

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 05-040

Authorizing Condemnation and Immediate Possession of Real Property Interests for the Purpose of Constructing the New Sauvie Island Bridge and Removing the Existing Bridge

The Multnomah County Board of Commissioners Finds:

- a. It is necessary for Multnomah County to acquire the real property interests described in the attached Exhibits A through D (the property) for the purpose of constructing and operating the new Sauvie Island Bridge and to remove the existing bridge to the Island (collectively referred to as the "Project").
- b. The existing Sauvie Island Bridge is the only road access to the Island and is currently weight restricted due to damage apparently caused by traffic and vehicle loads that are outside its design limits.
- c. The Project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury. The attached map, Exhibit E, shows the approximate location of the Project and the property to be acquired.
- d. It is necessary to take immediate possession of the property to allow construction to proceed and be completed on schedule and within budgetary limitations.

The Multnomah County Board of Commissioners Resolves:


1. It is necessary for Multnomah County to acquire the property described in the attached exhibits for the Project.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the property. Such action shall be in accordance with all applicable laws, rules and regulations governing such acquisition.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is authorized.
4. It is necessary to obtain possession of the property as soon as possible to allow construction to proceed and be completed on schedule and within its budgetary limits.

5. Legal counsel is authorized and directed to take such action in accordance with law to obtain possession of the property as soon as possible.
6. There is authorized the creation of a fund in the amount of the estimate of just compensation for said property, which shall, upon obtaining possession of the property, be deposited with the clerk of the court wherein the action was commenced for the use of the defendants in the action, and the Director of the Finance Division is authorized to draw a warrant on the Road Fund of the County in such sum for deposit.

ADOPTED this 17th day of March, 2005.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Diane M. Linn, County Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Matthew O. Ryan, Assistant County Attorney

EXHIBIT A

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Sauvie Island Bridge-Larson

3/16/05

Parcel 1 – Fee

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by memorandum of agreement for sale between Earl and Ella Larson, husband and wife, Sellers, and Kenneth L. Larson and Janet Jo Hirsch, as tenants in common, Purchasers, by instrument recorded as document no. 97145204, deed records of Multnomah County; the said parcel lying on the Easterly side of the former Burlington Northern Railroad right-of-way and on the Southerly side of the existing right-of-way for the Sauvie Island Bridge, being more particularly described as follows:

Beginning at the point of intersection of the Easterly right-of-way line of the former Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the Southerly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence following said railroad right-of-way, South 45°27'29" East, a distance of 11.57 feet; thence South 45°21'38" East, a distance of 48.57 feet; thence South 45°13'31" East, a distance of 19.06 feet; thence leaving said railroad right-of-way, North 51°04'54" East, a distance of 149.64 feet, more or less, to the line of ordinary low water on the right bank of the Multnomah Channel; thence following said line of ordinary low water, North 38°43'26" West, a distance of 16.42 feet; thence North 13°59'14" West, a distance of 16.89 feet; thence North 41°47'20" West, a distance of 15.01 feet; thence North 18°10'10" West, a distance of 20.68 feet; thence North 36°26'50" West, a distance of 11.72 feet to the aforementioned Southerly right-of-way line of the existing Sauvie Island Bridge; thence following said right-of-way, South 51°23'00" West, a distance of 172.76 feet to the point of beginning.

EXCEPTING THEREFROM rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

FURTHER EXCEPTING THEREFROM all submerged and submersible lands lying between the line of ordinary high water and ordinary low water situated along the right bank of the Multnomah Channel fronting and abutting the above described parcel.

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SUBJECT TO terms and conditions under that certain tideland lease from the State Land Board of the State of Oregon to Elden E. Persinger, dated February 3, 1950, to all tide and overflow land lying between main high water and main low water lines situated along the right bank of the Multnomah Channel fronting and abutting the above described parcel.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.20 acres, more or less.

Parcel 2 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by memorandum of agreement for sale between Earl and Ella Larson, husband and wife, Sellers, and Kenneth L. Larson and Janet Jo Hirsch, as tenants in common, Purchasers, by instrument recorded as document no. 97145204, deed records of Multnomah County; the said parcel lying on the Easterly side of the former Burlington Northern Railroad right-of-way and on the northwesterly side of the existing right-of-way for the Sauvie Island Bridge and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the former Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence North 45°28'19" West, following said railroad right-of-way, a distance of 80.57 feet to the northwesterly right-of-way line of said Sauvie Island Bridge and the TRUE POINT OF BEGINNING; thence continuing North 45°30'35" West along said railroad right-of-way, a distance of 72.73 feet, more or less, to the North line of Tract "C", according to the duly filed plat of Lucerne, recorded September 4, 1909 in Plat Book 475, Pages 75 and 76, Multnomah County Plat records; thence South 88°03'42" East along the North line of said Tract "C", a distance of 111.05 feet to the aforesaid northwesterly right-of-way line of the Sauvie Island Bridge; thence South 51°23'00" West along said right-of-way, a distance of 75.65 feet to the TRUE POINT OF BEGINNING.

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Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.06 acres, more or less.

