

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 2014-087

Approving the Acquisition of Real Property for the NE Sandy Blvd. Project from Richard A. Gillum.

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County has reached a proposed settlement with Richard A. Gillum, the owner of certain real property interests which were determined to be necessary for the purpose of constructing a public improvement project on SE Sandy Boulevard, in the City of Fairview (the "Project") as authorized by Resolution No. 2013-061.
- b. The real property interests proposed to be acquired for the price of \$24,318.00 are two permanent easements for road purposes, more particularly described and identified as Parcel 1 and Parcel 2 in the attached Exhibit 1, and collectively referred to as the "Easements" in addition the County negotiated and obtained a Quitclaim Deed from an immediately adjacent property owner Five Star Storage, Inc, with respect to any easement rights said adjacent property owner may have in the Easements. No consideration was paid for the Quitclaim Deed.
- c. A copy of the Easements and a copy of the Quitclaim Deed are attached together as Exhibit 1 to this Resolution. The real property interests identified and described in the Easements and the Quitclaim Deed are collectively referred to as the "Property".
- d. The acquisition of the Property is necessary for the Project, and it is in the best interest of the public and Multnomah County to approve the purchase of the Property.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the acquisition of the Property, and the County Chair is authorized and directed to execute any documents required for completion of the acquisition.
2. The County Engineer is directed to execute the acceptance statements on the original Easements instrument and Quitclaim Deed instrument in conformance with the copies of said instruments attached as Exhibit 1.

ADOPTED this 17th day of July, 2014.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, County Chair

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

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services.

Grantor:
Richard A. Gillum
PO Box 308
Fairview, OR 97024

EXHIBIT 1

After recording return to:
Patrick Hinds
Land Use & Transportation Division, Bldg. #425

Until a change is requested,
tax statements shall be sent to:
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

Easements

Richard A. Gillum, "Grantor", grants to MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, "Grantee", Parcel 1, a permanent, exclusive easement for road purposes and Parcel 2, a permanent easement for the purpose of slope, drainage, utility, sidewalk, landscaping and traffic control devices including but not limited to the construction and installation of said facilities as determined by the grantee for the maintenance and operation of the public right-of-way under, on over and across the real property as described in the attached Exhibit A. This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

Grantor represents and warrants that he/she has the authority to do this grant. Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A which would interfere with the Grantee's use of said easements.

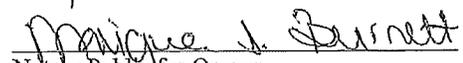
The true consideration paid for this grant stated in terms of dollars is \$ 24,318.00.

Dated this 9 day of June, 2014

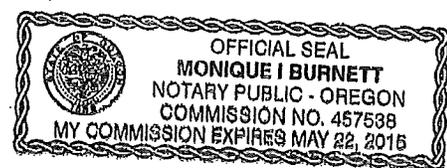

Richard A. Gillum

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on June 9, 2014 by Richard A. Gillum.


Notary Public for Oregon
My Commission Expires: 3/22/15

REVIEWED:
By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon



By: _____
Assistant County Attorney

The described property is accepted for use in conjunction with NE Sandy Blvd., County Road No. 917, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this _____ day of _____, 2014

By _____
Brian S. Vincent, P.E., County Engineer for Multnomah County, Oregon

EXHIBIT "A"

PARCEL 1

A portion of that tract of land described as Parcel 1 in Statutory Warranty Deed to Richard A. Gillum and Lana M. Gillum, as tenants by the entirety, recorded as Document No. 2000-105552, Multnomah County Deed Records, situated in the Northwest One-quarter of Section 28, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

That portion of said Gillum tract that lies southerly of a line that lies 31.00 feet northerly of, when measured at right angles to, and parallel with the centerline of NE Sandy Blvd., County Road no. 917.

