



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: Feb. 2017)

Board Clerk Use Only

Meeting Date: 8/3/17
Agenda Item #: R.6
Est. Start Time: 10:10 am
Date Submitted: 7/27/17

Agenda Title: Resolution Authorizing Condemnation and Immediate Possession of Real Property Necessary for the N.W. Cornelius Pass Road Project

Requested

Meeting Date: August 3, 2017 Time Needed: 5 minutes

Department: Community Services Division: Transportation

Contact(s): Riad Alharithi, Engineering Services Manager

Phone: (503) 988-0181 Ext. 80181 Email: Riad.Alharithi@multco.us

Presenters: Riad Alharithi, Engineering Services Manager and
Courtney Lords, Assistant County Attorney

General Information

1. What action are you requesting from the Board?

Authorize the County Attorney to file condemnation proceedings, make a good faith deposit in the Circuit Court, and request an Order from the Court authorizing the County to take immediate possession of real property necessary for the N.W. Cornelius Pass Road Project.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer(s) this action affects and how it impacts the results.

By Resolution No. 2016-128 adopted on Dec. 8, 2016, the Board authorized the County to undertake negotiations for the acquisition of certain real property interests as more particularly described in Exhibit A, and as shown on the Exhibit Map (the "Property") attached to the Resolution; for the purpose of constructing, installing, operating, maintaining, repairing and reconstructing slopes, drainage and road facilities, associated with the N.W. Cornelius Pass Road Project (the "Project").

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 County, by and through its acquisition agent, Universal Field Services, mailed an offer letter dated May 30, 2017, stating its willingness to pay \$44,000 for the Property, based on an independent appraisal. The property owner has not made a counter-offer.

Consequently, negotiations for the acquisition of the Property have not, to date, resulted in a settlement and it is necessary to acquire immediate possession of the Property to allow construction to proceed and be completed on schedule and within budgetary limitations.

3. Explain the fiscal impact (current year and ongoing).

\$44,000 for the Property acquisition, plus appraisal fees, court fees and costs of litigation.

4. Explain any legal and/or policy issues involved.

The County will strictly follow the rules, policies and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35, the "State Right of Way Manual", and Multnomah County Administrative Procedure Trans-01 as such rules, policies and procedures prescribe use of the County's eminent domain authority.

5. Explain any citizen and/or other government participation that has or will take place.

The County conducted several public meetings to solicit public concerns before starting, and during the planning process.

Required Signature

**Elected
Official or
Department
Director:**

/s/ Kim Peoples

Date:

7/27/17