

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

In the Matter of the Improvement of)	RESOLUTION
S.E. Hogan Road, No. 4974)	No. 92-135
_____)	

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 improvement of S.E. Hogan Road; 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 are necessary for the improvement of S.E. Hogan Road; 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, and to acquire for road purposes over the real property 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 improvement of S.E. Hogan Road, 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 on 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 Road Fund of the County in such sum for deposit.

DATED this 6th day of August, 1992.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



By Gladys McCoy
Gladys McCoy, Chair

LAWRENCE KRESSEL, County Counsel
for Multnomah County

By Peter Livingston
Deputy County Counsel
Peter Livingston

EXHIBIT A

Columbia Brick Works, Inc.

HOGAN ROAD
South of Palmquist Road
Item No. 89-323
November 6, 1989

A parcel of land situated in the southwest one-quarter of Section 14, T1S, R3E, W.M., Multnomah County, Oregon, described as follows:

Beginning at the point of intersection of the north line of that tract of land conveyed to Columbia Brick Works, Inc., by deed recorded September 28, 1983, in Book 1695, Page 302, Deed Records of Multnomah County, Oregon, and the east right-of-way line of Hogan Road, County Road No. 608 (said right-of-way line lying 25.00 feet east, when measured at right angles, of the centerline of said Hogan Road); thence S 0°09'00" W along said east right-of-way line, a distance of 82.27 feet to a point; thence northeasterly along the easterly right-of-way line of proposed Hogan Road on the arc of a 1,230.33 foot radius curve to the left, through a central angle of 03°50'18", an arc distance of 82.42 feet (the chord bears N 03°25'11" E, 82.41 feet), to a point on said north line of Columbia Brick Works, Inc., tract; thence N 89°51' W along said north line, a distance of 4.70 feet to the true point of beginning.

Containing 231 square feet, more or less.

In addition to the above described parcel of land, an easement for the construction and maintenance of slopes, walls, drainage facilities and/or utilities is described as follows:

Commencing at the point of intersection of the north line of that tract of land conveyed to Columbia Brick Works, Inc., by deed recorded September 28, 1983, in Book 1695, Page 302, Deed Records of Multnomah County, Oregon, and the east right-of-way line of Hogan Road, County Road No. 608 (said right-of-way line lying 25.00 feet east, when measured at right angles, of the centerline of said Hogan Road); thence S 0°09'00" W along said east right-of-way line, a distance of 82.27 feet to the true point of beginning; thence continuing S 0°09'00" W along said east right-of-way line, a distance of 247.73 feet to a point on the south line of said Columbia Brick Works, Inc., tract; thence S 89°51' E along said south line, a distance of 5.00 feet; thence N 0°09'00" E along a line that is parallel to and 5.00 feet east (when measured at right angles) of said east right-of-way line of Hogan Road, a distance of 330.00 feet to a point on said north line of Columbia Brick Works, Inc., tract; thence N 89°51' W along said north line, a distance of 0.30 feet; thence southwesterly along said easterly right-of-way line of proposed Hogan Road, on the arc of a 1,230.33 foot radius curve to the right, through a central angle of 03°50'18", an arc distance of 82.42 feet (the chord bears S 03°25'11" W, 82.41 feet) to the true point of beginning.

Containing 1,419 square feet, more or less.

EXHIBIT "A"

