

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Sale of)
Real Property on the County)
Farm at NE 223rd Avenue and)
Columbia River Highway in)
Troutdale, Oregon.)

O R D E R

94-152

It appearing that the State of Oregon intends to construct an improvement of the Columbia River Highway at N.C. 223rd Avenue and that Multnomah County owns real property located at this site, commonly referred to as the Multnomah County Farm; and

It appearing that the State needs to acquire 1.67 acres, more or less, of said real property for construction of such improvement; and

It appearing that the State has requested the REAL ESTATE OPTION and DEED which are before the Board this day to acquire said land and to pay to County for said land the sum of \$52,000.00; and

It appearing that the sum of \$52,000.00 is equal to market value of the property, as appraised for County, that the property is surplus to the need of Multnomah County and that the remainder of the County Farm Property will not be adversely affected by the sale of said real property; and

It appearing that the conveyance of said real property requested by the State will benefit Multnomah County and the Board being fully advised in the matter:

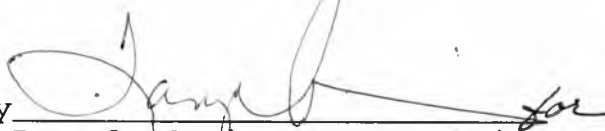
It is ORDERED that Multnomah County execute the REAL ESTATE OPTION and DEED before the Board this date and any other documents required for completion of this conveyance and that the County Chair be, and she is hereby, authorized and directed to execute the same on behalf of Multnomah County.

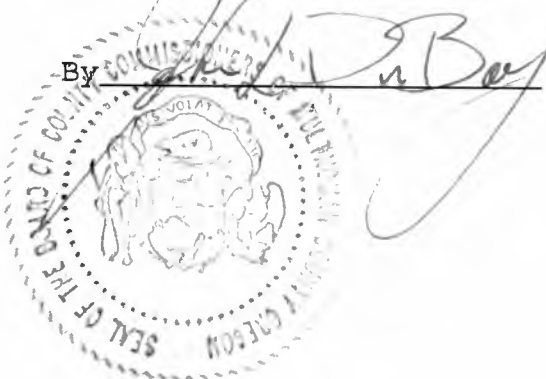
Dated this 18th day of August, 1994.

REVIEWED:

LAURENCE KRESSEL, COUNTY
COUNSEL FOR MULTNOMAH
COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By 
Beverly Stein, County Chair



REAL ESTATE OPTION

Fed. Aid No: _____

Grantor County of Multnomah, State of Oregon Address 2505 S.E. 11th, Portland, OR 97202
Section NE 223rd-Troutdale Highway Columbia River
County Multnomah Purpose Right of Way

IN CONSIDERATION of the offer to the undersigned for the hereinafter described property, the undersigned hereby gives and grant to the State of Oregon, by and through its Department of Transportation, upon the terms and conditions hereinafter stated, the option to purchase the property described on Exhibit "A" attached, bearing date of 7-15-94 and covering 1 parcel, subject to special provisions contained in Exhibit(s) attached and by this agreement made a part of this option.

The Oregon Transportation Commission shall have the irrevocable right, at any time, within six (6) months from the date hereof, to accept this option. The person(s) who have executed the option acknowledge that the signing and delivering of a deed and voucher at the same time the option was executed, does not constitute acceptance by the State of the deed and voucher and that the acceptance by the State of the deed and voucher is conditioned on the clearing of the title satisfactory to the State and acceptance of the option by the State.

The undersigned, hereinafter referred to as "Grantor," agree to deliver to the State of Oregon, by and through its Department of Transportation, hereinafter referred to as "State," a deed to said property, CONVEYING A GOOD AND MERCHANTABLE TITLE THERETO FREE FROM ALL OUTSTANDING LIENS AND ENCUMBRANCES, INCLUDING UNPAID AND DEFERRED REAL PROPERTY TAXES, AND FREE FROM ALL RIGHTS OF LESSEES, TENANTS, AND OTHER PERSONS CLAIMING ANY RIGHTS IN OR TO SAID PROPERTY. The conveyances shall include all buildings, fixtures and crops located on said property as well as appurtenances thereto (except for the items herein reserved by Grantors). Grantors further agree not to sell or encumber said property during the term of this option.

Upon delivery of said deed and the clearing of title satisfactory to State, Grantors, in the usual course and through the usual channels of auditing claims against State, shall be paid the sum of (\$ 52,000.00) FIFTY TWO THOUSAND and NO/100 DOLLARS Less \$ N/A for items as listed on Exhibit(s) N/A as full payment of the purchase thereof. Grantors are entitled to receive payment, less any deposits and allowances as listed on exhibits before State takes possession of the property.

Grantors shall surrender possession of the property upon payment from the State. Written notice to vacate the property will not be required.

Grantor does not have to provide title insurance. State will pay all recording charges for documents required to vest clear title in State; and prorate taxes as of the date of possession or transfer of title, whichever is earlier.

Grantor acknowledge all items of damages, all sums of money to be paid, and all things to be done by State are in this option. Grantor agree, the consideration recited herein is just compensation for the optioned property, including any and all damages to grantors remaining property, if any, which may result from the acquisition or use of said property and the construction or improvement of the highway. All claims for damages, injury or loss on account of failure to close this option are hereby expressly waived.

