

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2018-019

Approving the Acquisition of Certain Real Property Interests for the NW Germantown Road Project, in Unincorporated Multnomah County.

The Multnomah County Board of Commissioners Finds:

- a. By Resolution 2017-059, this Board authorized the Department of Community Services Transportation Division (Transportation) to begin negotiations to acquire certain real property interests necessary for a road improvement project along NW Germantown Road in unincorporated Northwest Multnomah County (the Project).
- b. Transportation has reached proposed settlements with abutting property owners, whose property was identified in Resolution No. 2017-059, to acquire certain easements necessary for the Project.
- c. Attached as Exhibit 1 is a copy of the original fully signed and acknowledged easements, which have been signed and accepted by the County Engineer as well.
- d. These easements are necessary for the Project, and it is in the best interest of the public and Multnomah County to approve the acquisition of these property interests.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the acquisition of these necessary easements, a copy of which is attached as Exhibit 1, and the County Engineer's acceptance of said easement is hereby ratified and Transportation is directed to record said easements.

ADOPTED this 1st day of March 2018.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

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

By *Courtney Lords*
Courtney Lords, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services

EXHIBIT 1

Grantor:

Siegfried J. Thoma
Marie J. Thoma
4804 NW Bethany Blvd., PO #325
Portland, OR 97229

**Until a change is requested,
tax statements shall be sent to:**
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

NW Germantown Road
County Road No. 1281
Item No. 2017-26

SLOPE & DRAINAGE EASEMENT

Siegfried J. Thoma and Marie J. Thoma, "**Grantor**", grants to **MULTNOMAH COUNTY**, a Political Subdivision of the State of Oregon, "**Grantee**", a perpetual easement for slope and drainage facilities including but not limited to the construction or installation of said facilities as determined by grantee for the maintenance and operation of the public right-of-way under, on, over and across the real property as described in the attached Exhibit A (the Property). Grantor represents that to the best of Grantor's knowledge, after appropriate inquiry under the circumstances:

1. The Property is in compliance with all local, State and Federal environmental laws and regulations.
2. Grantor has disclosed all knowledge of any release of hazardous substances onto or from the Property, and disclosed any known report, investigation, survey or environmental assessment regarding Property. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.
3. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Property.
4. Grantor represents and warrants that Grantor has the authority to do this grant.
5. Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A which would interfere with the Grantee's use of said easement.

Grantee, by accepting this easement, is not accepting liability for any preexisting release of hazardous substances onto or from the Property, and Grantor is not attempting to convey any such liability. This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

NW Germantown Road
County Road No. 1281
Item No. 2017-26

The true consideration paid for this grant stated in terms of dollars is \$ 3,299.00.

Dated this 15 day of November, 2017

Grantor: Siegfried J. Thoma
Siegfried J. Thoma

Grantor: Marie J. Thoma
Marie J. Thoma

STATE OF OREGON)
) ss
County of Multnomah)

This record was acknowledged before me on November 15, 2017 by Siegfried J. Thoma and Marie J. Thoma.



Notary Public for Oregon
My Commission Expires: Tamisha Schunk
July 18, 2021

The described property is accepted for use in conjunction with NW Germantown Rd., County Road No. 1281, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this 27TH day of NOVEMBER, 2017

By: Ian B. Cannon
Ian B. Cannon, P.E., County Engineer
for Multnomah County, Oregon