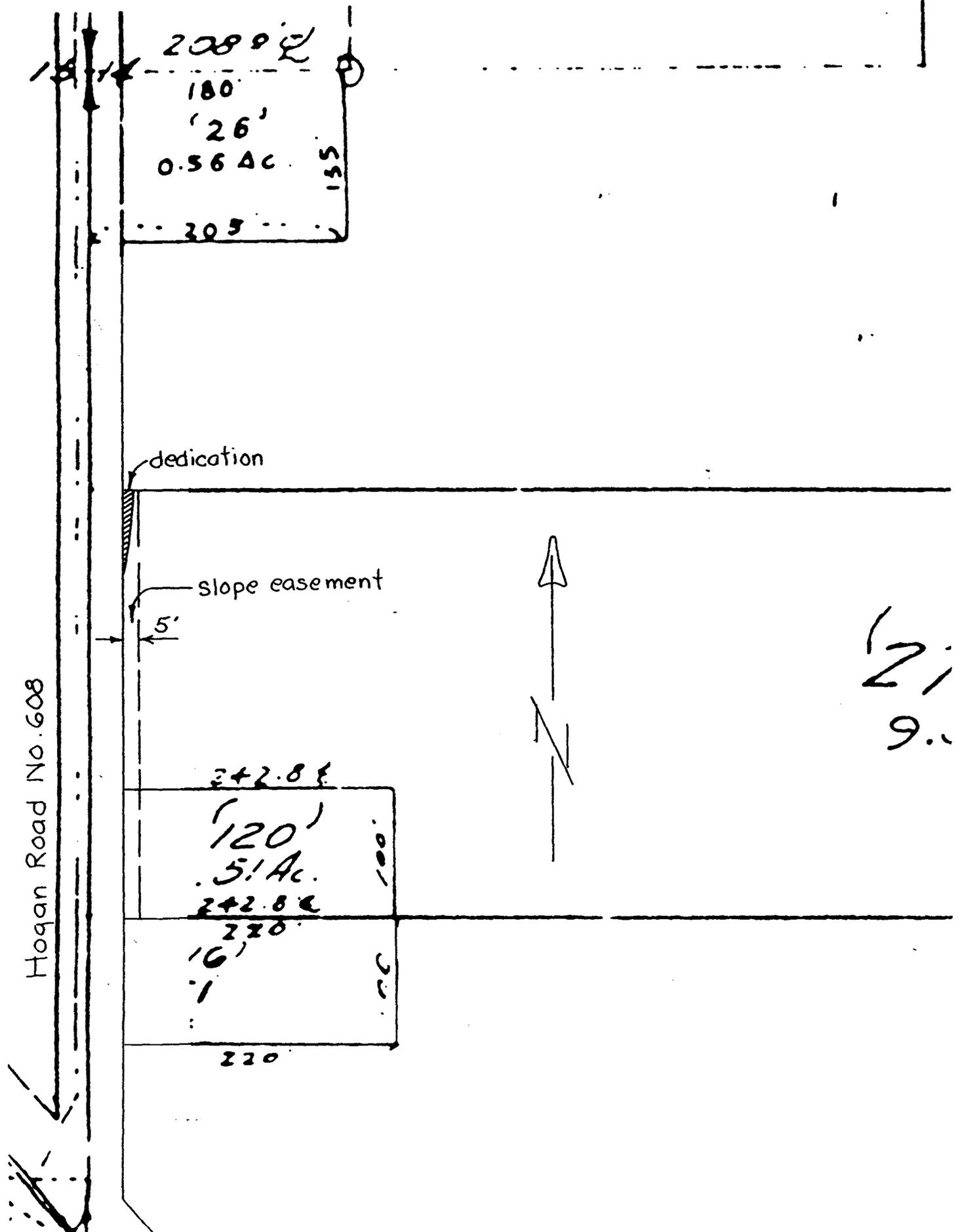


EXHIBIT A

Eldon L. Erickson,
Carol F. Erickson,
Norma L. Hulett,
Worley E. Jeffries and
Lola M. Jeffries

HOGAN ROAD
South of Palmquist Road
Item No. 89-324
November 6, 1989

A parcel of land situated in the southwest one-quarter of Section 14, T1S, R3E, W.M., Multnomah County, Oregon, being described as follows:

