

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

In the Matter of the Improvement of)	RESOLUTION
S.E. 242nd Drive, No. 4997)	No. 92-136
_____)	

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. 242nd Drive; 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 improvement of S.E. 242nd Drive; 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 real property situated in the County of Multnomah, State of Oregon, and described on Exhibit A attached hereto.

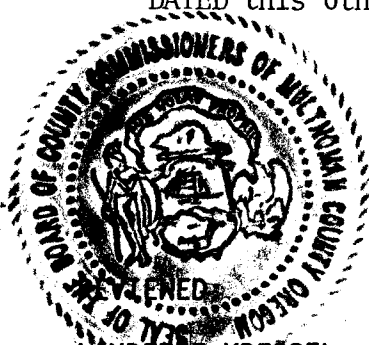
BE IT RESOLVED by the Board of County Commissioners as follows:

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. 242nd Drive, 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 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



LAWRENCE KRESSEL, County Counsel
for Multnomah County

By Gladys McCoy
Gladys McCoy, Chair

By Peter Livingston
Deputy County Counsel
Peter Livingston

EXHIBIT A

COUNTRY CLUB ESTATES
HOMEOWNERS ASSOCIATION

S.E. 242ND DRIVE
North of S.E. Division Street
Item No. 91-334
April 1, 1992

Some portions of the COUNTRY CLUB ESTATE TOWNHOUSE CONDOMINIUM, a recorded plat, recorded October 2, 1979, in Book 1212, Page 38, Plat Records of Multnomah County, Oregon, situated in the southeast one-quarter of Section 3, and in the southwest one-quarter of Section 2, T1S, R3E, W.M., Multnomah County, Oregon, more particularly described as follows:

PARCEL "A" (Road Dedication):

Beginning at the intersection of the northerly right-of-way line of N.E. 19th Street, said right-of-way line being 25.00 feet northerly, when measured at right angles, of the centerline of said N.E. 19th Street, and the easterly right-of-way line of S.E. 242nd Drive, said right-of-way line being 40.00 feet easterly, when measured at right angles, of the centerline of said S.E. 242nd Drive; thence S 88°30'07" E along said northerly right-of-way line of N.E. 19th Street, a distance of 19.83 feet; thence northwesterly along the arc of a 20.00 foot radius curve to the right, through a central angle of 89°30'00", the chord of which bears N 43°45'07" W, a distance of 28.16 feet, an arc distance of 31.24 feet to a point on the said easterly right-of-way line of S.E. 242nd Drive; thence S 00°59'53" W along said easterly right-of-way line, a distance of 19.83 feet to the point of beginning.

Containing 84 square feet, more or less.

As shown on attached map marked EXHIBIT "A", and hereby made a part of this document.

PARCEL "B" (Road Dedication):

Beginning at the intersection of the southerly right-of-way line of N.E. 19th Street, said right-of-way line being 25.00 feet southerly, when measured at right angles, of the centerline of said N.E. 19th Street, and the easterly right-of-way line of S.E. 242nd Drive, said right-of-way line being 40.00 feet easterly, when measured at right angles, of the centerline of said S.E. 242nd Drive; thence S 88°30'07" E along said southerly right-of-way line of N.E. 19th Street, a distance of 20.00 feet; thence S 46°14'53" W, a distance of 28.16 feet to a point on the said easterly right-of-way line of S.E. 242nd Drive; thence N 00°59'53" E along said easterly right-of-way line, a distance of 20.00 feet to the point of beginning.

Containing 200 square feet, more or less.

As shown on attached map marked EXHIBIT "B", and hereby made a part of this document.

PARCEL "C" (Road Dedication):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, said point being 40.00 feet easterly, when measured at right angles, of the centerline of S.E. 242nd Drive, County Road No. 3085, said point being S 00°59'53" W, a distance of 582.67 feet from the intersection of the southerly right-of-way line of N.E. 19th Avenue, being 25.00 feet southerly, when measured at right angles, of the centerline of said N.E. 19th Avenue, and the easterly right-of-way line of said S.E. 242nd Drive, being 40.00 feet easterly, when measured at right angles, of said centerline of S.E. 242nd Drive; thence N 89°00'07" W, a distance of 10.00 feet; thence S 00°59'53" W along a line that is parallel to and 30.00 feet easterly of said centerline of S.E. 242nd Drive, a distance of 43.67 feet; thence S 89°00'07" E, a distance of 10.00 feet; thence N 00°59'53" E, 43.67 feet to the point of beginning.

Containing 437 square feet, more or less.

As shown on attached map marked EXHIBIT "C", and hereby made a part of this document.

