

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 2019-024

Authorizing the Acquisition of Real Property for a Public Improvement Project on N.E. 238<sup>th</sup> Drive, in Northeast Multnomah County.

**The Multnomah County Board of Commissioners Finds:**

- a. It is necessary for Multnomah County to acquire the real property interests described in attached Exhibit 1 (the "Property") for purposes of constructing, operating, maintaining, repairing, replacing, and reconstructing road facilities which includes culverts, approaches, access, slopes, and drainage facilities on a portion of N.E. 238<sup>th</sup> Drive, situated in unincorporated Multnomah County (the "Project").
- 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.

**The Multnomah County Board of Commissioners Resolves:**

1. It is necessary to acquire the Property described in Exhibit 1 for purposes of the Project.
2. Multnomah County Transportation Division (Division) is directed to begin negotiations to acquire the Property in accordance with all applicable laws, rules, and regulations governing such acquisition. Legal counsel is directed to assist the Division as necessary in such negotiations. Any agreement to purchase property described in Exhibit 1 is subject to Board approval.

**ADOPTED this 4<sup>th</sup> day of April 2019.**



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

Sharon Meieran, Vice-Chair

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

By   
Courtney Lords, Assistant County Attorney

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

# EXHIBIT 1

NE 238<sup>th</sup> Drive  
County Road No. 2529  
Item No. 2018-20-03

Reynolds School District #7

## ROAD PURPOSE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 35, Township 1 North, Range 3 East, of the Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being a portion of Lot 7, Plat of "Edgefield District", Multnomah County Plat Records, said parcel being that portion of said Lot 7 included in a strip of land variable in width lying on the northerly side of and coincident with the centerline of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 between Centerline Stations 8+00.00 and 13+05.00, said centerline being more particularly described as follows:

**Beginning** at a 4 1/4" brass disk in concrete inside a monument box at the Northeast Corner of the Alanson Taylor D.L.C. No. 57 at Station 0+00;

Thence along the existing centerline of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 the following courses and distances:

N01°20'01"E, 226.57 feet to Centerline Station 2+26.57 and the beginning of a 1432.50 foot radius curve to the right having a central angle of 10°09'33";

Thence along the arc of said curve to the right (the long chord of which bears N06°24'48"E, 253.67') 254.00 feet to Centerline Station 4+80.57;

Thence N11°29'34"E, 75.59 feet to a 5/8" iron rod in a monument box at Centerline Station 5+56.16 and the beginning of a 636.67 foot radius curve to the left having a central angle of 103°36'14";

Thence along the arc of said curve to the left (the long chord of which bears N40°18'33"W, 1000.69') 1151.25 feet to Centerline Station 17+07.40;

Thence S87°53'20"W, 252.13 feet to Centerline Station 19+59.53 and the beginning of a 477.50 foot radius curve to the right having a central angle of 95°21'52" from which a 1/2" iron pipe in a monument box bears S87°53'20"W, 0.27;

Thence along the arc of said curve to the right (the long chord of which bears N44°25'44"W, 706.15') 794.76 feet to Centerline Station 27+54.29 from which a 1/2" iron pipe in a monument box bears S03°15'12"W, 0.34 feet;

Thence N03°15'12"E, 594.18 feet to Centerline Station 33+48.47 and the point of intersection with NE Arata Road (County Road No. 730) and the **Terminus Point** of said centerline.

The basis of bearings along with the centerline location of the above described Centerline is based on a Pre-Construction Survey to be prepared by Multnomah County Surveyors Office and to be filed prior to the beginning of construction of roadway improvements.

The northerly line of said strip being described by the following courses and distances:

Beginning at a point 97.80 feet right of Centerline Station 8+00.00 of NE 238<sup>th</sup> Drive (County Road No. 2529);

Thence N21°20'07"W, 264.62 feet to a point 95.50 feet right of Centerline Station 10+31.00;

Thence N33°01'59"W, 113.69 feet to a point 100.75 feet right of Centerline Station 11+29.50;

Thence N45°19'52"E, 89.75 feet to a point 190.25 feet right of Centerline Station 11+35.00;

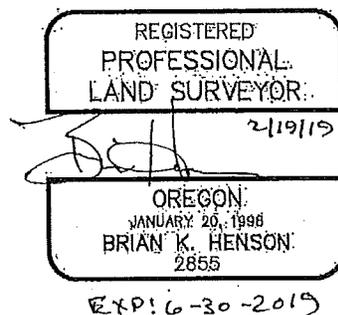
Thence N46°29'34"W, 136.34 feet to a point on the southerly right of way line of NE 238<sup>th</sup> Connector (County Road No. 5008) 187.49 feet right of Centerline Station 12+40.25;

Thence S74°36'37"W, along the southerly right of way line of said NE 238<sup>th</sup> Connector and its westerly extension, 128.82 feet to a point 85.29 feet right of Centerline Station 13+05.00.

