

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Transfer of Tax Foreclosed Property to the City of Portland for Non-Housing Public Purposes.

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code (MCC) Chapter 7 allow for transfer of tax foreclosed real property to governmental bodies provided the property is used for a public purpose.
- b. The City of Portland (City) is eligible under ORS 271.330 and MCC Chapter 7 to request the transfer of tax foreclosed property for non-housing public purposes.
- c. The City has requested the transfer of two tax foreclosed properties (Properties), which are more particularly described in the proposed deed to the City of Portland, a copy of which is attached and identified as Exhibit A.
- d. The County's Special Program Section published notice of the October 27th, 2011, public hearing to consider the proposed transfer of the Properties as required under ORS 271.330 (5) and MCC § 7.407.
- e. The Properties are not needed for public use by the County and are eligible for transfer to the City for public purpose use, and a transfer to the City without monetary consideration will serve the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The transfer of the Properties to the City in compliance with ORS 271.330 and MCC § 7.407(G) is approved.
2. The deed of conveyance to the City shall provide that the Properties be used and continue to be used for public purposes; and should the Properties cease to be used for public purposes by the City, the interests of the City shall automatically terminate and title shall revert to the County.
3. The County Chair on behalf of Multnomah County is authorized to execute a deed substantially in conformance with the deed attached as Exhibit A, conveying the Properties as more particularly described in said Exhibit A, to the City of Portland.

ADOPTED this 27th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

JENNY M. MORF, ACTING COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:
Joanne Fuller, Director, Dept. of County Management

Until a change is requested, all tax statements shall be sent to the following address:
COP PARKS & RECREATION
1120 SW 5TH AVE SUITE 1302
PORTLAND OR 97204

Exhibit A to Resolution

After recording return to:
Multnomah County Special Programs 503/2

DEED D122254

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, **Grantee**, the real property described in the attached Exhibit 1.

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 27th day of October, 2011.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 27th day of October 2011, by Jeff Cogen, to me personally known, as Chair of the Multnomah County Board of Commissioners, on behalf of the County by authority of the Multnomah County Board of Commissioners.

Marina A. Baker
Notary Public for Oregon
My Commission expires: 7/14/2014

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

ACCEPTED:
CITY OF PORTLAND
PARKS & RECREATION

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Nick Fish, Commissioner

EXHIBIT 1 (Deed D122254)

1. (Tax Account No.: R100129); Legal Description:

A tract in the Southwest One-Quarter of Section 16, Township 1 North, Range 2 East of the Willamette Meridian, in the County of Multnomah and State of Oregon, described as Tract "A", A.P. Industrial Park.

Excepting therefrom the following described parcel of land:

A parcel of land in Section 16, Township 1 North, Range 2 East, Willamette Meridian, and being a portion of Tract "A", A.P. Industrial Park, a duly recorded Plat in Multnomah County, State of Oregon, described as follows:

Beginning at a point in the West line of said Tract "A", also being a point in the West line of the George M. Long Donation Land Claim, which bears North 01°21'48" East, a distance of 1950.69 feet from the Southwest corner of said Long D.L.C.; thence continuing North 01°21'48" East, along said D.L.C. line, a distance of 50.82 feet to a point in the centerline of the Columbia Slough; thence South 64°15'02" East, along said slough centerline, a distance of 46.86 feet to a point; thence Southwesterly along the arc of a 1357.39 foot radius non-tangent curve to the left, the chord of which bears South 54°57'44" West, a distance of 53.03 feet to the point of beginning. Except the rights of the State of Oregon in and to the Columbia Slough.

2. (Tax Account No.: R308335); Legal Description:

Lot 7, Block 14, Willbridge
Except part in Street