PARCEL "D" (Road Dedication and Slope/Utility Easement):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, County Road No. 3085, said right-of-way line being 30.00 feet easterly, when measured at right angles, of the centerline of said S.E. 242nd Drive, said point being the northwest corner of that tract of land conveyed to Pacific Western Realty and Development Company Incorporated, by deed recorded June 10, 1987, in Book 2013, Page 404, Deed Records of Multnomah County, Oregon; thence northwesterly along the arc of a 1,462.39 foot radius curve to the left, through a central angle of $10^{\circ}26'56''$, the chord of which bears $N 12^{\circ}12'39'' W$, a distance of 266.32 feet, an arc distance of 266.69 feet; thence $N 17^{\circ}26'07'' W$ along said easterly right-of-way line of S.E. 242nd Drive, a distance of 166.31 feet; thence northwesterly along the arc of a 1,402.43 foot radius tangent curve to the right, through a central angle of $02^{\circ}43'16''$, the chord of which bears $N 16^{\circ}04'29'' W$, a distance of 66.60 feet, an arc distance of 66.61 feet; thence $N 75^{\circ}17'09'' E$, a distance of 10.00 feet; thence southeasterly along the arc of a 1,392.43 foot radius curve to the left, through a central angle of $02^{\circ}43'16''$, the chord of which bears $S 16^{\circ}04'29'' E$, a distance of 66.12 feet, an arc distance of 66.13 feet; thence $S 17^{\circ}26'07'' E$, a distance of 166.31 feet; thence southeasterly along the arc of a 1,472.39 foot radius tangent curve to the right, through a central angle of $10^{\circ}30'26''$, the chord of which bears $S 12^{\circ}10'54'' E$, a distance of 269.64 feet, an arc distance of 270.01 feet to a point on the northerly line of said Pacific Western Realty tract; thence $N 88^{\circ}26'57'' W$ along the northerly line of said Pacific Western Realty tract, a distance of 10.11 feet to the point of beginning.

Containing 5,010 square feet, more or less.

In addition to the above described parcel, an easement for the construction and maintenance of slopes and utilities is described as follows:

A strip of land 5.00 feet in width lying easterly of and adjacent to the above described parcel.

Containing 2,516 square feet, more or less.

As shown on attached map marked EXHIBIT "D", and hereby made a part of this document.

PARCEL "E" (Slope and Utility Easement):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, said point being 40.00 feet left of Engineers Centerline Station 61+30 of said S.E. 242nd Drive; thence northeasterly along said easterly right-of-way line, along the arc of a 1,392.39 foot radius non-tangent curve to the right, through a central angle of 17°12'00", the chord of which bears N 12°46'52" E, a distance of 416.42 feet, an arc distance of 417.99 feet; thence S 68°37'08" E, a distance of 5.00 feet; thence southwesterly along the arc of a 1,387.39 foot radius non-tangent curve to the left, through a central angle of 17°12'00", the chord of which bears S 12°46'52" W, a distance of 414.93 feet, an arc distance of 416.49 feet; thence N 85°49'08" W, a distance of 5.00 feet to the point of beginning.

Containing 2,086 square feet, more or less.

As shown on attached map marked EXHIBIT "E", and hereby made a part of this document.

PARCEL "F" (Walk and Utility Easement):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, said right-of-way line being 40.00 feet easterly, when measured at right angles, of the centerline of S.E. 242nd Drive, County Road No. 3085, said point being N 00°59'53" E, a distance of 44.83 feet from the centerline of N.E. 19th Street; thence N 00°59'53" W along said easterly right-of-way line, a distance of 139.27 feet; thence northeasterly along the arc of a 1,392.39 foot radius tangent curve to the right, through a central angle of 03°10'59" (the chord of which bears N 02°35'23" E, a distance of 77.34 feet), an arc distance of 77.35 feet to a point 40.00 feet left of Engineers Centerline Station 61+30, S.E. 242nd Drive; thence S 85°49'08" E, a distance of 8.00 feet; thence southwesterly along the arc of a 1,384.39 foot radius non-tangent curve to the left, through a central angle of 03°10'59" (the chord of which bears S 02°35'23" W, a distance of 76.90 feet), an arc distance of 76.91 feet; thence S 00°59'53" W, a distance of 150.42 feet to a point that is 48.00 feet left of Engineers Centerline Station 63+60, said

S.E. 242nd Drive; thence S 52°11'16" E, a distance of 14.77 feet to a point on the northerly right-of-way line of N.E. 19th Street, said point being S 88°30'07" E, a distance of 19.83 feet on said easterly right-of-way line of S.E. 242nd Drive; thence northwesterly along the arc of a 20.00 foot radius non-tangent curve to the right, through a central angle of 89°30'00" (the chord of which bears N 43°45'07" W, a distance of 28.16 feet), an arc distance of 31.24 feet to the point of beginning.