**EXCEPTING** therefrom any portion of said strip lying within the existing NE 238<sup>th</sup> Drive (formerly known as Cherry Park Drive) County Road No. 2529, right of way, and NE 242<sup>nd</sup> Connector (County Road No. 5007).

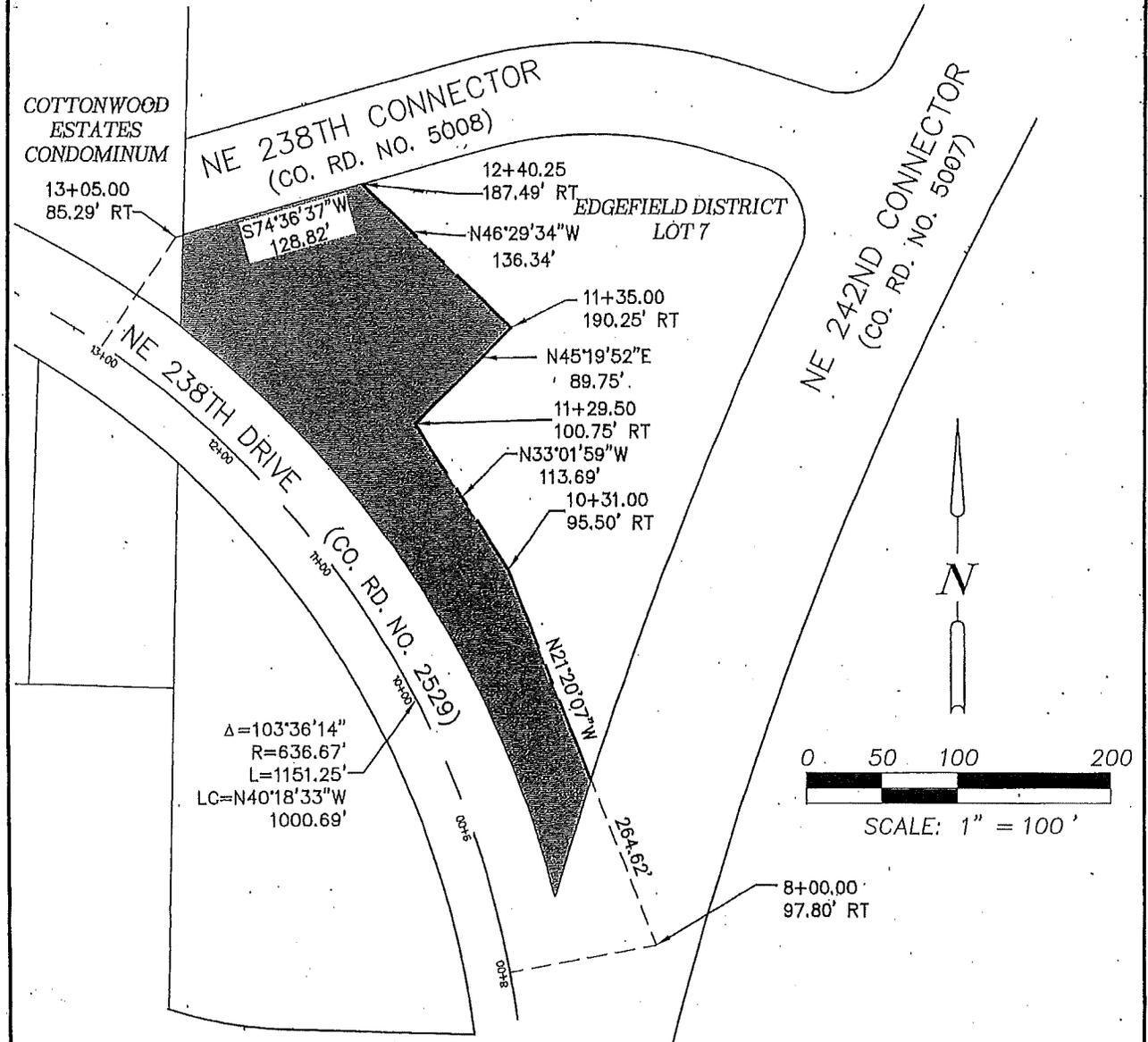
The parcel of land to which this description applies contains 39,211 square feet more or less.