REVIEWED:
By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney

Exhibit A

A portion of that tract of land described in Warranty Deed to Siegfried J. Thoma and Marie J. Thoma ("Thoma"), recorded on July 21, 2014 as Document No. 2014-070606, Multnomah County Deed Records, situated in the Northwest One-quarter of Section 9, Township 1 North, Range 1 West, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at a found 1" iron pipe on the southerly right-of-way line of NW Germantown Road, County Road No. 1281 (30.00 feet southerly of, when measured at right angles, to the centerline of NW Germantown Rd.) at Road Station 64+96.87 per Road Map F4/7, Multnomah County Road Records; thence N48°02'54"E, a distance of 30.00 feet to the centerline of said NW Germantown Road at Road Station 64+96.87; thence along said centerline, along the arc of a 143.20 foot radius curve to the left, through a central angle of 14°44'27" (the long chord of which bears N49°19'20"W, 36.74 feet) an arc distance of 36.84 feet to Road Station 65+33.71; thence N33°18'27"E 30.00 feet to northerly right-of-way line of said NW Germantown Road (30.00 feet northerly of, when measured at right angles, to the centerline of NW Germantown Rd.) and the **point of beginning** of the herein described tract; thence leaving said northerly right-of-way line, N25°27'28"W, a distance of 51.54 feet; thence N67°56'55"W, a distance of 30.00 feet; thence N89°16'56"W, a distance of 12.83 feet, more or less, to the West line of said Thoma tract; thence S00°53'52"W, along said West line, a distance of 32.46 feet to the Southwest corner of said Thoma tract, also being on said northerly right-of-way line of NW Germantown Road; thence along said northerly right-of-way line, along the arc of a 173.20 foot radius curve to the right, through a central angle of 22°43'25" (the long chord of which bears S68°03'16"E, 68.24 feet) an arc distance of 68.69 feet to the point of beginning.

Containing 1,768 square feet more or less.

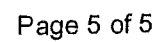
NW Germantown Road
County Road No. 1281
Item No. 2017-26

REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature] 6-22-17
OREGON
JUNE 30, 1997
JAMES S. CLAYTON
2832

RENEWAL DATE: 1-1-18

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.



Grantor:

Kimberly Workman

Jeffrey Patterson

13939 NW Germantown Rd.

Portland, OR 97231-2799

Until a change is requested,

tax statements shall be sent to:

Multnomah County Transportation Division

1620 SE 190th Ave

Portland, Oregon 97233

NW Germantown Road

County Road No. 1281

Item No. 2017-30

SLOPE & DRAINAGE EASEMENT

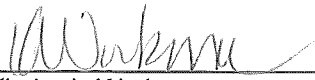
Kimberly Workman and Jeffrey Patterson, "Grantor", grants to **MULTNOMAH COUNTY**, a Political Subdivision of the State of Oregon, "Grantee", a perpetual easement for slope and drainage facilities including but not limited to the construction or installation of said facilities as determined by grantee for the maintenance and operation of the public right-of-way under, on, over and across the real property as described in the attached Exhibit A (the Property). Grantor represents that to the best of Grantor's knowledge, after appropriate inquiry under the circumstances:

1. The Property is in compliance with all local, State and Federal environmental laws and regulations.
2. Grantor has disclosed all knowledge of any release of hazardous substances onto or from the Property, and disclosed any known report, investigation, survey or environmental assessment regarding Property. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.
3. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Property.
4. Grantor represents and warrants that Grantor has the authority to do this grant.
5. Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A which would interfere with the Grantee's use of said easement.

Grantee, by accepting this easement, is not accepting liability for any preexisting release of hazardous substances onto or from the Property, and Grantor is not attempting to convey any such liability. This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

The true consideration paid for this grant stated in terms of dollars is \$ 500.00.

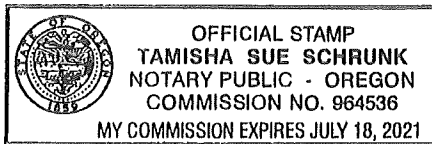
Dated this 7 day of November, 2017

Grantor: 
Kimberly Workman

Grantor: 
Jeffrey Patterson

STATE OF OREGON)
) ss
County of Multnomah)

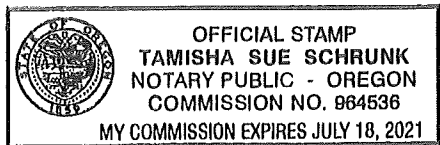
This record was acknowledged before me on November 10, 2017 by Kimberly Workman.