Commencing at the west one-quarter corner of said Section 14; thence east along the north line of said southwest one-quarter of Section 14, a distance of 25.00 feet to a point on the east right-of-way line of Hogan Road, County Road No. 608, (said right-of-way line lying 25.00 feet east, when measured at right angles, of the centerline of said Hogan Road); thence $S0^{\circ}09'00''$ W along said east right-of-way line, a distance of 135.00 feet to the westerly northwest corner of that tract of land conveyed to Eldon L. Erickson, Carol F. Erickson, Norma L. Hulett, Worley E. Jeffries and Lola M. Jeffries, by deed recorded September 29, 1976, in Book 1129, Page 1495, Deed Records of Multnomah County, Oregon, and the true point of beginning; thence $S 0^{\circ}09'00''$ W continuing along said east right-of-way line, a distance of 195.00 feet to the westerly southwest corner of said Erickson-Hulett-Jeffries tract, said westerly southwest corner lying on the north line of that tract of land conveyed to Columbia Brick Works, Inc., by deed recorded September 28, 1983, in Book 1695, Page 302, Deed Records of Multnomah County, Oregon; thence $S 89^{\circ}51' E$ along said north line, a distance of 4.70 feet; thence northeasterly along the east right-of-way line of proposed Hogan Road on the arc of a 1,230.33 foot radius curve to the left, through a central angle of $01^{\circ}20'53''$, an arc distance of 28.94 feet (the chord bears $N 0^{\circ}49'27'' E$, 28.94 feet) to a point of tangency, said point lying $S 89^{\circ}51' E$, 30.00 feet from proposed centerline Station 76+28.81, E.C.; thence $N 0^{\circ}09'00'' E$ along a line that is parallel to and 5.00 feet east (when measured at right angles) of said east right-of-way line of Hogan Road, County Road no. 608, a distance of 166.04 feet to a point lying $S 89^{\circ}51' E$, 5.00 feet from said westerly northwest corner of Erickson-Hulett-Jeffries tract; thence $N 89^{\circ}51' W$, a distance of 5.00 feet to the point of beginning.

Containing 968 square feet, more or less.

In addition to the above described parcel of land, an easement for the construction and maintenance of slopes, walls, drainage facilities, and/or utilities is described as follows:

Beginning at the southeast corner of the above described tract; thence $S 89^{\circ}51' E$ along the north line of said Columbia Brick Works, Inc., tract, a distance of 0.30 feet; thence $N 0^{\circ}09'00'' E$ along a line that is parallel to and 5.00 feet east (when measured at right angles) of said east right-of-way line of Hogan Road, County Road No. 608, a distance of 28.94 feet to a point lying $S 89^{\circ}51' E$, 30.00 feet from proposed centerline Station 76+28.31, E.C.; thence southwesterly along the easterly right-of-way line of said proposed Hogan Road on the arc of a 1,230.33 foot radius curve to the right, through a central angle of $01^{\circ}20'53''$, an arc distance of 28.94 feet (the chord bears $S 0^{\circ}49'27'' W$, 28.94 feet) to the true point of beginning.

Containing 7 square feet, more or less.

EXHIBIT "A"

