

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 04-179

Authorizing Condemnation and Immediate Possession of Real Property Necessary for the Purpose of Constructing a Pedestrian and Bicyclist Bridge Over Beaver Creek in the City of Troutdale

The Multnomah County Board of Commissioners Finds:

- a. It is necessary for Multnomah County to acquire the real property described in the attached Exhibits A and B for the purpose of improving safety for vehicles, pedestrians, and bicyclists as they cross Beaver Creek on the Historic Columbia River Highway, a County road.
- b. The project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.
- c. It is necessary to acquire immediate possession of the property to allow construction to proceed and be completed on schedule and within budgetary limitations.

The Multnomah County Board of Commissioners Resolves:

1. It is necessary to acquire the property for the purpose of building a separate bridge structure so that pedestrians and bicyclists are not required to use the narrow, historic bridge presently crossing Beaver Creek.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation 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.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is authorized.
4. It is necessary to obtain possession of such property as soon as possible to allow construction to proceed and be completed on schedule within budgetary limitations.
5. Legal counsel is authorized and directed to take such action in accordance with law to obtain possession of the property as soon as possible.

6. There is authorized the creation of a fund in the amount of the estimate of just compensation for the property which shall, upon obtaining possession of the 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.

ADOPTED this 2nd day of December, 2004.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Attorney

EXHIBIT A

A tract of land situated in the S.E. one-quarter of Section 25, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon, being more particularly described as follows:

Commencing at a 1" iron pipe marking the point of intersection of two tangents of that 190.80 foot radius curve beginning at Station 528+86.71 and ending at Station 531+49.66 of Historic Columbia River Hwy., County Road No. 917; thence N62°12'54"E, along the easterly tangent line and the centerline of said Historic Columbia River Highway, a distance of 252.30 feet to Centerline Station 532+44.57 of said Historic Columbia River Highway; thence S27°47'06"E, a distance of 30.00 feet to a point on the southeasterly right-of-way line of said Historic Columbia River Highway, also being the point of beginning of the herein described tract of land; thence S27°47'06"E, a distance of 20.00 feet; thence S72°47'06"E, a distance of 42.43 feet to a point being 80.00 feet southeasterly of, when measured at right angle to, said centerline of Historic Columbia River Highway; thence N62°12'54"E, a distance of 54 feet more or less to the centerline of Beaver Creek; thence northeasterly, along said creek centerline, a distance of 70 feet more or less to a point on said southeasterly right-of-way line; thence S62°12'54"W, along said southeasterly right-of-way line, a distance of 130 feet, more or less, to the point of beginning.

Containing 4,819 square feet more or less.

As shown on the map found at Page 2 of this Exhibit. In the event of a conflict or discrepancy between the map and the written legal description, the written legal description shall prevail.

Bearing and Station information is based on centerline data per SN 59069, Multnomah County Survey Records, and by said reference is made a part thereof.