Containing 1,857 square feet, more or less.

As shown on attached map marked EXHIBIT "F", and hereby made a part of this document.

PARCEL "G" (Slope and Utility Easement):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, said right-of-way line being 40.00 feet easterly, when measured at right angles, of the centerline of S.E. 242nd Drive, County Road No. 3085, said point being S 00°59'53" W, a distance of 45.00 feet from the centerline of N.E. 19th Street; thence S 00°59'53" W along said easterly right-of-way line of S.E. 242nd Drive, a distance of 541.32 feet; thence S 89°00'07" E, a distance of 5.00 feet; thence N 00°59'53" E along a line that is parallel to and 45.00 feet easterly of above said centerline of S.E. 242nd Drive, a distance of 546.28 feet; thence S 46°14'53" W, a distance of 7.04 feet to the point of beginning.

Containing 2,719 square feet, more or less.

As shown on attached map marked EXHIBIT "G", and hereby made a part of this document.

PARCEL "H" (Drainage Easement):

Beginning at a point on the easterly right-of-way line of S.E. 242nd Drive, said right-of-way line being 50.00 feet easterly, when measured at right angles, of the centerline of S.E. 242nd Drive, County Road No. 3085, said point being N 12°10'15" W, a distance of 499.26 feet from the northwest corner of that tract of land conveyed to Pacific Western Realty and Development Company, Incorporated, by deed recorded June 10, 1987, in Book 2013, Page 404, Deed Records of Multnomah County, Oregon; thence N 0°47'54" W, a distance of 45.16 feet; thence N 12°11'42" W, a distance of 71.66 feet; thence N 01°39'52" W, a distance of 436.66 feet; thence N 07°04'48" E, a distance of 20.64 feet; thence N 00°59'53" E, a distance of 80.00 feet; thence N 89°00'07" W, a distance of 25.00 feet; thence S 00°59'53" W, a distance of 20.02 feet; thence S 89°00'07" E, a distance of 10.00 feet; thence S 00°59'53" W along said easterly right-of-way line of S.E. 242nd Drive, a distance of 257.19 feet; thence southeasterly along the arc of a 1,382.43 foot radius tangent curve to the left, through a central angle of 15°42'44", the chord of which bears S 06°51'29" E, a distance of 377.92 feet, an arc distance of 379.10 feet to the point of beginning.

Containing 10,461 square feet, more or less.

As shown on attached map marked EXHIBIT "H", and hereby made a part of this document.

PARCEL "I" (Temporary Drainage Easement):

Beginning at the northeast corner of Parcel "H", above described, being 65.00 feet easterly, when measured at right angles, of the centerline of S.E. 242nd Drive, County Road No. 3085; thence S 89°00'07" E, a distance of 30.00 feet; thence S 00°59'53" W along a line that is 95.00 feet easterly of and parallel to said centerline of S.E. 242nd Drive, a distance of 80.00 feet; thence N 89°00'07" W, a distance of 30.00 feet to a point on the easterly line of the above described Parcel "H"; thence N 00°59'53" E along said easterly line, a distance of 80.00 feet to the point of beginning.

Containing 2,400 square feet, more or less.

As shown on attached map marked EXHIBIT "I", and hereby made a part of this document.

2365W

EXHIBIT 'A'



(22)
4.48 AC.

318.99' (Plot)

ST.

316.77' (Plot)

(232)
2.84 AC.

