

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Private Sale of a Tax Foreclosed Property to William A. Stephens and James S. Cave

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County acquired through the foreclosure of liens for delinquent real property taxes, certain real property located in Multnomah County, more particularly described in a copy of a proposed deed, attached as Exhibit A (the "Property").
- b. The Property has a real market value of \$100 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1) (a).
- c. Although no written confirmation from the City of Portland was obtained, the County is confident that the location and size of the Property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1) (b).
- d. The County has received payment in the amount of \$50 from William A. Stephens and James S. Cave, an amount the Board finds to be a reasonable price for the Property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. The County Chair is authorized to execute a deed, in substantial conformance with the deed attached as Exhibit A, conveying the Property to William A. Stephens and James S. Cave.

ADOPTED the 16th day of August, 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:
Joanne Fuller, Director, Dept. of County Management

Exhibit A to Resolution

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

WILLIAM A. STEPHENS
7504 SE 28TH AVE
PORTLAND OR 97202

After recording return to:

(Grantor) MULTNOMAH COUNTY
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to WILLIAM A. STEPHENS, as Trustee of the WILLIAM A. STEPHENS 1996 TRUST (est. June 7, 1996), and to JAMES S. CAVE, a married man, each an undivided one-half interest as tenants in common, **Grantees**, the following described real property:

Lying and being in the County of Multnomah, State of Oregon, and more particularly described as follows:
Providence Heights
Exc N 3' & Exc S 65' Lot 11 Block 7

Subject to the Restrictive Covenants set forth and attached as 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 \$50.

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 County Board.

Dated this 16th day of August, 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 16th day of August 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.

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, Assistant County Attorney

EXHIBIT A TO DEED

Restrictive Covenants

GRANTEES have agreed that any future transfer or conveyance of the property, or any interest therein, shall be subject to the following agreement of Grantees restricting such transfer or conveyance except as follows:

No transfer of conveyance shall be made by Grantees, or any of their respective heirs, successors, assigns, delegates, legal representatives, or any other person in their place and stead, except as follows:

1. Transfer or conveyance of each grantee's one-half interest in the property may only be made to a person (or persons) or entity owning the fee simple ownership of one or both of the real properties commonly known as 400 and/or 414 SE 49th Avenue, Portland, Oregon;

2. Each grantee, or his successor(s) in interest, may convey his, her or their interest in the property (or, in the event the property is lawfully divided into two parcels, his, her or their interests in one of the divided parcels) to the other grantee, or to such other grantee's successor or successors in interest. In the event of such conveyance, as described in this paragraph, the Restrictive Covenants set forth in this statement of the agreement of the parties shall be deemed terminated.