Parcel 3 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by memorandum of agreement for sale between Earl and Ella Larson, husband and wife, Sellers, and Kenneth L. Larson and Janet Jo Hirsch, as tenants in common, Purchasers, by instrument recorded as document no. 97145204, deed records of Multnomah County; the said parcel lying on the easterly side of the former Burlington Northern Railroad right-of-way and adjoining the southeasterly side of the aforesaid Parcel 1 and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the former Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 45°27'29" East, a distance of 11.57 feet; thence South 45°21'38" East, a distance of 48.57 feet; thence South 45°13'31" East, a distance of 47.58 feet; thence South 44°50'47" East, a distance of 31.97 feet to the TRUE POINT OF BEGINNING; thence continuing along said railroad-right of way South 44°50'47" East, a distance of 14.94 feet; thence leaving said railroad right-of-way North 51°04'54" East, a distance of 65.65 feet; thence North 34°21'16" West, a distance of 75.24 feet to a point on the southeasterly boundary of the herein described Parcel 1; thence South 51°04'54" West, a distance of 66.43 feet; thence South 32°30'42" East, a distance of 60.52 feet to the TRUE POINT OF BEGINNING.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.12 acres, more or less.

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Parcel 4 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by memorandum of agreement for sale between Earl and Ella Larson, husband

and wife, Sellers, and Kenneth L. Larson and Janet Jo Hirsch, as tenants in common, Purchasers, by instrument recorded as document no. 97145204, deed records of Multnomah County; the said parcel lying on the easterly side of the former Burlington Northern Railroad right-of-way and adjoining the southeasterly side of the aforesaid Parcel 3 and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the former Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 45°27'29" East, a distance of 11.57 feet; thence South 45°21'38" East, a distance of 48.57 feet; thence South 45°13'31" East, a distance of 19.06 feet to the most southerly southeast corner of the above described Parcel 1; thence North 51°04'54" East along the southeasterly boundary of said Parcel 1, a distance of 101.04 feet to the TRUE POINT OF BEGINNING; thence South 38°55'06" East, a distance of 65.86 feet; more or less, to the line of ordinary high water on the right bank of the Multnomah Channel; thence following said line of ordinary high water, North 13°30'15" East, a distance of 14.68 feet; thence North 33°27'49" West, a distance of 7.55 feet; thence North 29°04'42" West, a distance of 15.21 feet; thence North 33°52'33" West, a distance of 6.75 feet; thence North 31°51'54" West, a distance of 12.99 feet; thence North 36°13'21" West, a distance of 5.14 feet; thence North 37°04'42" West, a distance of 9.66 feet to the most easterly corner of the herein described Parcel 1; thence leaving the line of ordinary high water of the Multnomah channel, South 51°04'54" West along the southeasterly boundary of said Parcel 1, a distance of 17.69 feet to the TRUE POINT OF BEGINNING.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.02 acres, more or less.

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Parcel 5 – Permanent Easement for Road Approach

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by memorandum of agreement for sale between Earl and Ella Larson, husband and wife, Sellers, and Kenneth L. Larson and Janet Jo Hirsch, as tenants in common, Purchasers, by instrument recorded as document no. 97145204, deed records of

Multnomah County; the said parcel lying on the easterly side of the existing Burlington Northern Railroad right-of-way and adjoining the southeasterly side of the aforesaid Parcel 1 and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 45°27'29" East, a distance of 11.57 feet; thence South 45°21'38" East, a distance of 48.57 feet; thence South 45°13'31" East, a distance of 19.06 feet to the TRUE POINT OF BEGINNING; thence continuing along said railroad-right of way South 45°13'31" East, a distance of 28.52 feet; thence South 44°50'47" East, a distance of 31.97 feet; thence leaving said railroad right-of-way North 32°30'42" West, a distance of 60.52 feet to a point on the southeasterly boundary of the herein described Parcel 1; thence South 51°04'54" West, a distance of 13.19 feet to the TRUE POINT OF BEGINNING.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.01 acres, more or less.

Parcel 6 – Assignment of Interest in Submerged and Submersible Land Lease

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of State of Oregon, Division of State Lands, Submerged and Submersible Land Lease, assignment of lease number ML-7870 to KD & J, Inc., an Oregon Corporation, Lessee, dated October 22, 1996; the said parcel lying on the easterly side of aforesaid Parcel 1 and Parcel 4 and being more particularly described as follows:

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A strip of land, 80.00 feet in width, the southeasterly boundary lying 80.00 feet from, as measured at right angles to and parallel with the existing southeasterly right-of-way of the Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, and bounded on the southwest by the easterly boundary of the aforesaid Parcel 1 and Parcel 4.

The parcel of land to which this description applies contains 0.29 acres, more or less.

Parcel 7 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of State of Oregon, Division of State Lands (DSL), Submerged and Submersible Land Lease, assignment of lease number ML-7870 to KD & J, Inc., an Oregon Corporation, Lessee, dated October 22, 1996; the said parcel lying on the easterly side of aforesaid Parcel 4 and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the former Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded August 19, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 45°27'29" East, a distance of 11.57 feet; thence South 45°21'38" East, a distance of 48.57 feet; thence South 45°13'31" East, a distance of 19.06 feet to the most southerly corner of the above described Parcel 1; thence North 51°04'54" East along the southeasterly boundary of said Parcel 1, a distance of 118.73 feet to the most northerly corner of the above described Parcel 4 and the TRUE POINT OF BEGINNING; thence North 51°04'54" East on a northeasterly projection of said southeasterly boundary, a distance of 146.34 feet, more or less, to the easterly boundary of aforesaid DSL lease number ML-7870; thence following said easterly boundary South 40°10'52" East, a distance of 90.00 feet; thence leaving said easterly boundary, South 51°04'54" West, a distance of 157.54 feet, more or less, to the line of ordinary high water on the right bank of the Multnomah Channel; thence following said line of ordinary high water, North 33°27'49" West, a distance of 40.77 feet; thence North 29°04'42" West, a distance of 15.21 feet; thence North 33°52'33" West, a distance of 6.75 feet; thence North 31°51'54" West, a distance of 12.99 feet; thence North 36°13'21" West, a distance of 5.14 feet; thence North 37°04'42" West, a distance of 9.66 feet to the TRUE POINT OF BEGINNING.

