

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. 99-161

Authorizing Grant of a Public Walkway Easement to the City of Portland, a Municipal Corporation of the State of Oregon.

The Multnomah County Board of Commissioners Finds:

a. The City of Portland has requested an easement approximately 4 feet wide and 242 feet long, for a public walkway, on County owned real property presently not in use, and more particularly described below, in order to facilitate the public's access to the Belmont Library.

b. The legal description of the proposed easement is as follows:

A parcel of land situated in northeast one-quarter of Section 1, T1S, R1E, W.M., City of Portland, Multnomah County, Oregon, described as follows:

Beginning at the intersection of the west line of Lot 1, Block 4, Eastland, a duly recorded subdivision in Multnomah County, and the north line of SE Taylor Street; thence northerly 242.03 feet along the west line of said Lot 1, and the west line of Lot 1, Block 6, Edendale, a duly recorded subdivision in Multnomah County; said west line also being the east line of SE 39th Avenue, to its intersection with the south line of SE Yamhill Street, said intersection also being the northwest corner of Lot 1, Block 6, Edendale; thence easterly 5.00 feet along the north line of Lot 1, Block 6, Edendale; thence southerly 110.55 feet parallel to the east line of SE 39th Avenue; thence westerly 1.00 feet parallel to the north line of Lot 1, Block 4, Eastland; thence southerly 131.47 feet parallel to the east line of SE 39th Avenue to the north line of SE Taylor Street; thence westerly 4.00 feet along the north line of SE Taylor Street to the Point of Beginning.

c. The grant of the easement will be in the public's best interest and have little or no effect upon the use or value of the land upon which it would be located.

d. The land underlying the requested easement is not of size or configuration to permit other development construction of the surface and thus has no value greater than that attributable to the proposed public walkway.

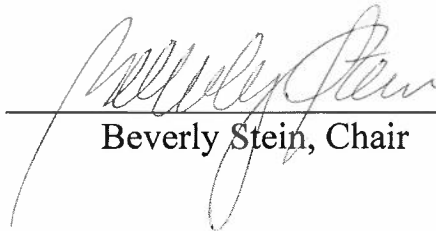
The Multnomah County Board of Commissioners Resolves:

1. Multnomah County approves the attached Public Walkway Easement to the City of Portland, identified as Exhibit A, upon the terms and conditions herein stated.
2. The Chair is hereby directed to execute the attached Easement on behalf of Multnomah County.

ADOPTED this 5th day of August, 1999.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON


Beverly Stein, Chair

REVIWED:

THOMAS SPONSLER, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

By 
Matthew O. Ryan, Assistant County Counsel

PUBLIC WALKWAY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that Multnomah County, a political subdivision of the State of Oregon, Grantor, in consideration of the sum of One and no/100 (\$1.00) Dollars, and other good and valuable consideration, to it paid by the City of Portland, a municipal corporation of the State of Oregon, the receipt whereof is hereby acknowledged, does hereby grant unto said City of Portland, an easement for construction and perpetual use by the public of a public walkway over and across real property in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

R/W #5865-R

A parcel of land situated in northeast one-quarter of Section 1, T1S, R1E, W.M., City of Portland, Multnomah County, Oregon, described as follows:

Beginning at the intersection of the west line of Lot 1, Block 4, Eastland, a duly recorded subdivision in Multnomah County, and the north line of SE Taylor Street; thence northerly 242.03 feet along the west line of said Lot 1, and the west line of Lot 1, Block 6, Edendale, a duly recorded subdivision in Multnomah County; said west line also being the east line of SE 39th Avenue, to its intersection with the south line of SE Yamhill Street, said intersection also being the northwest corner of Lot 1, Block 6, Edendale; thence easterly 5.00 feet along the north line of Lot 1, Block 6, Edendale; thence southerly 110.55 feet parallel to the east line of SE 39th Avenue; thence westerly 1.00 feet parallel to the north line of Lot 1, Block 4, Eastland; thence southerly 131.47 feet parallel to the east line of SE 39th Avenue to the north line of SE Taylor Street; thence westerly 4.00 feet along the north line of SE Taylor Street to the Point of Beginning.

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After Recording Return to :

106/802/Ed Gillard

Tax Statement shall be sent to:

No Change

GRANTOR herein assumes responsibility for maintenance of the concrete walkway as though said walkway existed within a public street right-of-way.

GRANTOR shall permit public rights of pedestrian access and movement within this walkway easement as though said walkway existed within a public right-of-way.

GRANTOR reserves the right to occupy, use and cultivate said easement for all purposes not inconsistent with the rights herein granted, however, grantor shall comply with grantee's permit requirements.

THE RIGHTS, conditions and provisions of this easement shall insure to the benefit of and be binding upon the heirs, executor's, administrators, successors and assigns of the respective parties hereto.

TO HAVE AND TO HOLD, the above described and granted premises unto said City of Portland for the uses and purposes aforesaid forever.

IN WITNESS WHEREOF, the grantor above named, has hereunto set its hand, this
5th day of August, 1999.



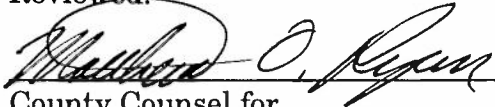
BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY

By:


Beverly Stein, Chair

Reviewed:

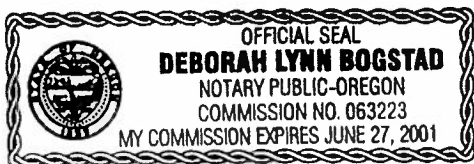
By:


County Counsel for
Multnomah County, Oregon

STATE OF OREGON

County of Multnomah

On this 5th day of August A.D., 1999, personally appeared Beverly Stein, who being duly sworn did say that she is the Chair of the Board of Commissioners of Multnomah County, and that said instrument was signed on behalf of the Multnomah County by authority of its board of Commissioners; and she acknowledged said instrument to be her voluntary act and deed.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission expires 6/27/01

Approved as to form:

City Attorney

Approved:

City Engineer

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