SW1/4 SE1/4 SEC. 25 T.1N. R.3E. W.M.
MULTNOMAH COUNTY

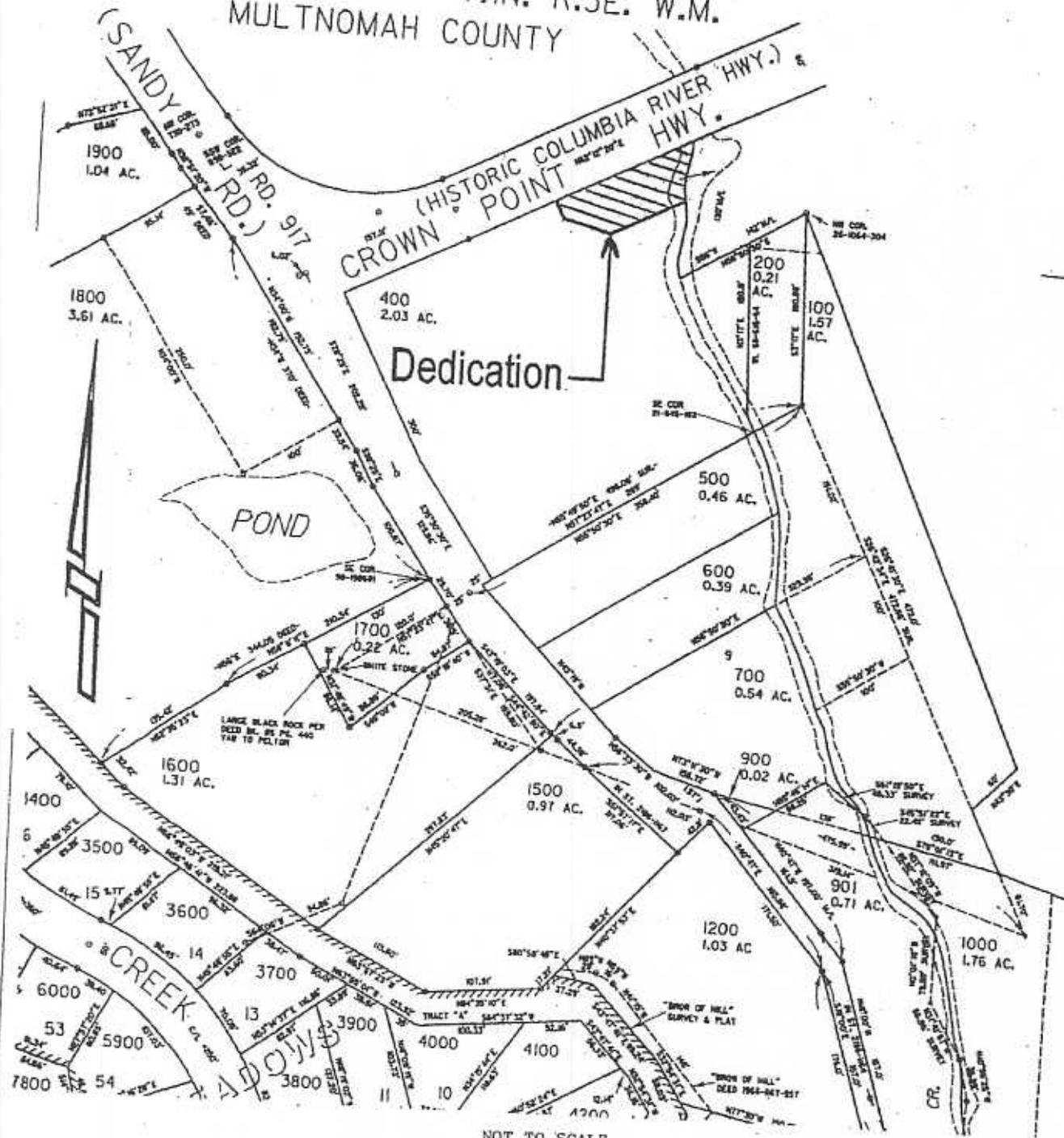


Exhibit A
Page 2 of 2

EXHIBIT B

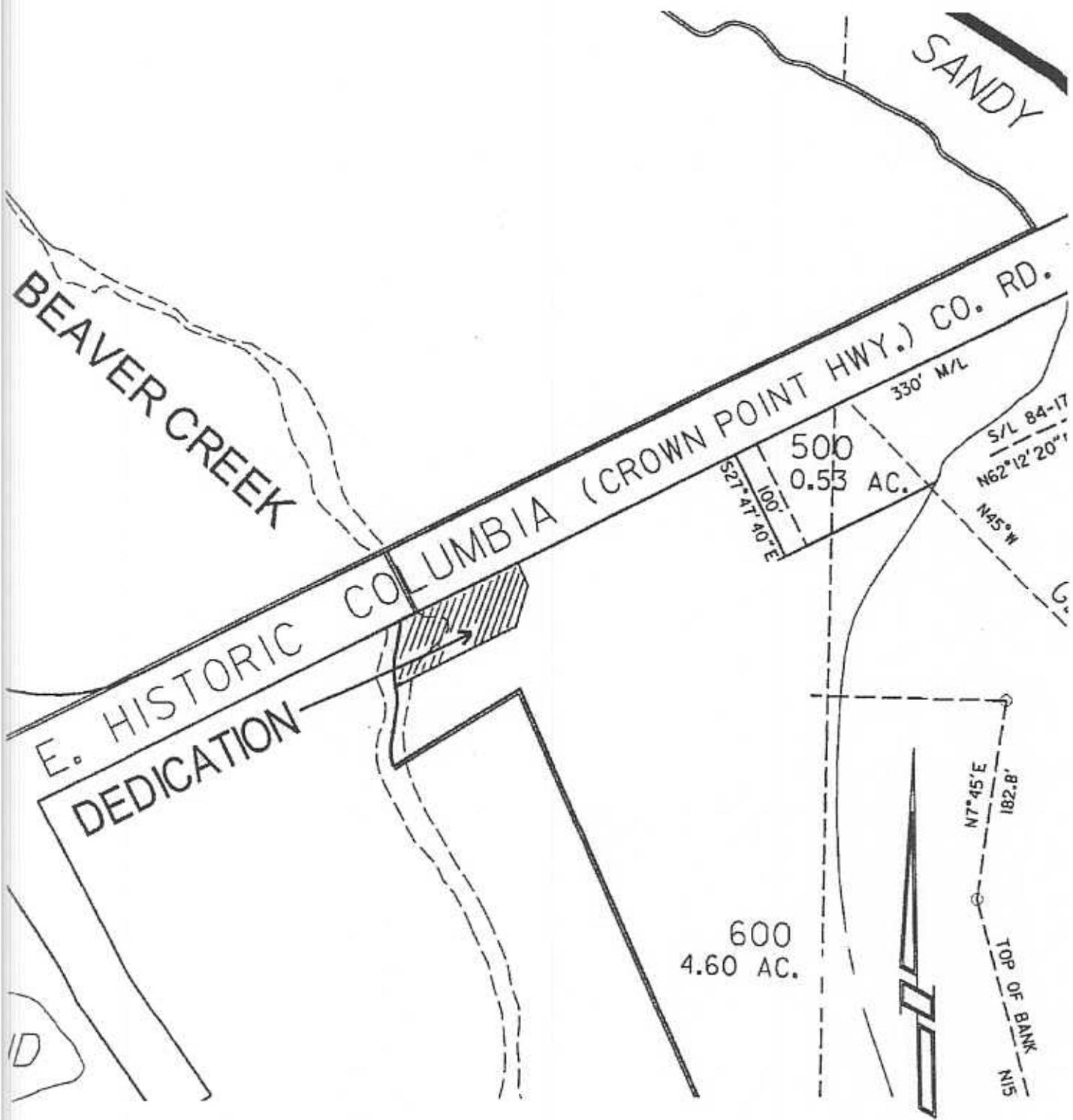
A tract of land situated in the S.E. one-quarter of Section 25, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon, being more particularly described as follows:

Commencing at a 1" iron pipe marking the point of intersection of two tangents of that 190.80 foot radius curve beginning at Station 528+86.71 and ending at Station 531+49.66 of Historic Columbia River Highway, County Road No. 917; thence $N62^{\circ}12'54''E$, along the easterly tangent line and the centerline of said Historic Columbia River Highway, a distance of 381.92 feet to Centerline Station 533+74.18 of said Historic Columbia River Highway; thence $S27^{\circ}47'06''E$, a distance of 30.00 feet to a point of intersection being the southeasterly right-of-way line of said Historic Columbia River Highway and the approximate centerline of Beaver Creek, also being the point of beginning of the herein described tract of land; thence $N62^{\circ}12'54''E$, along said southeasterly right-of-way line, a distance of 107 feet more or less; thence $S27^{\circ}47'06''E$, a distance of 20.00; thence $S17^{\circ}12'54''W$, a distance of 42.43 feet to a point being 80.00 feet southeasterly of, when measured at right angle to, said centerline of Historic Columbia River Highway; thence $S62^{\circ}12'54''W$, a distance of 122 feet more or less to the centerline of Beaver Creek; thence northeasterly, along said creek centerline, a distance of 70 feet more or less to the point of beginning.

Containing 6,104 square feet more or less.

As shown on the map found at Page 2 of this Exhibit. In the event of a conflict or discrepancy between the map and the written legal description, the written legal description shall prevail.

Bearing and Station information is based on centerline data per SN 59069, Multnomah County Survey Records, and by said reference is made a part thereof.



NOT TO SCALE

Exhibit B
Page 2 of 2