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Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.31 acres, more or less.

Parcel 8 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the NE1/4SW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being that property described by warranty deed between Irene Daly, et al, grantors, to the State of Oregon, by and through its State Highway Commission, grantees, by instrument recorded in Book 1353 at page 445, deed records of Multnomah County, the said parcel lying on the Easterly side of the existing Burlington Northern Railroad right-of-way and comprising a portion of the existing right-of-way for the Sauvie Island Bridge, being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way line of the former Burlington Northern/Santa Fe Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the Southeasterly right-of-way line of the existing Sauvie Island Bridge, recorded July 15, 1949 in Book 1353 at Page 445, deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence North 51°23'00" East, along said Southeasterly right-of-way line, a distance of 30.87 feet to the easterly right-of-way boundary of an easement granted to International Wood Products Company by instrument recorded October 28, 1941 in Book 646 at Page 437, deed records of Multnomah County, and the TRUE POINT OF BEGINNING; thence following the easterly boundary of said easement, North 32°30'42" West, a distance of 80.46 feet to the Northwestern right-of-way line of the aforesaid Sauvie Island Bridge; thence following said Northwestern right-of-way line, North 51°23'00" East, a distance of 26.55 feet, more or less, to the North line of Tract "C", according to the duly filed plat of Lucerne, recorded September 4, 1909 in Plat Book 475, Pages 75 and 76, Multnomah County Plat records; thence South 88°03'42" East along the North line of said Tract "C", a distance of 123.04 feet to the aforesaid Southeasterly right-of-way line of the Sauvie Island Bridge; thence South 51°23'00" West along said Southeasterly right-of-way line, a distance of 128.60 feet to the TRUE POINT OF BEGINNING.

The parcel of land to which this description applies contains 0.14 acres, more or less.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

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Parcel 1 – Fee

A parcel of land lying in the North 1/2 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Alder Creek Lumber Co., Inc., Grantor, and Esco Corporation, Grantee, by instrument recorded as document no. 95-79726, Deed Records of Multnomah County, the said parcel lying on the southeasterly side of the existing right-of-way for the Sauvie Island Bridge and the southwesterly side of the easterly Bridge approach right-of-way, and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way boundary of the Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way boundary of the existing Sauvie Island Bridge, recorded July 11, 1952 in Book 1553 at Page 90, Deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence North 51°23'00" East along said Sauvie Island Bridge right-of-way, a distance of 772.69 feet to the TRUE POINT OF BEGINNING; thence continuing North 51°23'00" East, a distance of 181.42 feet to the southwesterly right-of-way boundary of the East approach to the Sauvie Island Bridge, which point lies on a non-tangent 1939.86-foot radius circular curve, concave to the northeast, and from which point a radial line bears North 49°55'48" East; thence following said right-of-way curve to the left through a central angle of 2°10'40", an arc distance of 73.73 feet (said arc being subtended by a chord bearing South 41°09'32" East, a distance of 73.73 feet); thence South 51°04'54" West, a distance of 192.61 feet, more or less, to the line of ordinary low water on the left bank of the Multnomah Channel as defined by the State of Oregon, Department of State Lands; thence following said line of ordinary low water, the following courses and distances;

North 18°31'11" West, a distance of 2.86 feet;

North 17°33'23" East, a distance of 7.45 feet;

North 46°06'04" West, a distance of 14.40 feet;

North 31°50'01" West, a distance of 14.53 feet;

North 67°00'34" East, a distance of 4.82 feet;

North 42°25'47" West, a distance of 21.32 feet;

North 52°07'47" West, a distance of 12.90 feet;

North 32°30'27" West, a distance of 6.65 feet to the aforementioned southeasterly right-of-way boundary of the existing Sauvie Island Bridge and the TRUE POINT OF BEGINNING.

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EXCEPTING THEREFROM, rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

SUBJECT TO an easement, including the terms and provisions thereof, granted to the Sauvie Island Drainage District of the Counties of Multnomah and Columbia, State of Oregon, by instruments recorded between April 5, 1939 and February 16, 1940, in Book 490 at Page 435; Book 497 at Page 251; Book 523 at Page 13; Book 523 at Page 91; and Book 535 at Page 51, deed records of Multnomah County, Oregon.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.31 acres, more or less.