In the event of a conflict or discrepancy between the map as shown on Exhibit B and the written legal description provided above, the written legal description shall prevail.



# EXHIBIT B

PAGE 1 OF 1



 ROAD PURPOSE EASEMENT

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*BKH* 2/19/19

OREGON  
JANUARY 20, 1998  
BRIAN K. HENSON  
2855

EXPIRES: 6-30-2019



JAMES S. CLAYTON PLS

NE 238TH DRIVE ROAD PROJECT

ITEM NO. 2018-20-3

DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

COUNTY SURVEYOR

## EXHIBIT A

NE 238<sup>th</sup> Drive  
County Road No. 2529  
Item No. 2018-21

City of Wood Village

### FEE SIMPLE

Book 1969, Page 607, recorded December 31, 1986:

That certain real property situated in the County of Multnomah, State of Oregon, and City of Wood Village, described as follows, to wit:

That certain parcel of land in the Northeast one-quarter of Section 34, T1N, R3E, W.M., in Multnomah County, Oregon, described as follows: Beginning at the intersection of the East line of Tract "I" of those tracts of land conveyed to Clifford Orth and Eugene P. Schulte, Orth-Schulte Properties, an Oregon Partnership, by Deed recorded on January 18, 1968, in Book 601, on Page 216, Deed Records of Multnomah County, Oregon, and the North line of N.E. 238th Drive, County Road No. 2529; Thence N.  $1^{\circ}56'09''$  E. along the East line of said Tract "I" a distance of 27.40 feet to the Northeast corner of said Tract "I"; Thence S.  $88^{\circ}42'42''$  W. along the North line of said Tract "I" a distance of 78.35 feet to a point in the North line of said N.E. 238th Drive; Thence Southeasterly along the North line of said N.E. 238th Drive along a non-tangent curve to the left having a radius of 447.50 feet, the chord of which bears S.  $71^{\circ}40'50''$  E. 81.53 feet, a distance of 81.65 feet to the point of beginning; said property also known as Tax Lot No. 55.

Provided that the above grant shall be subject to easements of record, including such slope easements as may exist in favor of Multnomah County, all existing roads and right-of-ways.

And Book 1371, Page 1704, recorded August 1, 1979:

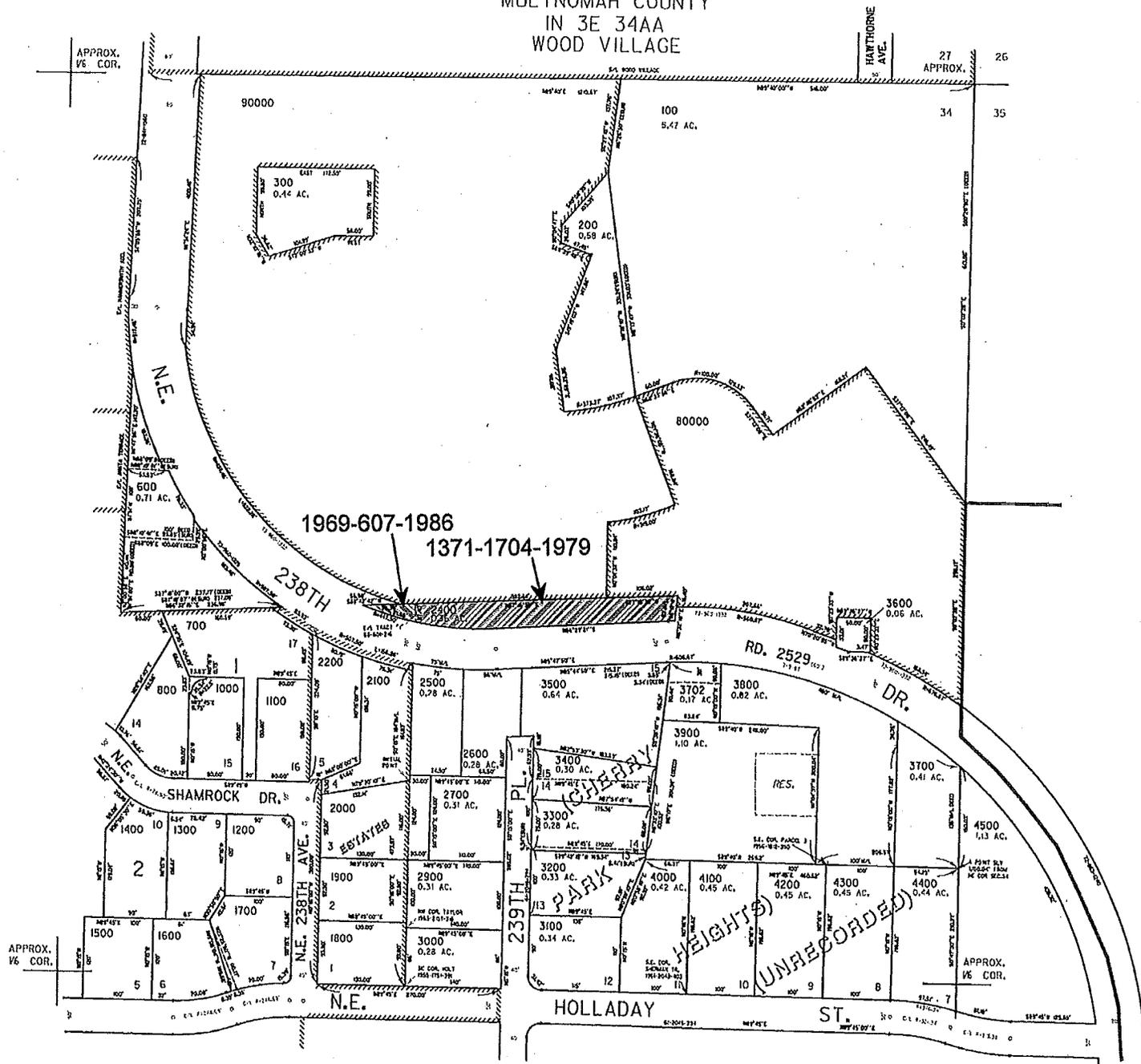
A tract of land in the Northeast quarter of Section 34, Township 1 North, Range 3 East of Willamette Meridian, in the City of Wood Village, in the County of Multnomah and State of Oregon, described as follows:

Beginning at the Northeast corner of said Section 34; thence South  $89^{\circ}40'$  West 1,210.67 feet along the southerly line of WOOD VILLAGE, a duly recorded plat; thence South  $1^{\circ}51'$  West 790.5 feet; thence North  $87^{\circ}18'$  East 820.4 feet to an interior corner in the southerly line of that tract conveyed to Victory Homes, Inc., by deed recorded November 28, 1942 in Book 721, page 169, Deed Records, and true point of beginning of the here described tract; thence South  $6^{\circ}17'$  West 40 feet more or less to the northerly line of N. E. 238th Drive (Road No. 2529, 60 feet wide); thence westerly 400 feet more or less along said northerly line to the West line of that tract conveyed to Lester W. Arndt, et ux, by deed recorded April 25, 1951 in Book 1472, page 574, Deed Records; thence North 30 feet more or less to the Northwest corner of said Arndt Tract, being in the most westerly South line of the above said Victory Homes, Inc. Tract; thence North  $87^{\circ}18'$  East 400 feet more or less to the true point of beginning.

In the event of a conflict or discrepancy between the map as shown on Exhibit B and the written legal description provided above, the written legal description shall prevail.

# Exhibit B

NE 1/4 NE 1/4 SEC. 34 T.1N. R.3E. W.M.  
MULTNOMAH COUNTY  
IN 3E 34AA  
WOOD VILLAGE



## EXHIBIT A

NE 238<sup>th</sup> Drive  
County Road No. 2529  
Item No. 2018-22

City of Wood Village

### FEE SIMPLE

Document No. 2004-199111, recorded November 2, 2004:

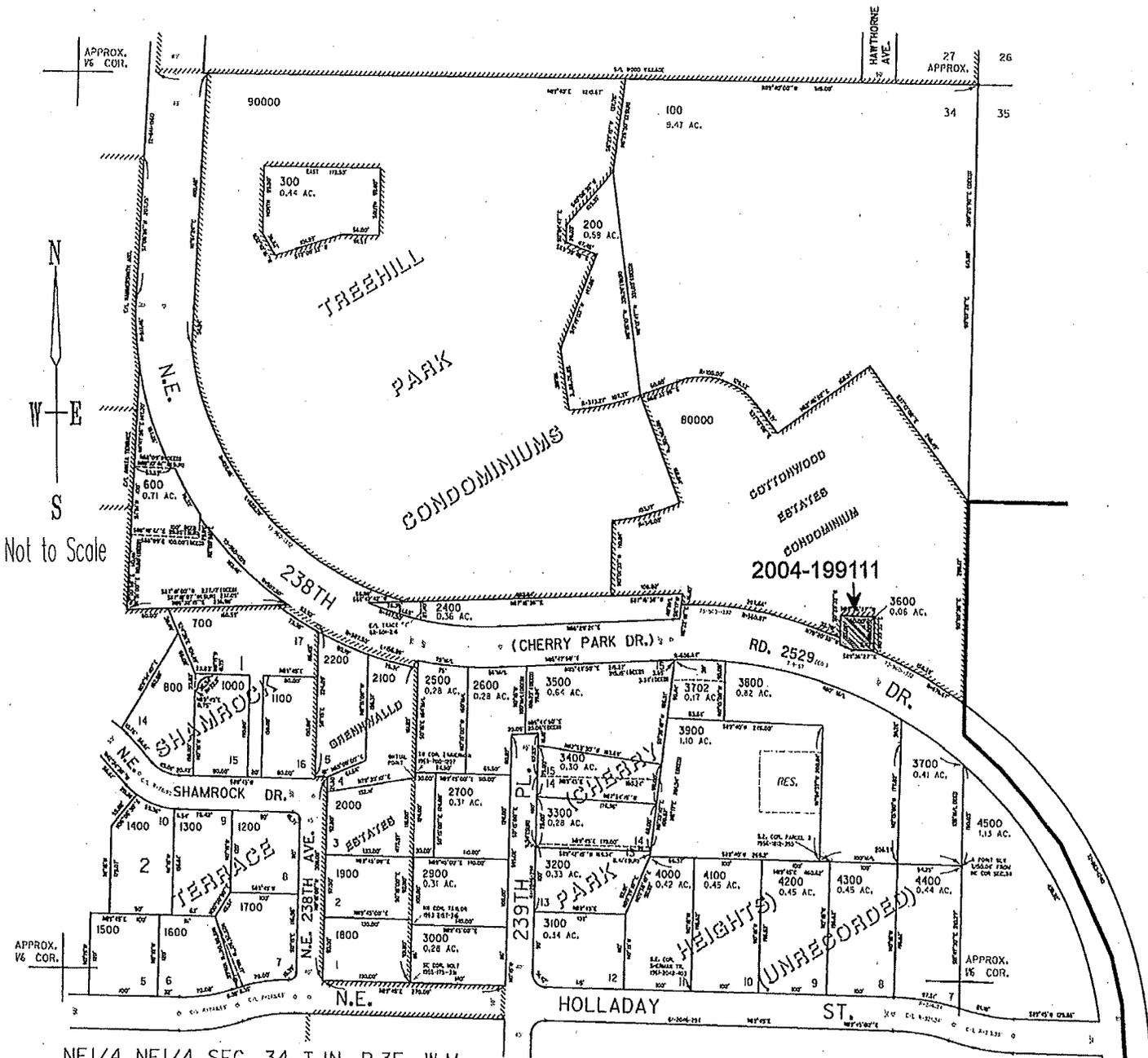
The following described real property situated in Section 34, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Wood Village, County of Multnomah and State of Oregon:

Commencing at the Northeast corner of Section 34, Township 1 North, Range 3 East of the Willamette Meridian; thence South 89° 40' West 135 feet; thence South 785 feet to the Northeast corner and point of beginning of the tract to be described; thence West 50 feet; thence South 50 feet; thence East 50 feet; thence North 50 feet to the point of beginning; Except that portion situated in the road on the South.

In the event of a conflict or discrepancy between the map as shown on Exhibit B and the written legal description provided above, the written legal description shall prevail.

# Exhibit B

NE 238th Drive  
 County Road No. 2529  
 Item No. 2018-22



NE 1/4 NE 1/4 SEC. 34 T.1N. R.3E. W.M.  
 MULTNOMAH COUNTY  
 IN 3E 34AA  
 WOOD VILLAGE

## EXHIBIT A

NE 238<sup>th</sup> Drive  
County Road No. 2529  
Item No. 2018-38

Harding

### SLOPE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northwest One-Quarter of Section 35, Township 1 North, Range 3 East, of the Willamette Meridian, City of Wood Village, Multnomah County, Oregon, and being a portion of Parcel 2, Partition Plat No. 1997-181, Multnomah County Plat, said parcel being that portion of said Parcel 2 included in a strip of land variable in width lying on the westerly side of and coincident with the Centerline line of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 between Centerline Stations 5+50.00 and 7+15.00, said Centerline being more particularly described as follows:

**Beginning** at a 4 1/4" brass disk in concrete inside a monument box at the Northeast Corner of the Alanson Taylor D.L.C. No. 57 at Station 0+00;

Thence along the existing centerline of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 the following courses and distances:

N01°20'01"E, 226.57 feet to Centerline Station 2+26.57 and the beginning of a 1432.50 foot radius curve to the right having a central angle of 10°09'33";

