

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 07-162

Authorizing Transfer of Tax Foreclosed Property to the Cities of Troutdale and Portland and Metro for Non-Housing Public Purposes

The Multnomah County Board of Commissioners Finds:

- a) ORS 271.330 and Multnomah County Code 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 Troutdale, Public Works Department, the City of Portland, Department of Environmental Services, and Metro Regional Parks (Governmental Agencies), have requested the transfer of three tax foreclosed properties (Properties) for non-housing public purposes as described in the attached deeds, identified as Exhibits Nos. 1-3.
- c) On September 20, 2007, by Resolutions 07-148 and 07-149, the Board scheduled a public hearing for October 11, 2007, to consider the proposed transfers, and directed the Multnomah County Tax Title Division (Division) to publish notice of the hearing. The Division published the notice as directed and as required by ORS 271.330 (5) and MCC § 7.407.
- d) The Properties are no longer needed by the County and are eligible for transfer for public purpose, and a transfer to these Governmental Agencies without monetary consideration will serve the public interest.

The Multnomah County Board of Commissioners Resolves:

- 1. The Properties described in the attached deeds (Exhibits Nos. 1-3) are transferred to the Governmental Agencies as requested; provided that the Properties are used and continue to be used by the Governmental Agencies for public purposes.
- 2. Should any of the Properties cease to be used for public purposes, any interest of the Governmental Agency in the Property is automatically terminated and fee title shall revert to Multnomah County.

3. The Chair is directed to execute deeds that substantially conform with Exhibits Nos. 1-3; conveying the Properties to the Governmental Agencies as requested.

ADOPTED this 11th day of October, 2007.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON




Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Johnson, Director, Dept. of Community Services

EXHIBIT 1

Until a change is requested, all tax statements shall be sent to the following address:

THE CITY OF TROUTDALE
PUBLIC WORKS DEPARTMENT
342 SW 4th STREET
TROUTDALE OR 97060

After recording return to:
MULTNOMAH COUNTY TAX TITLE
503/4/TT

DEED D072142

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF TROUTDALE, a municipal corporation of the State of Oregon, Grantee, the following parcel of real property, located in the City of Troutdale, Multnomah County, Oregon:

As described in the attached Exhibit A.

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.

This transfer is without monetary consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners this 11th day of October 2007, by authority of a Resolution of the Board of County Commissioners entered of record.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF TROUTDALE
PUBLIC WORKS DEPARTMENT

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
John Andersen, City Administrator

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 11th day of October, by Ted Wheeler, 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.

Ana Karnes
Notary Public for Oregon
My Commission expires: 01/25/09

EXHIBIT A

Legal Description:

A tract of land in the Southwest one-quarter of Section 24, Township 1 North, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at a point 26 feet North and 283 feet North89° 57'00"East from the Southwest corner of said Section 24; thence continuing along said bearing (North89° 57'00"East) to a point of intersection on the Northeasterly line of Harlow Road (Co. Rd. 1728) said point being the point of beginning of the tract of land herein described; thence continuing further along said bearing to the high water line of the Sandy River; thence Southerly along said high water line to the South line of said Section 24; thence Westerly along said line to the Easterly line of the aforesaid Harlow Road; thence Northwesterly along said Easterly line to the point of beginning.

Multnomah County Deed No.: D072142
Tax Account No.: R320479

EXHIBIT 2

Until a change is requested, all tax statements shall be sent to the following address:
THE CITY OF PORTLAND
%ENVIRONMENTAL SERVICES
1120 SW FIFTH AVENUE RM 1000
PORTLAND OR 97204

After recording return to:
MULTNOMAH COUNTY TAX TITLE
503/4/TT

DEED D072143 FOR R248041

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 parcel of real property, located in the City of Portland, Multnomah County, Oregon:

LOT 22-28 BLOCK 27 PORTLAND PARK ADDITION

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.

This transfer is without monetary consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES 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 197.352

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BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF PORTLAND
ENVIRONMENTAL SERVICES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Dean Marriott, Director

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 11th day of October, by Ted Wheeler, 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.

Ana Karnes
Notary Public for Oregon
My Commission expires: 01/25/09

EXHIBIT 3

Until a change is requested, all tax statements shall be sent to the following address:

METRO
%REGIONAL PARKS & GREENSPACES
600 NE GRAND AVE
PORTLAND OR 97232

After recording return to:
MULTNOMAH COUNTY TAX TITLE
503/4/TT

DEED D072144

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to METRO, a municipal corporation of the State of Oregon, Grantee, the following parcel of real property, located in the City of Portland, Multnomah County, Oregon:

As described in the attached Exhibit A.

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.

This transfer is without monetary consideration/

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BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ted Wheeler, Chair

REVIEWED:
AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
METRO
REGIONAL PARKS AND GREENSPACES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Michael Jordan, Chief Operating Officer

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 11th day of October, by Ted Wheeler, 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.

Ana Karnes
Notary Public for Oregon
My Commission expires: 01/25/09

EXHIBIT A

Legal Description:

A tract of land in the Northeast quarter of Section 6, Township 1 North, Range 1 East, Willamette Meridian in the County of Multnomah, State of Oregon, said tract being more particularly described as follows:

A strip of land bounded on the North by the G.L.O. meander line for Smith Lake; on the East by the Northerly extension of the East line of the plat of Junction; on the South by the North line of the plat of Junction; and on the East by the Northerly extension of the West line of the plat of Junction.

Multnomah County Deed No.: D072144

Tax Account No.: R489105