SE 242nd DRIVE

CONDOMINIUM

PARCEL A

20 Foot Radius Dedication

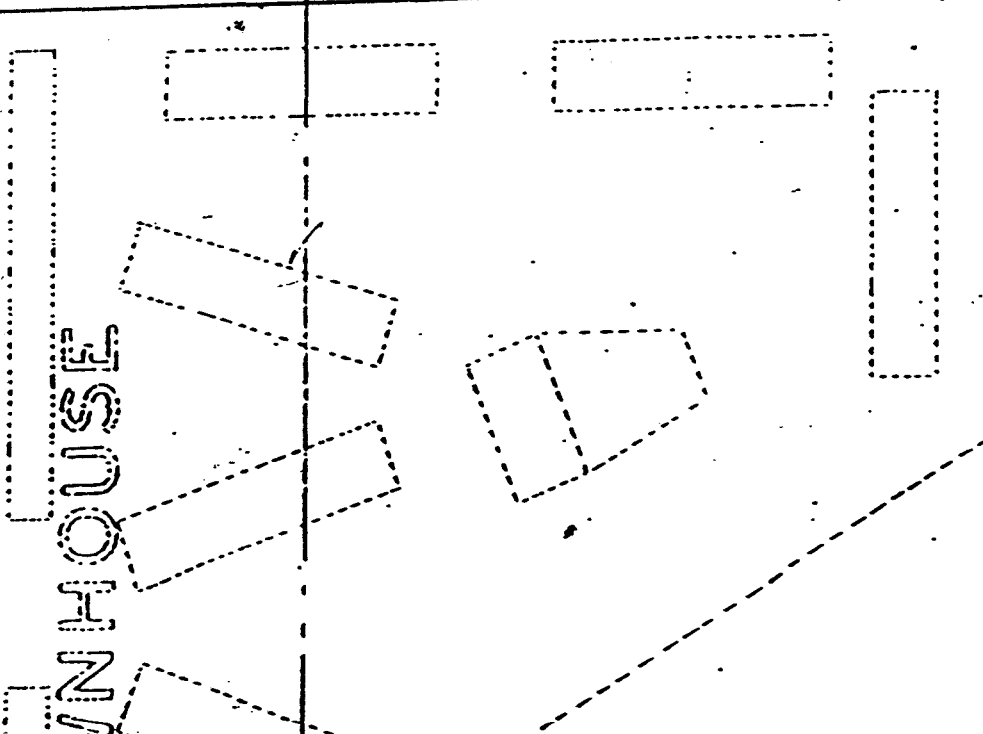
NE 19th STREET

HOUSE

90	95	
14	15	80
90	95	
13	16	20

(S.E. 242nd DR.)

662.0



Ln Cor. not found

- 318.99' (Plot) - -

ST.

-316.71° (Plot)...