Thence along the arc of said curve to the right (the long chord of which bears N06°24'48"E, 253.67') 254.00 feet to Centerline Station 4+80.57;

Thence N11°29'34"E, 75.59 feet to a 5/8" iron rod in a monument box at Centerline Station 5+56.16 and the beginning of a 636.67 foot radius curve to the left having a central angle of 103°36'14";

Thence along the arc of said curve to the left (the long chord of which bears N40°18'33"W, 1000.69') 1151.25 feet to Centerline Station 17+07.40;

Thence S87°53'20"W, 252.13 feet to Centerline Station 19+59.53 and the beginning of a 477.50 foot radius curve to the right having a central angle of 95°21'52" from which a 1/2" iron pipe in a monument box bears S87°53'20"W, 0.27;

Thence along the arc of said curve to the right (the long chord of which bears N44°25'44"W, 706.15') 794.76 feet to Centerline Station 27+54.29 from which a 1/2" iron pipe in a monument box bears S03°15'12"W, 0.34 feet;

Thence N03°15'12"E, 594.18 feet to Centerline Station 33+48.47 and the point of intersection with NE Arata Road (County Road No. 730) and the **Terminus Point** of said Centerline.

The basis of bearings along with the centerline location of the above described Centerline is based on a Pre-Construction Survey to be prepared by Multnomah County Surveyors Office and to be filed prior to the beginning of construction of roadway improvements.

**The width of the strip of land referred to above is as follows:**

<u>Station to Station</u>	<u>Width on Westerly Side of Centerline</u>
Station 5+50.00 to 6+89.30	31.00 feet
Station 6+89.30 to 7+15.00	31.00 feet in a straight line to 54.00 feet

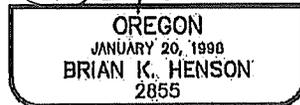
**EXCEPTING** therefrom any portion of said strip lying within the existing NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529, right of way.

The parcel of land to which this description applies contains 348 square feet more or less.

In the event of a conflict or discrepancy between the map as shown on Exhibit B and the written legal description provided above, the written legal description shall prevail.



*BKH* 1/9/19



ETP: 6-30-2019

# EXHIBIT B

DOCUMENT NO.  
2012-051209

$\Delta = 103^{\circ}36'14''$   
 $R = 636.67'$   
 $L = 1151.25'$   
 $LC = N40^{\circ}18'33''W$   
 1000.69'

NE 242ND CONNECTOR  
(CO. RD. NO. 5007)

NE HOLLADAY ST

PARCEL 1

PARTITION PLAT  
1997-181

PARCEL 1  
PARCEL 2

DN 2015-089787

PT: 4+80.57

5+50.00  
31.00' LT

PC: 5+56.16

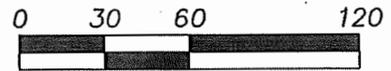
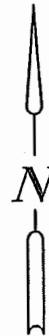
6+89.30  
31.00' LT

7+15.00  
54.00' LT

NE 238TH DRIVE (CO. RD. NO. 2529)

PARTITION PLAT  
1996-001  
PARCEL 2

DOCUMENT NO.  
2011-143287



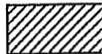
SCALE: 1" = 60'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*BKH* 1/9/19

OREGON  
JANUARY 20, 1998  
BRIAN K. HENSON  
2855

EXPIRES: 6-30-2019



SLOPE EASEMENT



JAMES S. CLAYTON PLS

NE 238TH DRIVE ROAD PROJECT

ITEM NO. 2018-38

DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1600 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

COUNTY SURVEYOR

## EXHIBIT A

NE 238<sup>th</sup> Drive  
County Road No. 2529  
Item No. 2018-39

City of Wood Village

### PARCEL 1 – SLOPE EASEMENT

A parcel of land, as shown on attached Exhibit B, located in the Northeast One-Quarter of Section 34, Township 1 North, Range 3 East, of the Willamette Meridian, City of Wood Village, Multnomah County, Oregon, and being a portion of that tract of land described in that Bargain and Sale Deed to The City of Wood Village, a municipal corporation of the State of Oregon (“Wood Village”), recorded on February 23, 1982 in Deed Book 1580, Page 599, Multnomah County Deed Records and a portion of that tract of land described in that Bargain and Sale Deed to The City Wood Village, Oregon, a municipal corporation (“Wood Village”), recorded October 24, 1956 in Deed Book 1812, Page 350, Multnomah County Deed Records, said parcel being that portion of said Wood Village tracts included in a strip of land 40.50 feet in width lying on the westerly side of and coincident with the Centerline line of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 between Centerline Stations 25+24.00 and 26+70.00, said Centerline being more particularly described as follows:

**Beginning** at a 4 1/4” brass disk in concrete inside a monument box at the Northeast Corner of the Alanson Taylor D.L.C. No. 57 at Station 0+00;

Thence along the existing centerline of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 the following courses and distances:

N01°20’01”E, 226.57 feet to Centerline Station 2+26.57 and the beginning of a 1432.50 foot radius curve to the right having a central angle of 10°09’33”;

Thence along the arc of said curve to the right (the long chord of which bears N06°24’48”E, 253.67’) 254.00 feet to Centerline Station 4+80.57;

Thence N11°29’34”E, 75.59 feet to a 5/8” iron rod in a monument box at Centerline Station 5+56.16 and the beginning of a 636.67 foot radius curve to the left having a central angle of 103°36’14”;

Thence along the arc of said curve to the left (the long chord of which bears N40°18’33”W, 1000.69’) 1151.25 feet to Centerline Station 17+07.40;

Thence S87°53’20”W, 252.13 feet to Centerline Station 19+59.53 and the beginning of a 477.50 foot radius curve to the right having a central angle of 95°21’52” from which a 1/2” iron pipe in a monument box bears S87°53’20”W, 0.27;

Thence along the arc of said curve to the right (the long chord of which bears N44°25’44”W, 706.15’) 794.76 feet to Centerline Station 27+54.29 from which a 1/2” iron pipe in a monument box bears S03°15’12”W, 0.34 feet;

Thence N03°15'12"E, 594.18 feet to Centerline Station 33+48.47 and the point of intersection with NE Arata Road (County Road No. 730) and the **Terminus Point** of said Centerline.

The basis of bearings along with the centerline location of the above described Centerline is based on a Pre-Construction Survey to be prepared by Multnomah County Surveyors Office and to be filed prior to the beginning of construction of roadway improvements.

**EXCEPTING** therefrom any portion of said strip lying within the existing NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529, right of way, and any portion of said strip included in Parcel I in that Deed for Road Purposes recorded November 27, 1973 in Book 960, page 1323, Multnomah County Deed Records.

The parcel of land to which this description applies contains 638 square feet more or less.

**PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT**

A parcel of land, as shown on attached Exhibit B, located in the Northeast One-Quarter of Section 34, Township 1 North, Range 3 East, of the Willamette Meridian, City of Wood Village, Multnomah County, Oregon, and being a portion of that tract of land described in that Bargain and Sale Deed to The City of Wood Village, a municipal corporation of the State of Oregon ("Wood Village"), recorded on February 23, 1982 in Deed Book 1580, Page 599, Multnomah County Deed Records and a portion of that tract of land described in that Bargain and Sale Deed to The City Wood Village, Oregon, a municipal corporation ("Wood Village"), recorded October 24, 1956 in Deed Book 1812, Page 350, Multnomah County Deed Records, said parcel being that portion of said Wood Village tracts included in a strip of land variable in width lying on the southwesterly side of and coincident with the Centerline line of NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529 between Centerline Stations 22+70.00 and 26+70.00, said Centerline being more particularly described in Parcel 1:

**The width of the strip of land referred to above is as follows:**

<u>Station to Station</u>	<u>Width on Westerly Side of Centerline</u>
Station 22+70.00 to 24+23.00	40.00 feet
Station 24+23.00 to 25+24.00	52.50 feet in a straight line to 35.00 feet
Station 25+24.00 to 26+70.00	45.50 feet

**EXCEPTING** therefrom any portion of said strip lying within the existing NE 238th Drive (formerly known as Cherry Park Drive) County Road No. 2529, right of way, and any portion of said strip included in Parcel I and Parcel II in that Deed for Road Purposes recorded November 27, 1973 in Book 960, page 1323, Multnomah County Deed Records.

The parcel of land to which this description applies contains 3,139 square feet more or less.

In the event of a conflict or discrepancy between the map as shown on Exhibit B and the written legal description provided above, the written legal description shall prevail.