Containing 737 square feet more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

JSC 8-6-13

OREGON
JUNE 30, 1997
JAMES S. CLAYTON
2832

RENEWAL DATE: 1-1-14

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

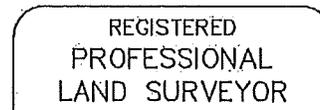
PARCEL 2

A portion of that tract of land described as Parcel 1 in Statutory Warranty Deed to Richard A. Gillum and Lana M. Gillum, as tenants by the entirety, recorded as Document No. 2000-105552, Multnomah County Deed Records, situated in the Northwest One-quarter of Section 28, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

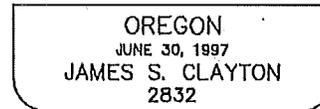
That portion of said Gillum tract that lies southerly of a line that lies 35.00 feet northerly of, when measured at right angles to, and parallel with the centerline of NE Sandy Blvd., County Road no. 917.

Excluding the aforescribed Parcel 1.

Containing 486 square feet more or less.



[Handwritten signature] 8-6-13



RENEWAL DATE: 1-1-14

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

Grantor:
Five Star Storage Co.
20315 NE Sandy Blvd.
Fairview, OR 97024
After recording return to:
Patrick Hinds, Bldg. #425
Until a change is requested,
tax statements shall be sent to:
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

Quitclaim Deed

Five Star Storage Co., an Oregon Corporation, "Grantor", releases and quitclaims to MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, "Grantee", all right, title and interest in and to the following described real property:

In the certain easements as more particularly described in the attached Exhibit A.

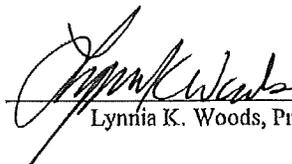
This Quitclaim Deed, is not intended to and shall not be interpreted in any manner, to relinquish, extinguish or otherwise alter or affect any portion of the remaining easements, whether established by deed or prescription (collectively "Remaining Easements"), nor does it relinquish, extinguish or otherwise alter or affect the existing right of ingress or egress from N.E. Sandy Boulevard, County Road No. 917, to fully utilize the Remaining Easements.

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."

The true consideration paid for this transfer stated in terms of dollars is \$0.00.

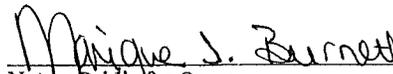
Dated this ^{30th} day of May, 2014.

For Five Star Storage Co.:


Lynnica K. Woods, President

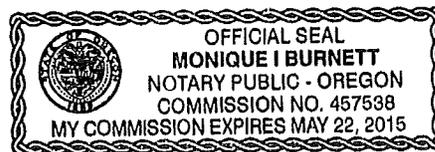
STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on May 30, 2014 by Lynnica K. Woods, President of Five Star Storage Co..


Notary Public for Oregon
My Commission Expires: May 22, 2015

REVIEWED:
By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney



NE Sandy Blvd.
Item No. 2014-05

The described property is accepted for use in conjunction with NE Sandy Blvd., County Road No. 917, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this _____ day of _____, 2014

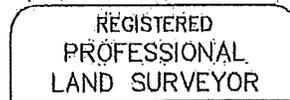
By _____
Brian S. Vincent, P.E., County Engineer for Multnomah County, Oregon

EXHIBIT "A"

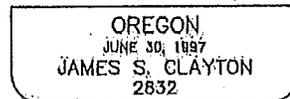
With respect to any easement, including the following easements of record, the first easement having been recorded on July 30, 1928 in Book 1131 at Page 399 in the Multnomah County Deed Records; and the second easement having been recorded on June 27, 1968 in Book 626 at Page 1636 in the Multnomah County Deed Records (collectively referred to as: "the Easements"); specifically any portions of the Easements; situated and being within the boundaries of that certain real property more particularly described as follows:

That portion of the easterly 15.00 feet of the real property described as Parcel 1 in Exhibit A to that certain Statutory Warranty Deed recorded on August 1, 2000, at Entry No. 2000-105552 in the Multnomah County Deed Records; that lies southerly of a line that lies 35.00 feet northerly of, when measured at right angles to, and parallel with the centerline of NE Sandy Blvd., County Road no. 917.

Containing 150 square feet more or less.



[Handwritten signature] 5-6-14



RENEWAL DATE: 1-1-16

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