NOTICE: BEFORE SIGNING THIS OPTION BE SURE ALL OBLIGATIONS, INCLUDING THOSE YOU EXPECT STATE TO PERFORM, ARE SET OUT IN THIS OPTION AND THAT YOU FULLY UNDERSTAND ALL OF THE TERMS OF THIS OPTION.

Dated this 18th day of August, 1994

REVIEWED

By

Fed. I.D. # 93-6002309

Tanya Collier, Vice-Chair

EXHIBIT A

File R6119023
County of Multnomah
CLM 7-15-94 1A-22-7

Survey Approval Project
Section: N.E. 223rd Avenue - Troutdale
Highway: Columbia River
Throughway

Fee

A parcel of land lying in the Addison C. Dunbar D.L.C. No. 41 and the James M. Stott D.L.C. No. 48, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon and being a portion of that property described in that deed to County of Multnomah, recorded August 7, 1923 in Book 929, Page 291, Multnomah County Record of Deeds; the said parcel being that portion of said property lying Easterly of existing N.E. 244th Avenue; lying Southeasterly of the existing Columbia River Highway; lying Southerly of the existing Crown Point Highway; and included in a strip of land variable in width, lying on the Southeasterly side of the centerline of the relocated Columbia River Highway, which centerline is described as follows:

Beginning at Engineer's centerline Station 734+02.87, said station being 210.39 feet North and 169.67 feet East of the East quarter corner of Section 27, Township 1 North, Range 3 East, W.M.; thence North $63^{\circ} 24' 48''$ East 695.86 feet to Engineer's centerline Station 740+98.73 Back equals 443+65.31 Ahead; thence North $63^{\circ} 24' 48''$ East 749.30 feet; thence on a spiral curve right (the long chord of which bears North $64^{\circ} 44' 48''$ East 399.91 feet) 400.00 feet; thence on a 2864.79 foot radius curve right (the long chord of which bears North $75^{\circ} 09' 40''$ East 772.43 feet) 774.79 feet; thence on a spiral curve right (the long chord of which bears North $85^{\circ} 34' 33''$ East 399.91 feet) 400.00 feet; thence North $86^{\circ} 54' 33''$ East 1745.18 feet to Engineer's centerline Station 484+34.58.

The width in feet of said strip of land is as follows:

<u>Station</u>	<u>to</u>	<u>Station</u>	<u>Width on Southeasterly Side of Centerline</u>
737+25.00		738+70.00	315.00 in a straight line to 210.00
738+70.00		740+00.00	210.00 in a straight line to 175.00
740+00.00		446+00.00	175.00
446+00.00		452+00.00	175.00 in a straight line to 225.00

Bearings are based upon the Oregon Coordinate System of 1983, north zone.

The parcel of land to which this description applies contains 1.67 acres, more or less.

(CONTINUED ON PAGE 2)

clm 15 JUL 94

NOTE: Access Controlled by Permit.

In excess of 20 acres, remainder.

Prior files: 20635, RW14288; 11956, RW8327; and 14634.

This property lies in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec 26, T 1 N, R 3 E.

DEED

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, for the true and actual consideration of \$ 52,000.00 does convey unto the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, fee title to the following described property:

A parcel of land lying in the Addison C. Dunbar D.L.C. No. 41 and the James M. Stott D.L.C. No. 48, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon and being a portion of that property described in that deed to County of Multnomah, recorded August 7, 1923 in Book 929, Page 291, Multnomah County Record of Deeds; the said parcel being that portion of said property lying Easterly of existing N.E. 244th Avenue; lying Southeasterly of the existing Columbia River Highway; lying Southerly of the existing Crown Point Highway; and included in a strip of land variable in width, lying on the Southeasterly side of the centerline of the relocated Columbia River Highway, which centerline is described as follows:

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The width in feet of said strip of land is as follows:

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738+70.00		740+00.00	210.00 in a straight line to 175.00
740+00.00		446+00.00	175.00
446+00.00		452+00.00	175.00 in a straight line to 225.00

Bearings are based upon the Oregon Coordinate System of 1983, north zone.

The parcel of land to which this description applies contains 1.67 acres, more or less.

7-20-94

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM, OREGON 97310

Account No.: R94326 0190

Property Address: _____

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 18th day of August, 1994.

MULTNOMAH COUNTY

By [Signature]
Vice-Chairperson

By [Signature]
County Commissioner

By [Signature]
County Commissioner

ATTEST:

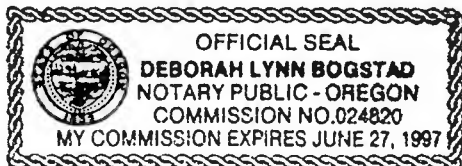
[Signature]
County Clerk

STATE OF OREGON, County of Multnomah

August 18, 1994. Personally appeared Tanya Collier,
Gary Hansen, Sharron Kelley, and Carrie Anne Parkerson, who, being
sworn, stated that they are the ^{Vice-}Chairperson, County Commissioners and County Clerk of
Multnomah County, Oregon, and that this instrument was voluntarily signed in behalf of the
County by authority of an order of the Board of Commissioners. Before me:

[Signature]
Notary Public for Oregon

My Commission expires 6/27/97



[Signature]
MULTNOMAH COUNTY COUNCIL