SE 242nd DRIVE

NE 19th STREET

DEDICATION
PARCEL B

LEONIZ

90	95
14	15
90	95
13	16



EXHIBIT D

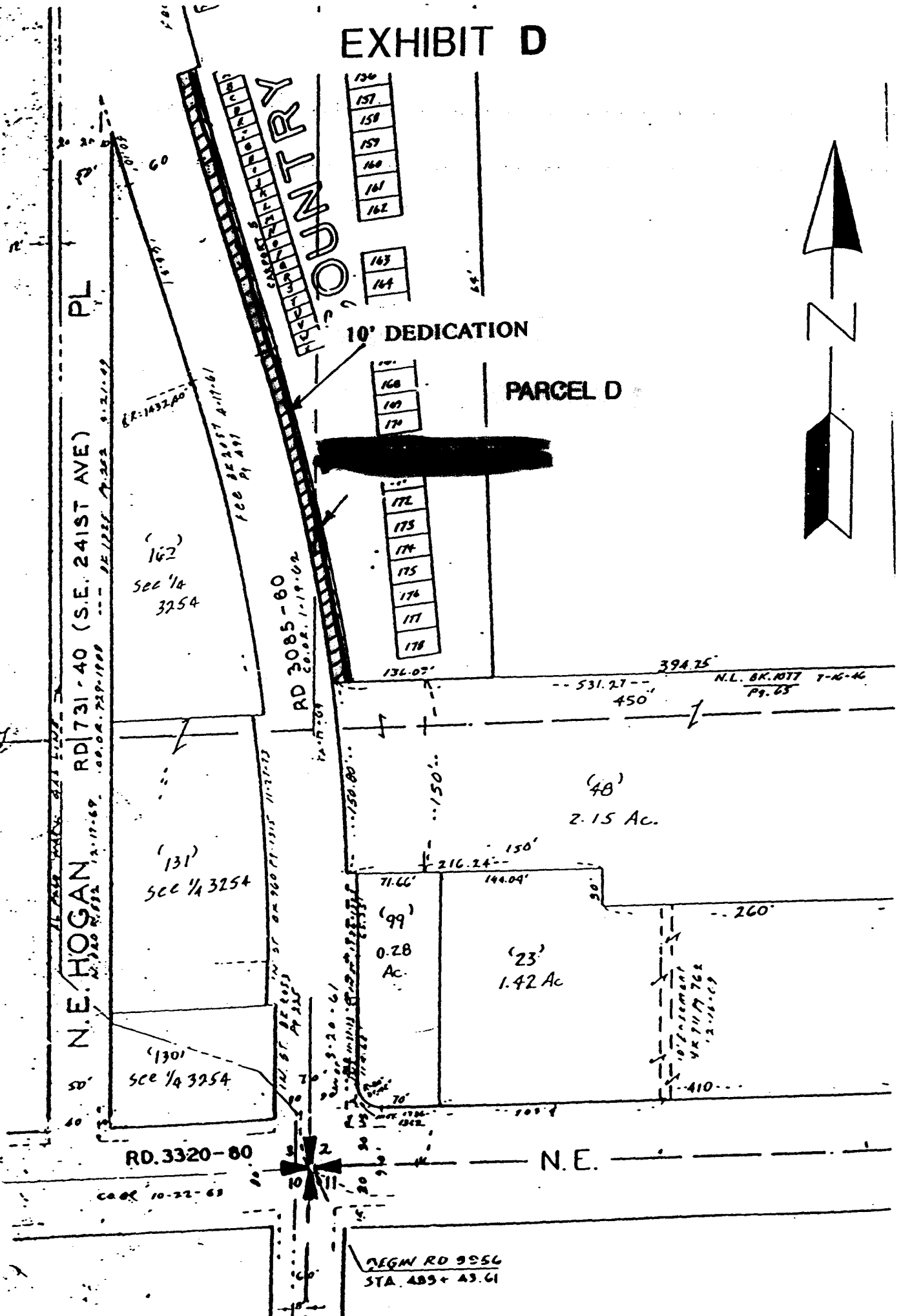


EXHIBIT E



SE 242nd DRIVE
COUNTRY CLUB
ESTATE TOWNHOUSE
CONDOMINIUM

RD 622-15 HALL RD

N.E. VIEW

22'
4.48 AC.

