

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of the construction of the North Portland
Health Clinic

RESOLUTION

96-154

The above-entitled matter is before the Board to consider the condemnation and immediate possession by Multnomah County of the real property hereinafter described for the purpose of construction of a new North Portland Health Clinic; and

It appearing that by Resolution 96-55 adopted by the Board on March 28, 1996 the Board authorized condemnation for the North Portland Health Clinic subject to further approval by the Board; and

It appearing that condemnation is necessary to acquire certain parcels for construction of the North Portland Health Clinic; and

It appearing that the project has been planned and located in a manner which is most compatible with the greatest public good and the least private injury; and

It appearing that the real property hereinafter described is necessary for the construction of the North Portland Health Clinic; and

It appearing that it is necessary to acquire immediate possession of the property hereinafter described to allow construction to proceed and be completed on schedule within budgetary limitations, now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Multnomah County that Multnomah County, by this Resolution, does hereby declare its intent to acquire said real property for the purposes hereinabove specified situated in the County of Multnomah, State of Oregon, and described on Exhibit A attached hereto.

BE IT RESOLVED by the Board of County Commissioners as follows:

1. That the Board does hereby find and declare that it is necessary to acquire the property described herein for the construction of the new North Portland Health Clinic; and
2. That in the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is hereby authorized and directed to commence and prosecute to final determination such 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; and

3. That upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is hereby authorized; and
4. That the Board hereby finds that it is necessary to obtain immediate possession of such property to allow construction to proceed and be completed on schedule within budgetary limitations; and
5. Legal counsel is hereby authorized and directed to take such action in accordance with law to obtain immediate possession of the property; and
6. That there is hereby authorized the creation of a fund in the amount of the estimate of just compensation for each such property, which shall, upon obtaining possession of each such 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 fund of the County in such sum for deposit.

ADOPTED this 29th day of August, 1996.



BOARD OF COUNTY COMMISSIONERS
MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIEWED:

LAURENCE KRESSEL, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 

John S. Thomas
Assistant County Counsel

EXHIBIT A

A tract of land in Section 1, Township 1 North, Range 1 West of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at a point on the Easterly side line of Fessenden Street in the City of Portland, County of Multnomah and State of Oregon, as now established 216 feet in a Northeasterly direction from the intersection of said Easterly line of Fessenden Street, with the Northeasterly side line of Jersey Street in said city, running from there in a Southeasterly direction parallel with said Northeasterly line of Jersey Street, 87.32 feet to a Westerly line of a 16 foot alley between Block 4, according to the duly filed plat of COURT PLACE thereof and the herein described tract; thence in a Southwesterly direction following said Westerly line of a said 16 foot alley 100 feet to a point; thence in a Northwesterly direction on a line parallel with said Northeasterly side line of Jersey Street, 87.32 feet to the Easterly side line of said Fessenden Street and from there in a Northeasterly direction following the Easterly line of said Fessenden Street, 100 feet to the point of beginning.

The Northwesterly half of Lot 4, Block 43, according to the duly filed plat of JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland, filed December 18, 1876, in Plat Book 1, Page 78, Records of the County of Multnomah and State of Oregon.

The Northeasterly 73 feet of the Southeasterly one-half of Lot 4, Block 43, according to the duly filed plat of JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland filed December 18, 1876, in Plat Book 1, Page 78, Records of the County of Multnomah and State of Oregon.

The Southwesterly 27 feet of the Southeasterly 50 feet of Lot 4, Block 43, according to the duly filed plat of JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS, in the City of Portland, filed December 18, 1876, in Plat Book 1, Page 78, Records of the County of Multnomah and State of Oregon, described as follows:

BEGINNING at the most Southerly corner of Lot 4, in Block 43, JAMES JOHN'S ADDITION TO THE TOWN OF ST. JOHNS; thence Northeasterly along the Northerly line of N. New York Avenue 27 feet to a point; thence Northwesterly at right angles to the South line of N. New York Avenue, 50 feet to a point which is 27 feet Northeasterly from the Southwesterly line of Lot 4; thence Southwesterly parallel to N. New York Avenue, 27 feet to a point on the Southwesterly line of said Lot 4, which is 50 feet from the point of beginning; thence Southeasterly following said lot line to the place of beginning.

PARCEL 1: The following described property in the Southeast quarter of the Southwest quarter of Section 1, Township 1 North, Range 1 West of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon:

Beginning at the most Westerly corner of Lot 11, Block 4, COURT PLACE; thence Southwesterly along the Southwesterly extension of the Southeasterly line of Lot 11, 20 feet, more or less, to the Northeasterly line of North Lombard Street formerly N. Jersey Street; thence Northwesterly along the Northeasterly line of North Lombard Street formerly N. Jersey Street; 116.32 feet to the Southeasterly line of N. St. Louis Avenue; thence Northeasterly along the Southeasterly line of N. St. Louis Avenue, 116 feet to a corner of a tract of land conveyed to F.E. Smith and E.L. Green by deed recorded January 22, 1914 in Book 640, Page 355, Deed Records; thence Southeasterly along the Southwesterly line of the Smith and Green tract; 87.32 feet to the Northwesterly line of Court Place, according to the plat thereof; thence Southwesterly 76.65 feet to the Northwesterly corner of Lot 11, Block 4, COURT PLACE; thence Southerly along the Southwesterly lot line of said Lot 11 to the point of beginning, being a portion of the premises conveyed to The Delaware Company by deed recorded December 20, 1909 in Book 482, Page 108, Deed Records.

PARCEL 2: Lot 11, Block 4, Court Place, in the City of Portland, County of Multnomah and State of Oregon.