Parcel 2 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the North 1/2 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Alder Creek Lumber Co., Inc., Grantor, and Esco Corporation, Grantee, by instrument recorded as document no. 95-79726, Deed Records of Multnomah County, the said parcel lying on the southeasterly side of the existing right-of-way for the Sauvie Island Bridge and the southwesterly side of the easterly Bridge approach right-of-way, and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way boundary of the Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel with the centerline of the existing rails) and the southeasterly right-of-way boundary of the existing Sauvie Island Bridge, recorded July 11, 1952 in Book 1553 at Page 90, Deed records of Multnomah County, which point lies South 85°06'03" East, a distance of 1987.63 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence North 51°23'00" East along said Sauvie Island Bridge right-of-way, a distance of 954.11 feet to the southwesterly right-of-way boundary of the East approach to the Sauvie Island Bridge, which point lies on a non-tangent 1939.86-foot radius circular curve, concave to the northeast, and from which point a radial line bears North 49°55'48" East; thence following said right-of-way curve to the left through a central angle of 2°10'40", an arc distance of 73.73 feet (said arc being subtended by a chord bearing South 41°09'32" East, a distance of 73.73 feet) to the TRUE POINT OF BEGINNING; thence continuing along said right-of-way curve to the left through a central angle of 2°02'25", an arc distance of 69.08 feet (said arc being subtended by a

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chord bearing South 43°16'05" East, a distance of 69.08 feet), more or less, to the easterly line of the Sauvie Island Drainage District No. 1 dike; thence South 38°02'59" East along said dike line, a distance of 74.13 feet; thence leaving said dike, South 51°04'54" West, a distance of 189.24 feet, more or less, to the line of ordinary low water on the left bank of the Multnomah Channel as defined by the State of Oregon, Department of State Lands; thence following said line of ordinary low water the following courses and distances:

North 49°47'59" West, a distance of 69.53 feet;

North 6°23'20" West, a distance of 7.21 feet;

North 78°13'56" West, a distance of 5.61 feet;

North 37°03'09" West, a distance of 38.83 feet;

North 00°52'31" West, a distance of 6.76 feet

North 39°15'23" West, a distance of 20.16 feet to the southeasterly boundary of the above mentioned Parcel number 1; thence leaving said line of ordinary low water North 51°04'54" East, a distance of 192.61 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO an easement, including the terms and provisions thereof, granted to the Sauvie Island Drainage District of the Counties of Multnomah and Columbia, State of Oregon, by instruments recorded between April 5, 1939 and February 16, 1940, in Book 490 at Page 435; Book 497 at Page 251; Book 523 at Page 13; Book 523 at Page 91; and Book 535 at Page 51, deed records of Multnomah County, Oregon.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.65 acres, more or less.

Parcel 3 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the North 1/2 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Alder Creek Lumber Co., Inc., Grantor, and Esco Corporation, Grantee, by instrument recorded as document no. 95-79726, Deed Records of Multnomah County, the said parcel lying on the northwesterly side of the existing right-of-way for the Sauvie Island Bridge and the southwesterly side of the easterly Bridge approach right-of-way and being more particularly described as follows:

Commencing at the point of intersection of the Easterly right-of-way boundary of the Burlington Northern Railroad (defined as a line drawn 50.00 feet Easterly from and parallel

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with the centerline of the existing rails) and the northwesterly right-of-way boundary of the existing Sauvie Island Bridge, recorded July 11, 1952 in Book 1553 at Page 90, Deed records of Multnomah County, which point lies South 86°37'48" East, a distance of 1926.27 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian, thence North 51°23'00" East along said right-of-way, a distance of 793.63 feet, more or less, to the line of ordinary low water on the left bank of the Multnomah Channel as defined by the State of Oregon, Department of State Lands, and the TRUE POINT OF BEGINNING; thence following said line of ordinary low water the following courses and distances:

North 33°29'10" West, a distance of 8.12 feet;

North 25°22'45" West, a distance of 13.16 feet;

North 60°01'59" West, a distance of 15.35 feet;

North 25°25'56" West, a distance of 11.52 feet;

North 41°58'10" West, a distance of 8.92 feet;

North 23°35'44" West, a distance of 16.81 feet;

North 48°18'56" West, a distance of 3.51 feet;

thence leaving said line of ordinary low water North 51°23'00" East, a distance of 130.05 feet; thence North 33°35'12" West, a distance of 247.83 feet; thence North 19°41'57"

West, a distance of 14.97 feet; thence North 01°47'21" West, a distance of 11.84 feet,

thence North 04°11'33" West, a distance of 59.08 feet, more or less, to the southwesterly right-of-way boundary of the east approach to the Sauvie Island Bridge; thence following

said right-of-way boundary South 33°08'30" East, a distance of 61.98 feet; thence leaving

said right-of-way boundary South 04°11'33" East, a distance of 5.47 feet; thence South

01°47'21" East, a distance of 7.74 feet; thence South 19°41'57" East, a distance of 6.58

feet; thence South 33°35'12" East, a distance of 241.53 feet; thence North 51°23'00" East,

a distance of 8.00 feet to the southwesterly right-of-way boundary of the east approach to

the Sauvie Island Bridge, which point lies on a non-tangent 1939.86 foot radius circular

curve, concave to the northeast, and from which point a radial line bears North 54°30'35"

East; thence following said right-of-way curve to the left through a central angle of

2°13'00", an arc distance of 75.05 feet (said arc being subtended by a chord bearing South

36°35'55" East, a distance of 75.05 feet) to the northwesterly right-of-way boundary of

aforesaid Sauvie Island Bridge; thence South 51°23'00" West, a distance of 169.53 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM, rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

SUBJECT TO an easement, including the terms and provisions thereof, granted to the Sauvie Island Drainage District of the Counties of Multnomah and Columbia, State of Oregon, by instruments recorded between April 5, 1939 and February 16, 1940, in Book

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2/28/05

490 at Page 435; Book 497 at Page 251; Book 523 at Page 13; Book 523 at Page 91; and Book 535 at Page 51, deed records of Multnomah County, Oregon.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.50 acres, more or less.

