

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Authorizing the Private Sale of a Tax Foreclosed Property to Leonard C. Smith & Ann V. Durando-Smith

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County acquired through the foreclosure of liens for delinquent real property taxes, certain real property located in Multnomah County, more particularly described in a copy of a proposed deed, attached as Exhibit A (the "Property").
- b. ORS 275.225 allows the County to sell County owned property, including property acquired through tax foreclosure, at a private sale if that property meets certain conditions with respect to value and the applicable zoning and building codes.
- c. The Property has a real market value of \$700 on the assessment roll prepared for the County, consistent with the requirement of ORS 275.225(1)(a).
- d. Although no written confirmation from the City of Portland was obtained, the County is confident that the location and size of the Property make it unsuitable for the construction or placement of a dwelling thereon under applicable zoning ordinances and building codes, as provided under ORS 275.225(1)(b).
- e. The County has received payment in the amount of \$200 from Leonard C. Smith & Ann V. Durando-Smith, an amount the Board finds to be a reasonable price for the Property in conformity with ORS 275.225.

The Multnomah County Board of Commissioners Resolves:

1. The County Chair is authorized to execute a deed, in substantial conformance with the deed attached as Exhibit A, conveying the Property to Leonard C. Smith & Ann V. Durando-Smith, in consideration of \$200.

ADOPTED the ____ day of September 2013.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Marissa Madrigal, Acting Chair

REVIEWED:

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

By _____
Courtney Lords, Assistant County Attorney

SUBMITTED BY:

Joanne Fuller, Director, Dept. of County Management

EXHIBIT A TO RESOLUTION

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

(Grantees) LEONARD C SMITH & ANN V DURANDO-SMITH
2765 NE 102ND AVE
PORTLAND OR 97220-2805

After recording return to:

(Grantor) MULTNOMAH COUNTY SPECIAL PROGRAMS
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

Bargain and Sale Deed D142384 for R319105

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to Leonard C. Smith & Ann V. Durando-Smith, husband and wife, **Grantees**; the following described real property:

See Attached Exhibit 1

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.

The true consideration for this conveyance is \$200.00

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered on September ____, 2013, by Resolution No. ____ has caused this deed to be executed by the Chair of the County Board.

Dated the ____ day of September 2013.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Marissa Madrigal, Acting Chair

This Deed was acknowledged before me this ____ day of September 2013, by Jeff Cogen, 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: 7/14/2014

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

By _____
Courtney Lords, Assistant County Attorney

Account Number: R319105

Legal Description:

Described as follows:

A tract of land in the S.E. One-Quarter of the N.E. One-Quarter of Section 28, Township 1 North, Range 2 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Commencing at the common corner of Sections 27, 28, 21, and 22, Township 1 North, Range 2 East, of the Willamette Meridian; thence South along the line between said Section 27 and 28, a distance of 2060.7 feet; thence West 30 feet to a point on the West side line of N.E. 102nd Avenue, formerly Craig Road to the TRUE POINT OF BEGINNING of the land to be described; thence South along the West line of said N.E. 102nd Avenue, a distance of 120 feet; thence West, a distance of 471.5 feet, more or less, to the Easterly boundary line of the right-of-way of the Oregon Railway and Navigation Co.; thence Northerly along the said right-of-way line to a point West of the true point of beginning; thence East, a distance of 465.5 feet to the point of beginning.

EXCEPT the westerly portion conveyed to the State of Oregon by and through its State Highway Commission by deed dated April 21, 1951, in Book 1473, Page 528.

and also EXCEPTING the following described property:

A tract of land in the Southeast One-Quarter of the Northeast One-Quarter of Section 28, Township 1 North, Range 2 East, of the Willamette Meridian, Multnomah County, Oregon and being a portion of that property described in that deed to Harold C. and Maxine Johnson Alexander, recorded August 11, 1958 in Book 1911, page 395 of Multnomah County Deed Records, said parcel being that portion of said property lying Westerly of a line parallel with and 125 feet Easterly and being that portion of said property lying Easterly of a line parallel with and 130 feet Easterly of the center line of a connection from the Eastbound lane of the Columbia River Highway to the Northbound lane of the East Portland Freeway, which centerline is described as follows:

Beginning at Engineer's centerline station "EN2" 255+52.90, said station being 1237.99 feet South and 408.86 feet West of the Northeast corner of Section 28, Township 1 North, Range 2 East, Willamette Meridian; thence on a spiral curve right (the long chord of which bears South 8°20' East), a distance of 400 feet; thence on a 1432.39 foot radius curve right (the long chord of which bears South 0°30' West), a distance of 175 feet; thence on a spiral curve right (the long chord of which bears South 9°20' West), a distance of 400 feet to Engineer's centerline station "EN2" 265+27.90