

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Granting of a Temporary)
Construction Easement on County Land; and of)
the Conveyance by Deed, of Approximately)
67 square feet of County Land both to the)
State of Oregon by and through its Department)
of Transportation, Highway Division)

O R D E R

#88-6

It appearing that the Oregon Department of Transportation has plans to improve S.E. 82nd Avenue from S.E. Division Street to S.E. Schiller Street; and

It appearing that said Department has requested a Temporary Construction Easement on County property known as Multnomah Cemetery at S.E. 82nd Avenue and S.E. Holgate Street in order to reconstruct curbs and sidewalks along a portion of S.E. 82nd Avenue; and has offered \$500.00 for said easement; and

It appearing that the Department also wishes to purchase for \$570.00 a small portion of the Cemetery land (approximately 67 square feet) described as Graves 1 and 2, Block A, Lot 127 North, both unoccupied, in order to improve the traffic pattern at S.E. 82nd Avenue and S.E. Holgate Street; and

It appearing that said land has been removed from dedication as Cemetery land by action of the Board as provided by law; and

It appearing that the granting of the Temporary Construction Easement, and the conveyance of approximately 67 square feet of land will not materially affect Multnomah Cemetery and that it is in the best interests of Multnomah County and the public to do so, and the Board at this time being fully advised in the matter, it is ORDERED that Multnomah County execute this Temporary Construction Easement, and the Deed of Conveyance, before the Board this date; and that the County Chair be and she is hereby authorized and directed to execute the same on behalf of Multnomah County.

Dated this 21st day of January , 1988.

FORM:

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

COUNSEL, County Counsel
For Multnomah County, Oregon

By 

By 

Gladys McCoy, County Chair

CS:010588

DEED

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, hereby conveys unto the **STATE OF OREGON**, by and through its **DEPARTMENT OF TRANSPORTATION, Highway Division**, Grantee, fee title to the following described property, to wit:

PARCEL 1

A parcel of land lying in Lot 8, **MARYSVILLE**, Multnomah County, Oregon; the said parcel being that portion of said lot described as follows:

Beginning at the intersection of the Southerly line of S.E. Holgate Blvd. and the Westerly line of S.E. 82nd Ave.; thence Southerly along said Westerly line 6.67 feet; thence Westerly parallel with said Southerly line 10 feet; thence Northerly parallel with said Westerly line 6.67 feet to said Southerly line; thence Easterly along said Southerly line 10 feet to the point of beginning.

The parcel of land to which this description applies contains 67 square feet, more or less, outside of the existing right of way.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes to be used by Grantee in connection with the reconstruction, widening and improvement of the S.E. Division Street-S.E. Schiller Street Section of the relocated Cascade Highway North (S.E. 82nd Avenue) over and across the following described property, to wit:

PARCEL 2

A parcel of land lying in Lot 8, **MARYSVILLE**, Multnomah County, Oregon; the said parcel being that portion of said lot included in a strip of land 35.75 feet in width, lying on the Westerly side of the center line of the relocated Cascade Highway North (S.E. 82nd Avenue) which center line is described as follows:

Beginning at Engineer's center line Station 212+50, said station being 1423.46 feet North and 49.55 feet East of the Southwest corner of Section 9, Township 1 South, Range 2 East, W.M.; thence South 1° 59' 37" West 1424.32 feet; thence South 2° 12' 45" West 925.68 feet to Engineer's center line Station 236+00.

EXCEPT therefrom Parcel 1.

Bearings are based upon the Oregon Co-ordinate System, North Zone.

The parcel of land to which this description applies contains 2,483 square feet, more or less, outside of the existing right of way.

IT IS UNDERSTOOD that the easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the easement herein granted does not convey any right or interest in the above-described Parcel 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

The true and actual consideration received by Grantor for this conveyance is \$ 1070.00.

Dated this 21st day of January, 1988.

APPROVED AS TO FORM:

LAURENCE KRESSEL
COUNTY COUNSEL FOR M/C OREGON

By [Signature]

**MULTNOMAH COUNTY, a political
subdivision of the State of Oregon**

By [Signature]
Gladys McCoy, COUNTY CLERK

(SEAL)

DEED APPROVED:

PAUL YARBOROUGH, DIRECTOR
Department of Environmental Services

By [Signature]
Property Officer

STATE OF OREGON, County of Multnomah

Be it remembered that on this 21st day of January ~~X1987X~~ 1988
before me, the undersigned, a notary public in and for said County and State,
personally appeared the duly authorized Chair of the Multnomah County Board of
County Commissioners, GLADYS MC COY, known to me to be the identified
individual described in and who executed the within instrument and
acknowledged to me that she executed the same freely and voluntarily in the
course and scope of her official duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my
official seal the day and year last above written.


Mary Jane McHawn
Notary Public for Oregon

My Commission Expires 4-19-91

12/7/87
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slb/



In Excess of 10 Acres Rt.

*Multnomah County
Decree No. 153-396-44*