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2/28/05

Parcel 1 – Fee

A parcel of land lying in the James Menzies Donation Land Claim (DLC) No. 45, in the SW1/4NE1/4 and the E1/2NW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Peter A. Roth, et al, Grantors, and Mary Anne Wolfe, Grantee, by instrument recorded Nov. 26, 1991 in Book 2481 at Page 627, deed records of Multnomah County, the said parcel lying on the easterly side of the easterly Bridge approach right-of-way for the Sauvie Island Bridge, and being more particularly described as follows:

Commencing at a found 1/2" iron pipe in monument case in the centerline of Gillihan Road, County Road No. 1159, at engineer's centerline station 36+58.4 P.I., which point lies North 53°21'23" East, a distance of 2775.21 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 24°22'02" East along the centerline of said Gillihan Road, a distance of 253.16 feet to engineer's centerline station 39+11.56; thence North 65°37'58" East, a distance of 25.00 feet to the northeasterly right-of-way boundary of Gillihan Road and the TRUE POINT OF BEGINNING; thence South 24°22'02" East along said northeasterly right-of-way boundary, a distance of 179.53 feet to a point opposite engineer's centerline station "B" 112+60.49 P.O.T. of the Sauvie Island Bridge Section over the Multnomah Channel, Gillihan Road, as shown on Oregon State Highway Department drawing number 6B-30-5, dated November, 1948; thence following said drawing number 6B-30-5 described right-of-way, North 65°39'30" East, a distance of 15.30 feet; thence South 24°20'30" East, a distance of 91.16 feet to a point 40.00 feet northeasterly from, as measured at right angles to engineer's centerline station "B" 111+69.33 P.T.; thence following a 676.20-foot radius circular curve left through a central angle of 20°16'30", an arc distance of 239.28 feet (said arc being subtended by a chord bearing South 34°28'45" East, a distance of 238.04 feet) to a point 40.00 feet northeasterly from, as measured at right angles to engineer's centerline station "B" 109+15.89 P.C.; thence South 48°17'00" East; a distance of 326.85 feet; thence South 37°45'29" East, a distance of 114.79 feet to a point on a non-tangent, 233.24-foot radius circular curve lying 90.00 feet northeasterly from, as measured on a radial line bearing North 77°23'00" East from engineer's centerline station "B" 105+18.51 P.C.S.; thence following said curve to the right through a central angle of 66°04'06", an arc distance of 268.95 feet (said arc being subtended by a chord bearing South 20°25'03" West, a distance of 254.29 feet) to a point on the northeasterly right-of-way boundary of the aforesaid Gillihan County Road lying 20.00 foot distant northeasterly from, as measured at right angles to engineer's centerline station 50+12.01 P.O.T.; thence South 30°14'05" East along said right-of-way, a distance of 85.19 feet to a point on a non-tangent, 426.00-foot radius circular curve, from which a radial line bears North 56°18'13"

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File 04-55
Sauvie Island Bridge-Wolfe
2/28/05

West; thence following said curve to the left through a central angle of $88^{\circ}49'56''$, an arc distance of 660.48 feet (said arc being subtended by a chord bearing North $10^{\circ}43'11''$ West, a distance of 596.28 feet) to the point of reverse curvature with a 1177.00-foot radius curve; thence following said curve to the right through a central angle of $20^{\circ}07'52''$, an arc distance of 413.54 feet (said arc being subtended by a chord bearing North $45^{\circ}04'13''$ West, a distance of 411.42 feet); thence North $35^{\circ}04'59''$ West, a distance of 220.26 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM, rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 1.38 acres, more or less.

Parcel 2 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the James Menzies DLC No. 45, in the SW1/4NE1/4 and the E1/2NW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Peter A. Roth, et al, Grantors, and Mary Anne Wolfe, Grantee, by instrument recorded Nov. 26, 1991 in Book 2481 at Page 627, deed records of Multnomah County, the said parcel lying on the easterly side of the easterly Bridge approach right-of-way for the Sauvie Island Bridge, and being more particularly described as follows:

Commencing at a found 1/2" iron pipe in monument case in the centerline of Gillihan Road, County Road No. 1159, at engineer's centerline station 36+58.4 P.I., which point lies North $53^{\circ}21'23''$ East, a distance of 2775.21 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South $24^{\circ}22'02''$ East along the centerline of said Gillihan Road, a distance of 253.16 feet to engineer's centerline station 39+11.56; thence North $65^{\circ}37'58''$ East, a distance of 25.00 feet to the most northerly northwest corner of the above described Parcel 1 on the northeasterly right-of-way boundary of Gillihan Road; thence leaving said Gillihan Road right-of-way, South $35^{\circ}04'59''$ East, a distance of 65.83 feet and the TRUE POINT OF BEGINNING; thence North $54^{\circ}59'43''$ East, a distance of 25.21 feet; thence South $35^{\circ}00'17''$ East, a distance of 154.43 feet to the point of curvature of a 1152.00-foot radius