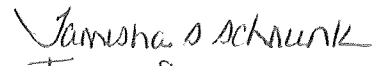


Notary Public for Oregon 
My Commission Expires: July 18, 2021

STATE OF OREGON)
) ss
County of Multnomah)

This record was acknowledged before me on November 7, 2017 by Jeffrey Patterson.




Notary Public for Oregon 
My Commission Expires: July 18, 2021

NW Germantown Road
County Road No. 1281
Item No. 2017-30

The described property is accepted for use in conjunction with NW Germantown Rd., County Road No. 1281, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this 27TH day of NOVEMBER, 2017

By 
Ian B. Cannon, P.E., County Engineer
for Multnomah County, Oregon

REVIEWED:

By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney

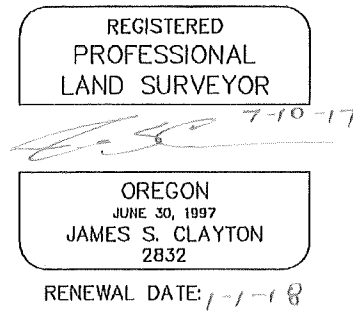
Exhibit A

A portion of Parcel II described in Warranty Deed to Kimberly Workman and Jeffrey Patterson ("Workman-Patterson"), recorded on February 10, 2012 as Document No. 2012-016070, Multnomah County Deed Records, situated in the Northwest One-quarter of Section 9, Township 1 North, Range 1 West, W.M., Multnomah County, Oregon, more particularly described as follows:

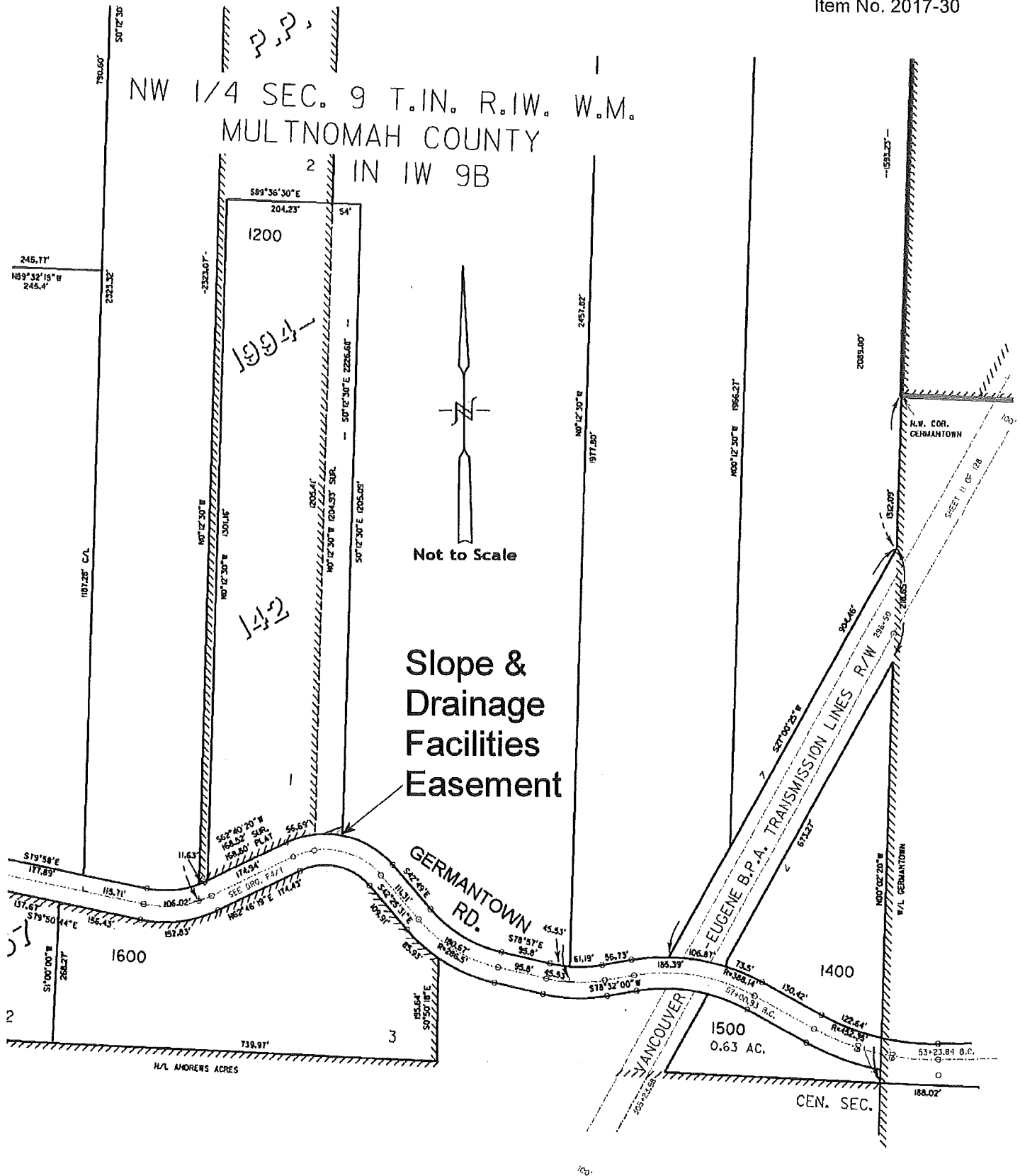
Commencing at a found 1" iron pipe on the southerly right-of-way line of NW Germantown Road, County Road No. 1281 (30.00 feet southerly of, when measured at right angles, to the centerline of NW Germantown Rd.) at Road Station 64+96.87 per Road Map F4/7, Multnomah County Road Records; thence N48°02'54"E, a distance of 30.00 feet to the centerline of said NW Germantown Road at Road Station 64+96.87; thence along said centerline, along the arc of a 143.20 foot radius curve to the left, through a central angle of 50°19'46" (the long chord of which bears N67°06'59"W, 121.78 feet) an arc distance of 125.79 feet to Road Station 66+22.66; thence N02°16'52"E 30.00 feet to northerly right-of-way line of said NW Germantown Road (30.00 feet northerly of, when measured at right angles, to the centerline of NW Germantown Rd.) and the **point of beginning** of the herein described tract; thence leaving said northerly right-of-way line, N71°31'14"E, a distance of 41.07 feet, more or less, to the East line of said Workman-Patterson tract; thence S00°53'52"W, along said East line, a distance of 15.83 feet to the Southeast corner of said Workman-Patterson tract, also being on said northerly right-of-way line of NW Germantown Road; thence along said northerly right-of-way line, along the arc of a 173.20 foot radius curve to the left, through a central angle of 12°51'53" (the long chord of which bears N85°50'55"W, 38.81 feet) an arc distance of 38.89 feet to the point of beginning.

Containing 278 square feet more or less.

NW Germantown Road
County Road No. 1281
Item No. 2017-30



As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.



Grantor:
Steven C. Healy
354 N Tomahawk Island Drive
Portland, OR 97217-7920
**Until a change is requested,
tax statements shall be sent to:**
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

NW Germantown Road
County Road No. 1281
Item No. 2017-25-2

SLOPE & DRAINAGE FACILITIES EASEMENT

Steven C. Healy, "**Grantor**", grants to **MULTNOMAH COUNTY**, a Political Subdivision of the State of Oregon, "**Grantee**", a perpetual easement for slope & drainage facilities including but not limited to the construction or installation of said facilities as determined by grantee for the maintenance and operation of the public right-of-way under, on, over and across the real property as described in the attached Exhibit A (the Property). Grantor represents that to the best of Grantor's knowledge, after appropriate inquiry under the circumstances:

1. The Property is in compliance with all local, State and Federal environmental laws and regulations.
2. Grantor has disclosed all knowledge of any release of hazardous substances onto or from the Property, and disclosed any known report, investigation, survey or environmental assessment regarding Property. "Release" and "hazardous substance" shall have the meaning as defined under Oregon law.
3. Grantor warrants that there are no underground storage tanks, as defined under Oregon law, presently on or under the Property.
4. Grantor represents and warrants that Grantor has the authority to do this grant.
5. Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A which would interfere with the Grantee's use of said easement.

Grantee, by accepting this easement, is not accepting liability for any preexisting release of hazardous substances onto or from the Property, and Grantor is not attempting to convey any such liability. This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

NW Germantown Road
County Road No. 1281
Item No. 2017-25-2

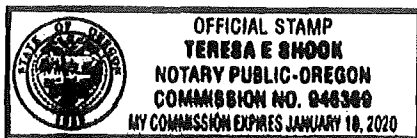
The true consideration paid for this grant stated in terms of dollars is \$ 2,518.00.

Dated this 3 day of January, 2018

Grantor: Steven C. Healy
Steven C. Healy

STATE OF OREGON)
) ss
County of Multnomah)

This record was acknowledged before me on January 3, 2018 by Steven C. Healy.



Teresa E. Shook
Notary Public for Oregon
My Commission Expires: January 18, 2020

The described property is accepted for use in conjunction with NW Germantown Rd., County Road No. 1281, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this 3rd day of January, 2018

By: _____
Ian B. Cannon, P.E., County Engineer
for Multnomah County, Oregon

REVIEWED:
By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

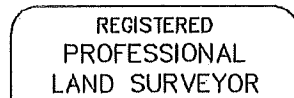
By: _____
Assistant County Attorney

Exhibit A

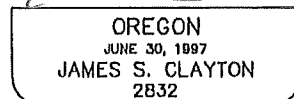
A portion of Parcel 3, Partition Plat No. 1990-57, Multnomah County Plat Records, situated in the Northwest One-quarter of Section 9, Township 1 North, Range 1 West, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at a found 1" iron pipe on the southerly right-of-way line of NW Germantown Road, County Road No. 1281 (30.00 feet southerly of, when measured at right angles, to the centerline of NW Germantown Rd.) at the beginning of a curve at Road Station 64+96.87 per Road Map F4/7, Multnomah County Road Records; thence northwesterly along said southerly right-of-way line along the arc of a 113.20 foot radius curve to the left, through a central angle of 14°22'45" (the long chord of which bears N49°08'29"W, 28.33 feet) an arc distance of 28.41 feet to the **point of beginning** of the herein described tract of land; thence S22°03'05"W, a distance of 17.97 feet; thence N67°56'55"W, a distance of 40.22 feet to a point that is 5.00 feet southeasterly of, when measured at right angles to, the centerline of an existing culvert; thence S30°23'48"W, parallel with said existing culvert, a distance of 21.88 feet; thence N59°36'12"W, a distance of 10.00 feet; thence N30°23'48"E, parallel with said existing culvert, a distance of 20.41 feet; thence N67°56'55"W, a distance of 6.67 feet; thence N22°03'05"E, a distance of 15.00 feet to the southerly right-of-way line of said NW Germantown Rd.; thence southeasterly along said southerly right-of-way line along the arc of a 113.20 foot radius curve to the right, through a central angle of 29°12'05" (the long chord of which bears S70°55'54"E, 57.07 feet) an arc distance of 57.69 feet to the point of beginning.

Containing 1,291 square feet more or less.



James S. Clayton 7-10-17



RENEWAL DATE: 1-1-18

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

NW Germantown Road
County Road No. 1281
Item No. 2017-25-2