ST

DR

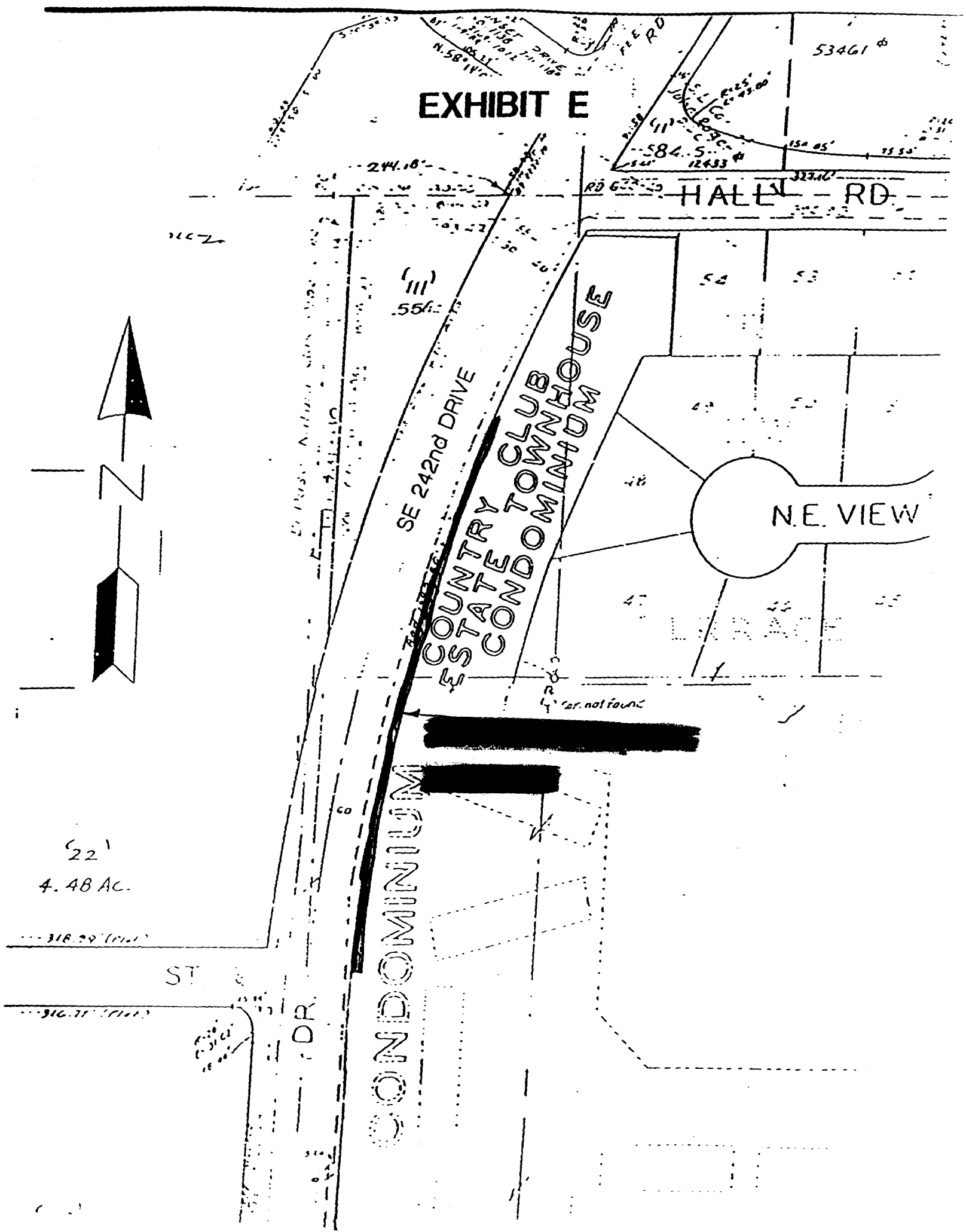


EXHIBIT F



(22)
4.48 AC.

--318.99' (Plot)--

ST.

--316.71' (Plot)--

(232)
2.84 AC.

SE 242nd DRIVE

NE 19th STREET

CONDOMINIUM

HOUSE

Car not found

90	95
14	15
80	50

EXHIBIT G

(232)
2.84 AC.

N.E. 19TH. ST.