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2/28/05

circular curve; thence following said curve to the left through a central angle of $20^{\circ}07'52''$, an arc distance of 404.76 feet (said arc being subtended by a chord bearing South $45^{\circ}04'13''$ East, a distance of 402.68 feet) to the point of reverse curvature with a 451.00-foot radius circular curve; thence following said curve to the right through a central angle of $85^{\circ}23'43''$, an arc distance of 672.18 feet (said arc being subtended by a chord bearing South $12^{\circ}26'18''$ East, a distance of 611.67 feet) to the point of reverse curvature with a 7.50-foot radius circular curve; thence following said curve to the left through a central angle of $55^{\circ}07'10''$, an arc distance of 7.22 feet (said arc being subtended by a chord bearing South $2^{\circ}41'59''$ West, a distance of 6.94 feet) to the point of tangency; thence South $24^{\circ}51'36''$ East, a distance of 15.87 feet; thence South $64^{\circ}50'57''$ West, a distance of 29.77 feet to the northeasterly right-of-way boundary of Gillihan Road, which point lies 20.00 feet northeasterly from, as measured at right angles to engineer's centerline station 51+26.03 P.O.T.; thence North $30^{\circ}14'05''$ West along said Gillihan Road right-of-way, a distance of 28.83 feet to the most southerly southeast corner of the above described Parcel 1, a point on a non-tangent, 426.00-foot radius circular curve, from which a radial line bears North $56^{\circ}18'13''$ West; thence following the easterly boundary of said Parcel 1 and said curve to the left through a central angle of $88^{\circ}49'56''$, an arc distance of 660.48 feet to the point of reverse curvature with a 1177.00-foot radius curve; thence following said curve to the right through a central angle of $20^{\circ}07'52''$, an arc distance of 413.54 feet (said arc being subtended by a chord bearing North $45^{\circ}04'13''$ West, a distance of 411.42 feet); thence North $35^{\circ}04'59''$ West, a distance of 154.43 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM, rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.72 acres, more or less.

EXHIBIT D

Page 1 of 1
File 04-56
Sauvie Island Bridge-Yom
02/28/05

Parcel 1 – Temporary Construction Easement - 4 years or duration of project, whichever is shorter.

A parcel of land lying in the James Menzies Donation Land Claim (DLC) No. 45, in the SE1/4NW1/4 of Section 28, Township 2 North, Range 1 West, of the Willamette Meridian, Multnomah County, Oregon, and being a portion of that property described by warranty deed between Jong H. Lee, et ux, Grantors, and Kae M. Yom, et ux, Grantees, by instrument number 98039528, recorded Mar. 13, 1998, deed records of Multnomah County, the said parcel lying on the westerly side of Gillihan County Road No. 1159 and the westerly side of the easterly Bridge approach right-of-way for the Sauvie Island Bridge, and being more particularly described as follows:

Commencing at a found 1/2" iron pipe in monument case in the centerline of Gillihan Road, County Road No. 1159, at engineer's centerline station 36+58.4 P.I., which point lies North 53°21'23" East, a distance of 2775.21 feet from the one-quarter corner common to Sections 28 and 29, Township 2 North, Range 1 West, of the Willamette Meridian; thence South 24°22'02" East along the centerline of said Gillihan Road, a distance of 419.80 feet to engineer's centerline station 40+78.20; thence South 65°37'58" West, a distance of 20.00 feet to the southwesterly right-of-way boundary of Gillihan Road and the TRUE POINT OF BEGINNING; thence South 24°22'02" East along said Gillihan County Road right-of-way, a distance of 13.46 feet; thence South 02°24'30" West, a distance of 262.65 feet, more or less, to the easterly line of the right-of-way of the Sauvie Island Drainage District Number 1; thence following said Drainage District right-of-way North 29°45'05" West, a distance of 254.16 feet, more or less; thence leaving said Drainage District right-of-way, North 60°07'41" East, a distance of 83.43 feet; thence North 66°57'02" East, a distance of 29.43 feet; thence North 67°20'46" East, a distance of 13.66 feet; thence North 84°07'58" East, a distance of 6.90 feet; thence South 68°25'26" East, a distance of 13.66 feet to the TRUE POINT OF BEGINNING.