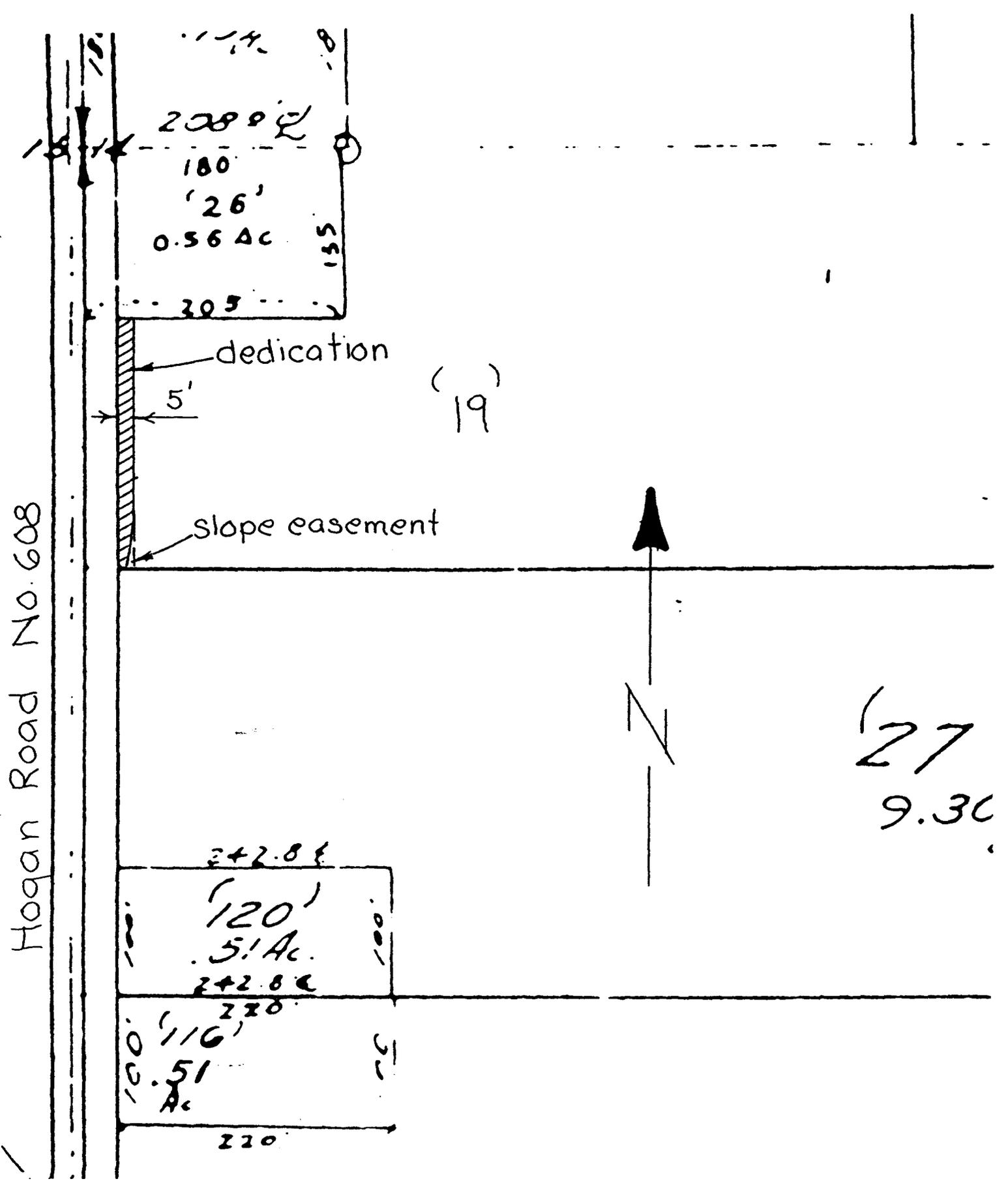


EXHIBIT A

Lola M. Jeffries,
Norma L. Hulett and
Eldon Erickson

HOGAN ROAD
South of Palmquist Road
Item No. 89-325
November 6, 1989

A parcel of land situated in the southwest one-quarter of Section 14, T1S, R3E, W.M., Multnomah County, Oregon, described as follows:

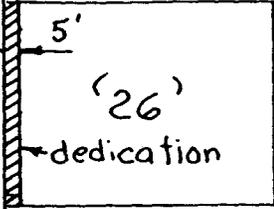
Commencing at the west one-quarter corner of said Section 14; thence S 89°51' E along the north line of said southwest one-quarter, a distance of 25.00 feet to the east right-of-way line of Hogan Road, County Road No. 608 (said right-of-way line lying 25.00 feet east, when measured at right angles, of the centerline), and the true point of beginning; thence S 0°09' W along said east right-of-way line, a distance of 135.00 feet to the westerly northwest corner of that tract of land conveyed to Eldon L. Erickson, Carol F. Erickson, Norma L. Hulett, Worley E. Jeffries and Lola M. Jeffries, by deed recorded September 29, 1976, in Book 1129, Page 1495, Deed Records of Multnomah County, Oregon; thence S 89°51' E along the north line of said Erickson-Hulett-Jeffries tract, a distance of 5.00 feet; thence N 0°09' E along a line that is parallel to and 5.00 feet east (when measured at right angles) of said east right-of-way line of Hogan Road, a distance of 135.00 feet to a point on said north line of the southwest one-quarter; thence N 89°51' W along said north line, a distance of 5.00 feet to the true point of beginning.

Containing 675 square feet, more or less.

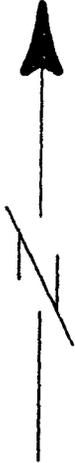
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EXHIBIT "A"

Hogan Road No. 608

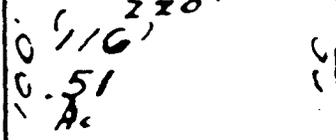
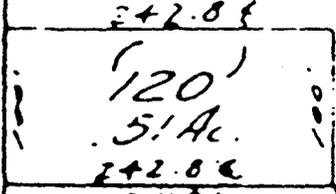


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9.30



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