NE 18th ST

N.E. VISTA DRIVE

SE 242nd DRIVE

TOWNHOUSE

STATE

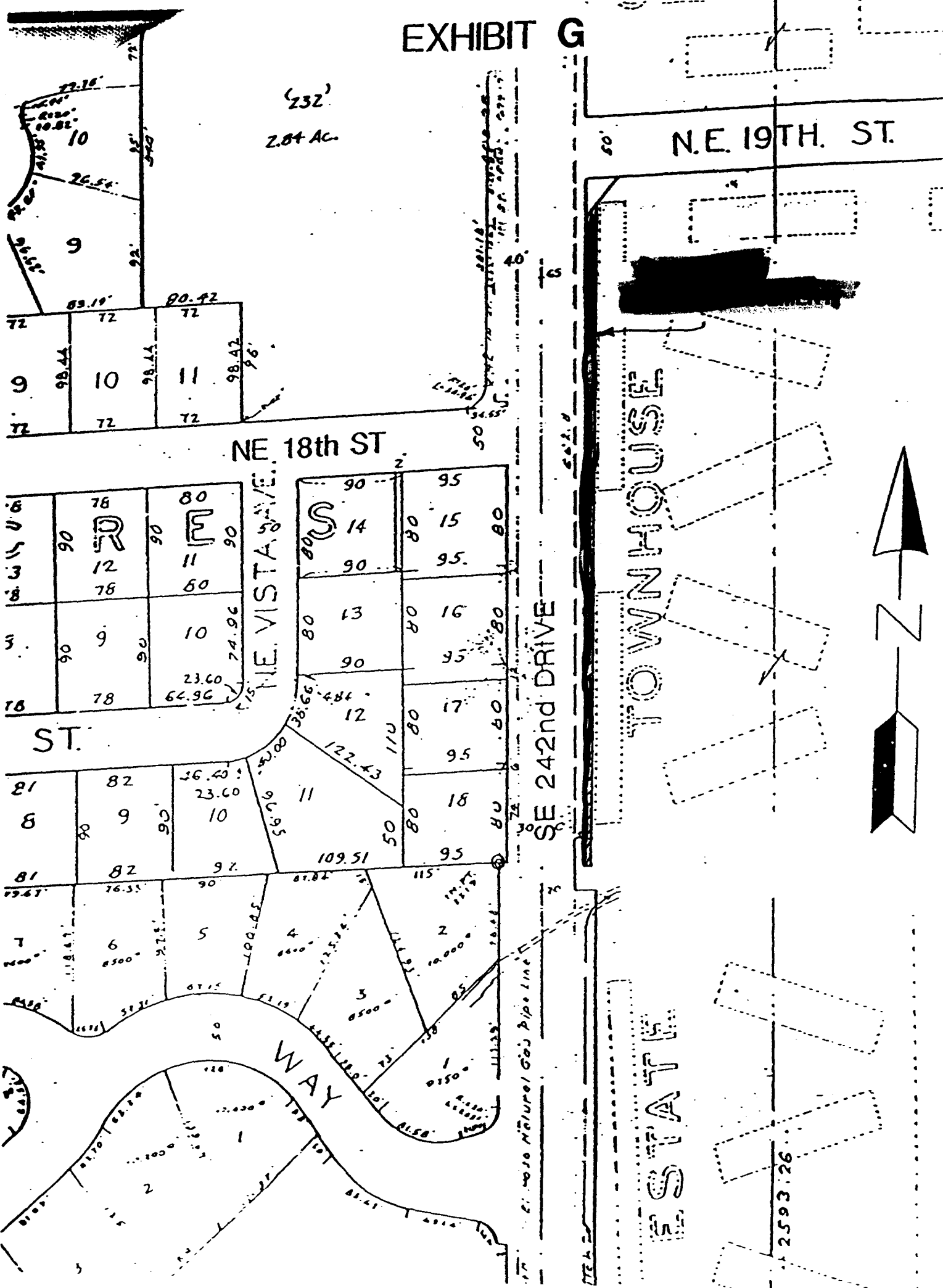


EXHIBIT H

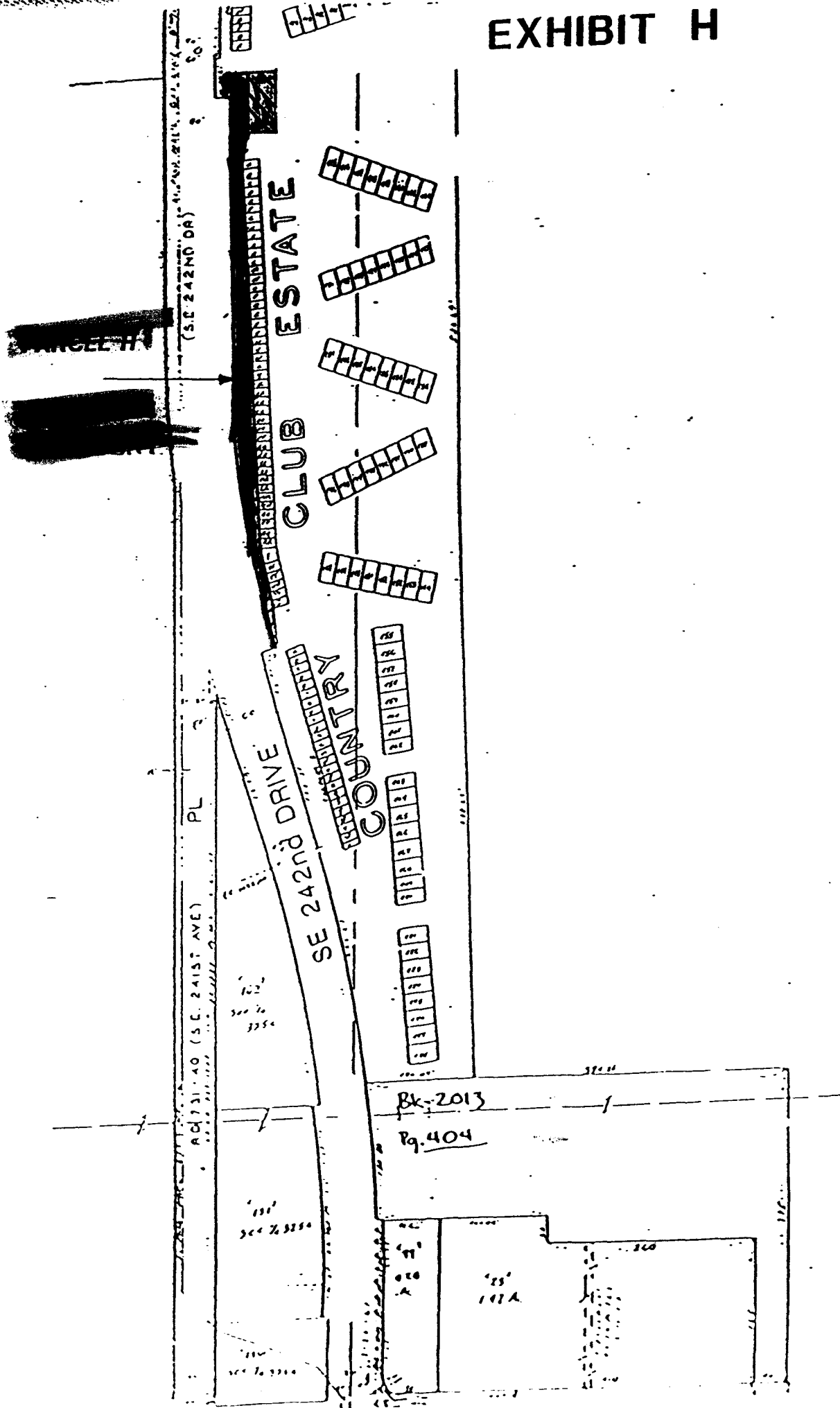


EXHIBIT I

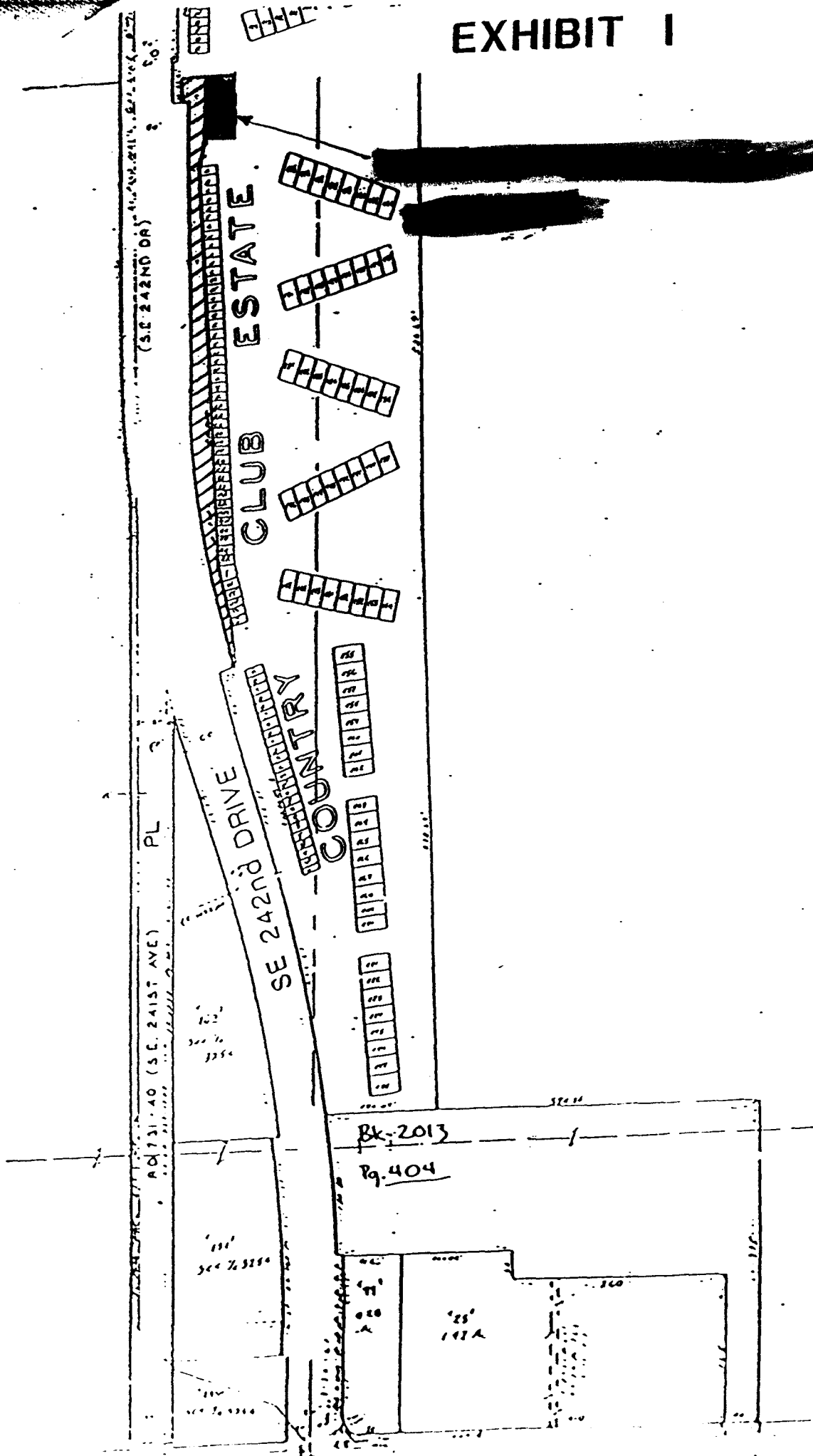


EXHIBIT A

JEAN A. DAVIS

S.E. 242ND DRIVE
North of N.E. 16th Way
Item No. 91-330
December 10, 1991

SLOPE & UTILITY EASEMENT

A portion of Lot 2, Block 1, ALDERCREEK, a recorded plat, recorded October 16, 1973, in Book 1204, Page 83, Plat Records of Multnomah County, Oregon, situated in the southeast one-quarter of Section 3, T1S, R3E, W.M., Multnomah County, Oregon, more particularly described as follows:

The easterly 5.00 feet of said Lot 2, Block 1, ALDERCREEK.

Containing 393 square feet, more or less.

As shown on attached map marked EXHIBIT "A", and hereby made a part of this document.

2361W

EXHIBIT 'A'

LOT 2, BL. 1, ALDERCREEK