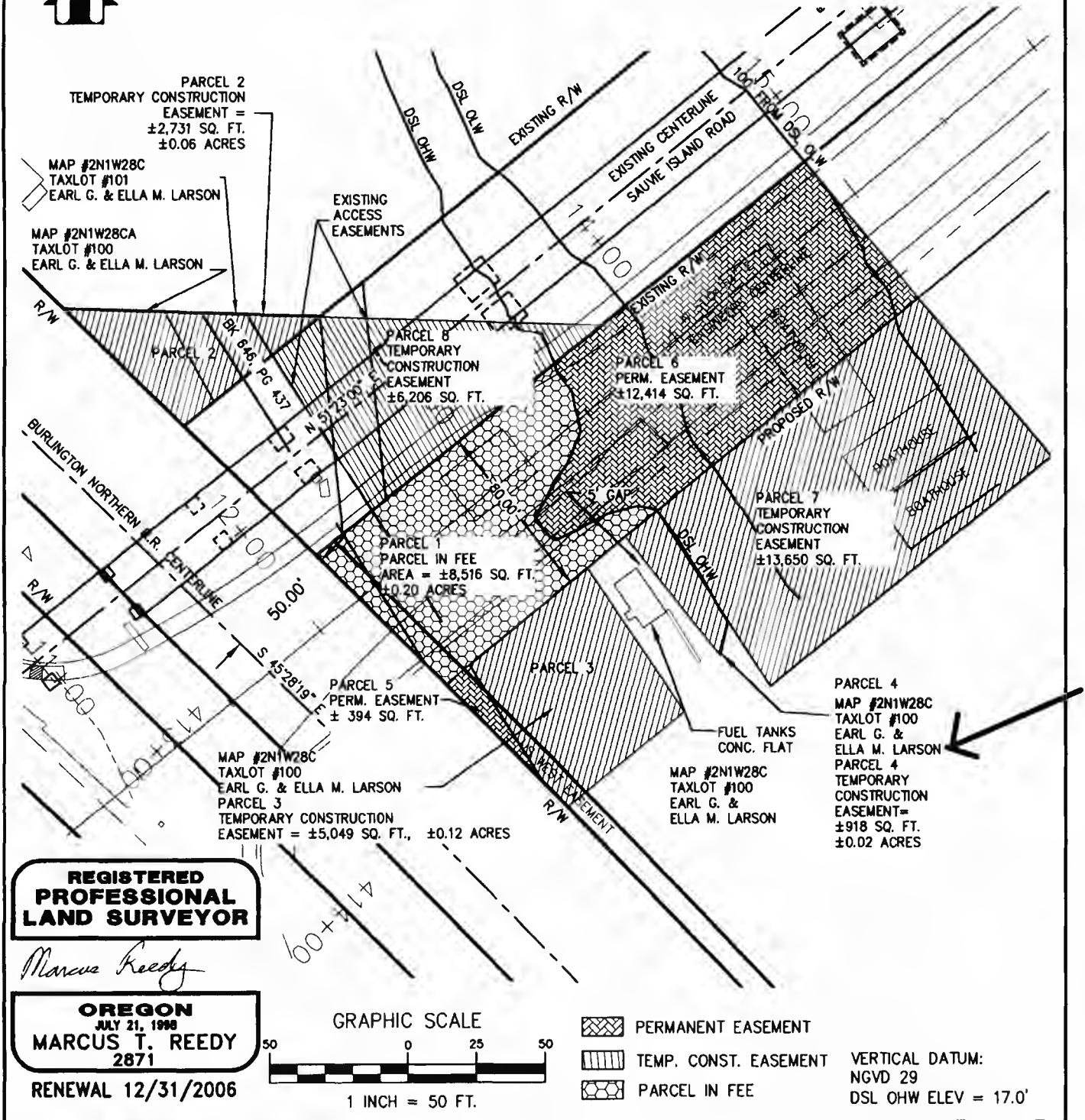
EXCEPTING THEREFROM, rights of the public in and to that portion of the herein described parcel lying within the limits of streets, roads and highways.

Bearings are based on the Oregon Coordinate System of 1983, North Zone.

The parcel of land to which this description applies contains 0.45 acres, more or less.



