

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2012-193

Declaring Certain Property Acquired with Road Fund to be Surplus, Authorizing the Sale of the Property to City of Portland and Directing the Proceeds be Deposited into the Road Fund.

The Multnomah County Board of Commissioners Finds:

- a. The real property more particularly described in attached Deed identified as Exhibit 1, (the "Property") was acquired, in fee, by Multnomah County for use in conjunction with NE Elrod Road, County Road No. 3082.
- b. Road jurisdiction for NE Elrod Road has been transferred to the City of Portland.
- c. After the County transferred the road jurisdiction over the Property, the City of Portland subsequently vacated this portion of NE Elrod Road in 1987 by City Ordinance No. 159558.
- d. The City's vacation of the right of way did not alter the fact that ownership of the underlying land; i.e., the Property, was still vested in Multnomah County.
- e. Metro in conjunction with the City has expressed a desire to acquire the property for access to adjacent property that Metro owns,
- f. Metro and the City have proposed to pay the County \$15,000.00 for the Property; the City of Portland is contributing the major portion of that purchase price, with the Property to be conveyed to the City of Portland. As the Property was originally acquired with Road Fund monies, any proceeds from the sale or transfer are to be deposited into the Road Fund.
- g. The County Land Use and Transportation Program supports the proposed sale to City of Portland for the amount offered as the Program finds that the price offered is a reasonable price to pay for the Property.
- h. The Property is no longer needed by Multnomah County. By Resolution 04-185, dated December 9, 2004, the Multnomah County Board of Commissioners ("Board") adopted a policy for declaring real property owned by the County as surplus ("Process"). The Resolution provides that the Board may exempt a particular property from the Process upon determining that it is in the best interest of the County to do so. Due to the intergovernmental transfer process, it is advisable for the Board to exempt the Property from the Process.

The Multnomah County Board of Commissioners Resolves:

1. The Property is declared to be surplus.
2. Upon receipt of the purchase price of \$15,000.00, the County Chair is authorized to execute a deed for the Property to the City of Portland in substantial conformance with the form of deed attached as Exhibit 1.
3. All net proceeds of the sale of the Property shall be deposited into County's Road Fund No. 1501.

ADOPTED this 8th day of November, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Jeff Cogen, Chair

REVIEWED:

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

By

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: M. Cecilia Collier, Director, Department of Community Services.

Until a change is requested, all tax statements shall be sent to the following address:
(Grantee) City of Portland

After recording return to
(Grantor) MULTNOMAH COUNTY

DEED

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 following described real property: **See the attached Exhibit A**

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 for this conveyance is \$15,000.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered of record on November 8, 2012, by Resolution No. 2012- 193; has caused this deed to be executed by the Chair of the County Board.

Dated the 9th day of November, 2012.

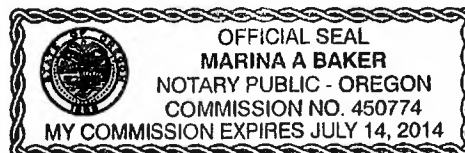
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 9th day of November 2012, 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.



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

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

By Matthew O. Ryan
Matthew O. Ryan, Assistant County Attorney

EXHIBIT "A"

Those tracts of land, situated in the Northwest and Northeast One-quarters of Section 12, Township 1 North, Range 1 East, W.M., City of Portland, Multnomah County, Oregon, described in the following deeds to Multnomah County:

Book 2054, Page 127, recorded March 24, 1961; Book 2054, Page 125, recorded March 24, 1961;
Book 2051, Page 122, recorded March 6, 1961; Book 2101, Page 388, recorded February 6, 1962;
Book 2052, Page 516, recorded March 15, 1961; and Book 2050, Page 372, recorded February 28, 1961, Multnomah County Deed Records.

Together with any portions of vacated NE Elrod Road which inured thereto.