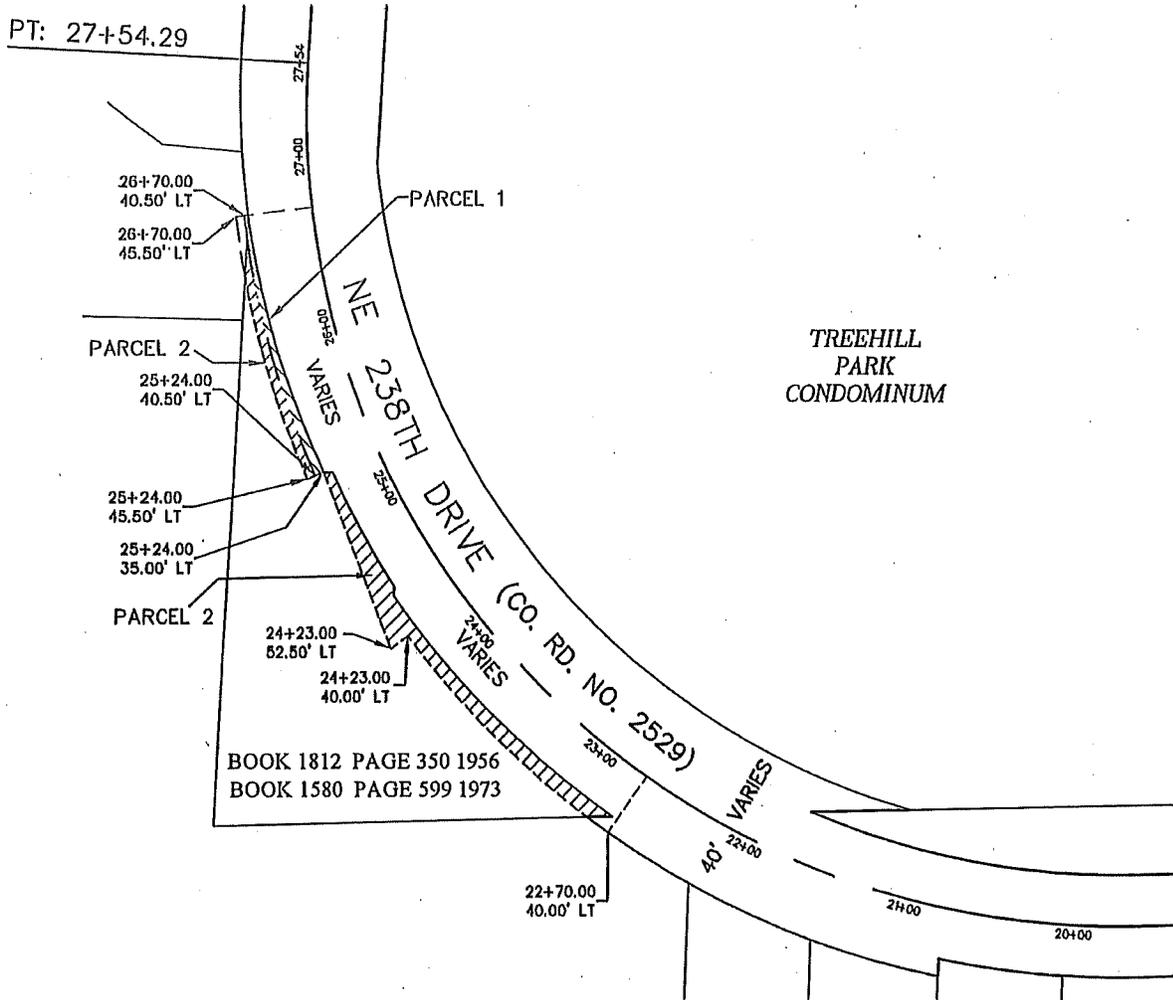
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Handwritten signature]* 1/9/19

OREGON  
JANUARY 20, 1998  
BRIAN K. HENSON  
2855

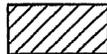
Exp. 6-30-2019

# EXHIBIT B



TREEHILL  
PARK  
CONDOMINIUM

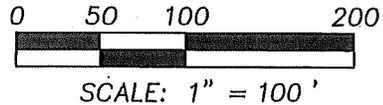
BOOK 1812 PAGE 350 1956  
BOOK 1580 PAGE 599 1973

-  PARCEL 1- SLOPE EASEMENT
-  PARCEL 2 - TEMPORARY CONSTRUCTION EASEMENT

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Brian K. Henson*  
11/9/19  
OREGON  
JANUARY 20, 1998  
BRIAN K. HENSON  
2855

EXPIRES: 6-30-2019



 **Multnomah County**  
DEPARTMENT OF COMMUNITY SERVICES  
COUNTY SURVEYOR'S OFFICE  
1800 S.E. 190TH AVE.,  
PORTLAND, OR. 97233-5910

JAMES S. CLAYTON PLS COUNTY SURVEYOR

NE 238TH DRIVE ROAD PROJECT  
ITEM NO. 2018-39