

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Resolution and Public Hearing Authorizing Transfer of Tax Foreclosed Property to the City of Portland Bureau of Transportation.

The Multnomah County Board of Commissioners Finds:

- a. On September 29, 1997, the County acquired ownership through foreclosure of delinquent tax liens of the following described property:

Lying and being in said County of Multnomah, State of Oregon, and more particularly described as: Highwood Lot B

- b. ORS 271.330 (1) authorizes the transfer of tax foreclosed property to a governmental body by a political subdivision provided the property is used for public purposes; the conveyance is subject to a reversionary interest retained by the grantor to ensure the property is used for a purpose consistent with the grant.
- c. The City of Portland Bureau of Transportation ("City") has requested, under ORS 271.330, the transfer of certain tax foreclosed property ("Property") which is more particularly described in the proposed deed to the City, attached and identified as Exhibit 1. Specifically, the City requests the Property to facilitate future construction of sidewalks along a City street. This transfer will relieve the County of future maintenance obligations for the Property. In addition, the City has agreed to waive a lien liability of approximately \$7,100, an amount which would be due under any private sale. Therefore, it is in the County's interest to waive the reversionary interest as allowed under ORS 271.330 (5).
- d. The County's Tax Title Program published notice of the December 8, 2016, public hearing to consider the proposed transfer of the Property as required under ORS 271.330 (5).
- e. The public interest is best served by the County conveying the Property to the City and by waiving the reversionary interest.

The Multnomah County Board of Commissioners Resolves:

1. The Property is transferred to the City as requested for public purposes and the County waives its right to a reversionary interest.
2. The Chair is authorized to execute a deed that is substantially in conformance with the deed attached as Exhibit 1.

ADOPTED this 8th day of December, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Carlos Rasch, Assistant County Attorney

SUBMITTED BY:
Marissa Madrigal, Director, Dept. of County Management

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

(Grantee) CITY OF PORTLAND %PBOT
1120 SW FIFTH AVE, SUITE 800
PORTLAND, OR 97204

After recording return to:

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

Exhibit 1 to Resolution

Bargain & Sale Deed D172570 for R180647

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to the City of Portland, Bureau of Transportation, a municipal corporation of the State of Oregon, **Grantee**, the following described real property:

Lying and being in said County of Multnomah, State of Oregon, and more particularly described as: Highwood Lot B

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.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board, entered on December 8, 2016, by Resolution No. 2016-____; has caused this deed to be executed by the Chair of the County Board.

Dated this 8th day of December, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this ____day of December 2016, by Deborah Kafoury, 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: 6/26/2018

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

ACCEPTED:
CITY OF PORTLAND, BUREAU OF TRANSPORTATION

By _____
Carlos Rasch, Assistant County Attorney

By _____
Bureau Director or Designee