

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 03-059**

Approving Donation and Transfer of County Property to OUR GARDEN, INC, a Nonprofit Corporation, for Open Space, Park or Natural Areas for Perpetual Public Use

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

- a) Multnomah County acquired two unimproved lots (Property), approximately 25'x100' each, described in the attached Exhibit A, through foreclosure of delinquent tax liens in 1984 and 1989.
- b) In 1995, the County received a request to transfer the Property, but the request was later withdrawn because of title issues. On December 9, 1999, the Property was transferred to Portland Community Design for development as low-income housing.
- c) In February 2003, Portland Community Design dissolved as a corporation and the Property was deeded back to the County.
- d) Under MCC § 7.356, county property not needed for any public use by the County may be disposed of by sale, lease, donation or exchange as authorized by state law. The Property is not needed for any public use by the County.
- e) ORS 271.330 allows for transfer of real property to a nonprofit corporation for the creation of open space, parks or natural areas for perpetual public use. The County received a request from OUR GARDEN, INC, a nonprofit corporation, for such a transfer of the Property.
- f) The Department of Business and Community Services, Tax Title Division, recommends approval of the transfer in its report dated May 1, 2003 attached and identified as the "Agenda Placement Request" for this Resolution.
- g) Based on the report, it appears that the public interest will be served by donation and transfer of the Property to OUR GARDEN, INC, a nonprofit corporation, under ORS 271.330.

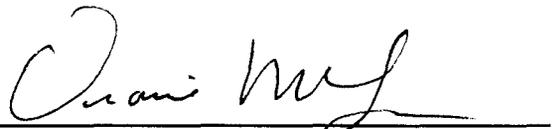
**The Multnomah County Board of Commissioners Resolves:**

1. The Property described in Exhibit A to the attached deed is donated and transferred without monetary consideration to OUR GARDEN, INC, a nonprofit corporation, provided that:
  - The Property is used only for the creation of open space, parks or natural areas for perpetual public use; and
  - Should the Property cease to be used as stated above, the interest of OUR GARDEN INC will automatically terminate and title will revert back to Multnomah County.
2. The Chair is directed to execute the attached deeds conveying the Property to OUR GARDEN, INC.

ADOPTED this 1st day of May 2003.

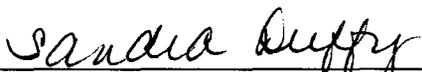


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
\_\_\_\_\_  
Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, ACTING COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
Sandra N. Duffy, Assistant County Attorney

**EXHIBIT A (RESOLUTION)**

**OUR GARDEN, INC**

**PARCEL NO. 1:**

**Legal Description:**

S ½ OF LOT 11, BLOCK 3, ALBINA HOMESTEAD

**Multnomah County Deed No.:** D031902  
**Tax Account No.:** R102924  
**Type of Use:** A Teaching Garden for the Community's Children  
**Taxes:** \$128.66  
**Expenses:** \$1725.90

**PARCEL NO. 2:**

**Legal Description:**

N ½ OF LOT 11, BLOCK 3, ALBINA HOMESTEAD

**Multnomah County Deed No.:** D031903  
**Tax Account No.:** R102925  
**Type of Use:** A Teaching Garden for the Community's Children  
**Taxes:** \$5969.22  
**Expenses:** \$989.76



