 thence running North 705.3 feet along the East line of said claim to a point on the Northeasterly line of the United Railway Company right-of-way boundary, said point being the true point of beginning of the parcel being described; thence continuing North along the East line of said claim a distance of 301.5 feet to a point on the Southwesterly right-of-way boundary (80 feet Southwesterly from the centerline) of NW St. Helens Road (U.S. Hwy. 30), said point bearing 1402.5 feet Northwesterly along the Southwesterly right-of-way of St. Helens Rd. from the point where said right-of-way intersects the Northeasterly line of the United Railway right-of-way boundary; thence Southeasterly 1402.5 feet along the Southwesterly right-of-way of St. Helens Rd. to a point on the Northeasterly boundary of the United Railway Company right-of-way, said point bearing 1160 feet Southeasterly along the said right-of-way from the true point of beginning; thence Northwesterly 1160 feet along the Northeasterly boundary of the United Railway Company right-of-way to the true point of beginning.

EXHIBIT 3

Until a change is requested, all tax statements

Shall be sent to the following address:

COP PARKS & RECREATION
1120 SW 5TH SUITE 1302
PORTLAND OR 97204

After recording return to:

Multnomah County Tax Title 503/4

DEED D082164

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, Grantee, the parcels of real property, located in the City of Portland, Multnomah County, Oregon, and described in 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. 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.

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 18th day of September 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF PORTLAND
PARKS & RECREATION

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Dan Saltzman, Commissioner

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 18th day of September, by Ted Wheeler, 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.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/09

EXHIBIT A (Deed D082164)

PARCEL NO. 1:

N ½ OF LOT 1 BLOCK 35

SOUTHERN PORTLAND

PARCEL NO. 2:

A tract of land in the Northwest One-Quarter of Section 9, Township 1 South, Range 1 East of the Willamette Meridian and described as follows:

Commencing at an iron pipe marking the Northwest corner of "Virginia Heights" and located in the West line of the John Donner Donation Land Claim; thence East, along the North line of said "Virginia Heights", a distance of 431.93 feet to its intersection with the East line of S.W. Clemell Avenue and the point of beginning of the tract of land herein described: thence S16°32'00"E, along the easterly line of said S.W. Clemell Avenue, a distance of 30.00 feet; thence N68°05'00"E, a distance of 77.03 feet to a point; thence West, a distance of 80.00 feet to the point of beginning.

EXHIBIT 4

Until a change is requested, all tax statements
Shall be sent to the following address:
COP OFFICE OF TRANSPORTATION
1120 SW 5TH SUITE 800
PORTLAND OR 97204

After recording return to:
Multnomah County Tax Title 503/4

DEED D082165

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, Grantee, the parcels of real property, located in the City of Portland, Multnomah County, Oregon, and described in 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. 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.

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Dated this 18th day of September 2008

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF PORTLAND
OFFICE OF TRANSPORTATION

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Susan D. Keil, Director

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 18th day of September, by Ted Wheeler, 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.

Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires: 6/27/09

EXHIBIT A (Deed D082165)

PARCEL NO. 1:

That part of Lot 1, Block 2, ACADEMY HEIGHTS, lying North of the North line of Rocky Butte Road, EXCEPTING therefrom that part of NE Cliff St. accruing thereto (Ord 164925) and lying in the plat of CLIFF VIEW ESTATES, in the County of Multnomah and State of Oregon.

PARCEL NO. 2:

LOT A ASHBURN ESTATES

PARCEL NO. 3:

CASMUR AC S 5' OF LOT 24

PARCEL NO. 4:

The real property interest described in that certain TAX FORECLOSURE DEED dated the 29th day of December 1944; recorded on December 29, 1944; at Book 895 and Page 170 in the Multnomah County Deed Records; being the listed property interest that begins with "Southern Portland" and that is the last property interest of the list on Page 196 of said TAX FORECLOSURE DEED.

PARCEL NO. 5:

EXC W 38' LOT 10 BLOCK 1 WAGGENERS ADD

PARCEL NO. 6:

A tract of land in the Southeast One-Quarter of Section 34, Township 1 North , Range 2 East, of the Willamette Meridian, Multnomah County, Oregon and described as follows:

Being that part of the Northwest Quarter of the Southeast Quarter of said Section 34, Township 1 North , Range 2 East, of the Willamette Meridian, Multnomah County Oregon, and lying:

Northerly of the Northerly Right of Way line of N.E. Davis Street, said street as-platted and illustrated on the plat of "Fashion Homes", recorded in Plat Book 1186, Page 49, January 25, 1955 , and the plat of "Rodale Acres", recorded in Plat Book 1189, Page 5, March 26, 1956, Multnomah County Plat records;

Southerly of the South line of that tract of land conveyed to Edward L. Hynson, by deed recorded in Book 436, Page 469, February 16, 1936;

Westerly of the Westerly Right of Way line of N.E. 113 th Avenue (Co.Rd.No.2828 & No.2148 formerly known as Petrain Ave.), if said line were projected Southerly from the South to the Edward L. Hynson tract to the Northerly Right of Way line of said N.E. Davis Street;

Easterly of the Easterly Right of Way line of N.E. 111th Avenue (Co.Rd.No.2281), if said line were projected Southerly from the South line of the Edward L. Hynson tract to the Northerly right-of-way line of said N.E. Davis Street.

PARCEL NO. 7:

A tract of land situated in the J. Fleming Donation Land Claim in Section 30, Township 1 North, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at the Northwest corner of Lot 9, Block 10, Highwood , as recorded June 6, 1977 in Plat Book 1207, Page 54, Multnomah County Plat Records; thence Easterly, along the North line of Lots 8 and 9 of said Block 10, Highwood, to the West line of Tract "D" of Highwood as recorded June 18, 1974 in Plat Book 1205 Page 26; thence Northerly, along the West line of said Tract "D", to the Southeast corner of that certain tract of land conveyed to Angelo and Leona Cereghino by deed recorded February 11, 1955

EXHIBIT A (Deed D082165 Continued)

in Book 1705, Page 278, Multnomah County Deed Records; thence West, along the South line of said Cereghino tract, to the East line of N.E. 162nd Ave; thence South, along the East right-of-way line of said N.E. 162nd Ave. to the point of beginning.

PARCEL NO. 8:

BLOCK 25; SE OF N COLUMBIA BLVD; LOT 14 COLLEGE PL