

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

In the Matter of the Improvement of)	RESOLUTION
S.E. Hogan Road, No. 4974)	No. 92-105
_____)	

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. Hogan Road; 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 are necessary for the improvement of S.E. Hogan Road; 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 said real property for the purposes hereinabove specified, and to acquire for road purposes over the real property situated in the County of Multnomah, State of Oregon, and described on Exhibit A attached hereto.

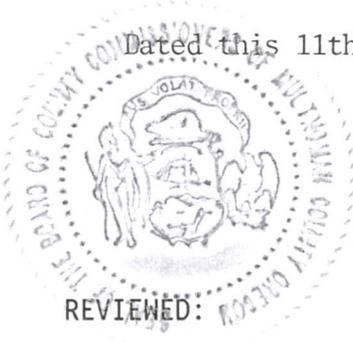
BE IT RESOLVED by the Board of County Commissioners as follows:

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. Hogan Road, 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 on 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 11th day of June, 1992.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



By Gladys McCoy
Gladys McCoy, Chair

LAWRENCE KRESSEL, County Counsel
for Multnomah County

By John L. DuBay
Deputy County Counsel
John L. DuBay

EXHIBIT A

First Interstate Bank of Oregon, TR.

HOGAN ROAD
South of Palmquist Road
Item No. 89-318
Revised August 5, 1991

A parcel of land situated in the southeast one-quarter of Section 15, T1S, R3E, W.M., Multnomah County, Oregon, described as follows:

Beginning at the point of intersection of the south line of that tract of land conveyed to First Interstate Bank of Oregon, N.A., Trustee U/A with Rose Sanford, by deed recorded August 18, 1986, in Book 1929, Page 1272, Deed Records of Multnomah County, Oregon, and the westerly right-of-way line of as-traveled Hogan Road (said right-of-way line lying 25.00 feet westerly, when measured at right angles, of the centerline of said Hogan Road); thence N 12°19' W along said westerly right-of-way line, a distance of 119.59 feet to an angle point; thence N 30°56' E continuing along said right-of-way line, a distance of 315.62 feet to a point on the southwesterly right-of-way line of the O.W.P. Railway Company; thence N 40°27'30" W along said southwesterly right-of-way line, a distance of 126.92 feet to a point on the westerly right-of-way line of proposed Hogan Road (said westerly right-of-way line lying 30.00 feet westerly, when measured at right angles, of the centerline of said proposed Hogan Road); thence S 16°26'54" E along said proposed westerly right-of-way line, a distance of 135.89 feet to a point of curvature, said point lying N 73°33'06" W, 30.00 feet from proposed centerline Station 69+37.37, E.C.; thence southwesterly along said proposed westerly right-of-way line of Hogan Road on the arc of a 1,030.00 foot radius tangent curve to the left, through a central angle of 19°56'41", an arc distance of 358.54 feet (the chord bears S 06°28'34" W, 356.74 feet), to a point on said south line of First Interstate Bank tract; thence N 88°28'30" E along said south line, a distance of 24.35 feet to the true point of beginning.

Containing 0.53 acres, more or less.

In addition to the above described parcel of land, an easement for the construction and maintenance of slopes, walls, drainage facilities and/or utilities is described as follows:

Commencing at the point of intersection of the south line of that tract of land conveyed to First Interstate Bank of Oregon, N.A., Trustee U/A with Rose Sanford, by deed recorded August 18, 1986, in Book 1929, Page 1272, Deed Records of Multnomah County, Oregon, and the westerly right-of-way line of as-traveled Hogan Road (said right-of-way line lying 25.00 feet westerly, when measured at right angles, of the centerline of said Hogan Road); thence S 88°28'30" W along said south line, a distance of 24.35 feet to a point on the proposed westerly right-of-way line of Hogan Road (said westerly right-of-way line lying 30.00 feet westerly, when measured at right angles, of the centerline of said proposed Hogan Road), and the true point of beginning; thence northeasterly along said proposed westerly right-of-way line on the arc of a 1,030.00 foot radius curve to the right, through a central angle of 19°56'41", an arc distance of 358.54 feet (the chord bears N 06°28'34" E, 356.74 feet), to a point of tangency, said point lying N 73°33'06" W, 30.00 feet, from proposed centerline Station 69+37.37, E.C.; thence N 16°26'54" E, continuing along said proposed westerly right-of-way line, a distance of

135.89 feet to a point on said southwesterly right-of-way line of the O.W.P. Railway Company; thence N 40°27'30" W along said southwesterly right-of-way line, a distance of 35.81 feet; thence S 16°26'54" W along a line that is parallel to, and 30.00 feet westerly of (when measured at right angles) said proposed westerly right-of-way line of Hogan Road, a distance of 155.44 feet to a point lying N 73°33'06" W, 60.00 feet from proposed centerline Station 69+37.37, E.C.; thence S 10°50'59" W, a distance of 92.49 feet; thence S 12°30'42" W, a distance of 159.94 feet; thence S 06°01'24" W, a distance of 118.04 feet to a point on said south line of First Interstate Bank tract; thence N 88°28'30" E along said south line, a distance of 53.00 feet to the point of beginning.

Containing 0.38 acres, more or less.

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