EXHIBIT MAP



**DAVID EVANS
AND ASSOCIATES INC.**

530 Center Street N.E., Suite 605
Salem Oregon 97301
Phone: 503.381.8635

PROJECT **SAUVIE ISLAND BRIDGE REPLACEMENT**

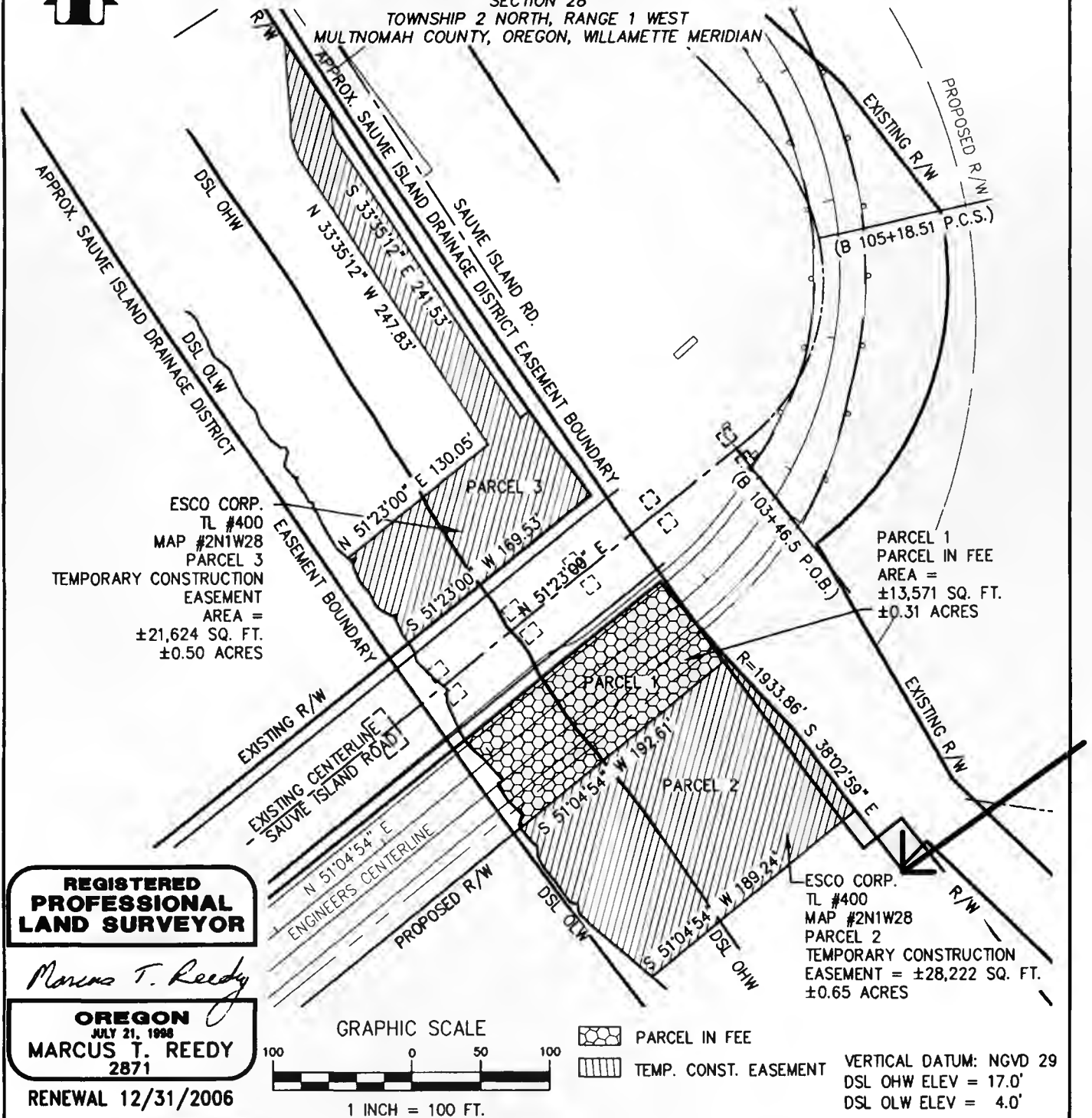
TITLE **SAUVIE ISLAND ROAD
MULTNOMAH COUNTY**

FILE **ODOT00000460** DRAWN BY **BXL** DESIGN BY **MTR** SCALE **1" = 60'** DATE **03-15-05**

Exhibit E
Page 1 of 5

1

SECTION 28
TOWNSHIP 2 NORTH, RANGE 1 WEST
MULTNOMAH COUNTY, OREGON, WILLAMETTE MERIDIAN



**DAVID EVANS
AND ASSOCIATES INC.**

**530 Center Street N.E., Suite 605
Salem Oregon 97301
Phone: 503.361.8835**

PROJECT	SAUVIE ISLAND BRIDGE REPLACEMENT
TITLE	SAUVIE ISLAND ROAD
	MULTNOMAH COUNTY

FILE	DRAWN BY	DESIGN BY	SCALE	DATE
ODOT000000460	BXL	GAC	1" = 100'	03-02-05

Exhibit E
Page 2 of 5**SHORT**

1

EXTG. R/M

APPROX. DRAINAGE DIST.

PARCEL IN FEE
AREA =
±59,917 SQ. FT.
±1.38 ACRES

TEMP. CONST.
EASEMENT
AREA =
±31,546 SQ. FT.
±0.72 ACRES

MAP #2N1W28A
T.L. #500
MARY A. WOLFE

ESCO CORP.
MAP #2N1W28
T.L. 400

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Maras T. Raedky



OREGON
JULY 21, 1998
MARCUS T. REEDY
2871

RENEWAL 12/31/2006

GRAPHIC SCALE



1 INCH = 100 FT.

 TEMP. CONST. EASEMENT
 PARCEL IN FEE



**DAVID EVANS
AND ASSOCIATES INC.**

530 Center Street N.E., Suite 605
Salem Oregon 97301
Phone: 503.361.8635

PROJECT	SAUVIE ISLAND BRIDGE REPLACEMENT
TITLE	SAUVIE ISLAND ROAD
	MULTNOMAH COUNTY

FILE	DRAWN BY	DESIGN BY	SCALE	DATE
ODOT000000460	BXL	GAC	1" = 100'	03-01-05

Exhibit E
Page 3 of 5

SHIRAZ

1

EXHIBIT MAP

SECTION 28
TOWNSHIP 2 NORTH, RANGE 1 WEST
MULTNOMAH COUNTY, OREGON, WILLAMETTE MERIDIAN



**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Marcus T. Reedy

OREGON
JULY 21, 1996
MARCUS T. REEDY
2871

RENEWAL 12/31/2006

GRAPHIC SCALE



1 INCH = 100 FT.

 TEMP. CONST. EASEMENT



**DAVID EVANS
AND ASSOCIATES INC.**

**530 Center Street N.E., Suite 605
Salem Oregon 97301
Phone: 503.361.8635**

PROJECT	SAUVIE ISLAND BRIDGE REPLACEMENT
TITLE	SAUVIE ISLAND ROAD
	MULTNOMAH COUNTY

FILE	DRAWN BY	DESIGN BY	SCALE	DATE
ODOT000000460	BXL	GAC	1" = 100'	03-02-05

Exhibit E
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Summary

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