

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2016-083

Resolution and Public Hearing Authorizing Transfer of a Tax Foreclosed Property to the City of Portland Bureau of Environmental Services

The Multnomah County Board of Commissioners Finds:

- a. On October 1, 2015 the County acquired ownership through foreclosure of delinquent tax liens of the following described property:

All that portion of Lots 1, 2 and 3, which is North of Johnson Creek, Block 4, EDGE O'TOWN VILLAS, in the City of Portland, County of Multnomah and State of Oregon. ("Property")

- b. By Board Order 2016-007 ("Order"), the Board authorized the Property be offered at Public Sheriff's Sale ("Sale") of tax foreclosed property. The City of Portland Bureau of Environmental Services ("BES") sent the County an extensive bid package ("Offer") dated February 4, 2016, which detailed their negotiations with the former owner of record to acquire the Property. As a result, the Property was removed from the Sale by the County Assessor as authorized by the Order.
- c. The Property is located in BES' West Lents Target Area, in which BES proposes to restore wetland and floodplain to increase flood storage, reduce localized flooding, improve water quality and enhance habitat along Johnson Creek.
- d. ORS 271.330 (1) authorizes the transfer of tax foreclosed property to a governmental body provided the property is used for public purposes; the conveyance is subject to a reversionary interest retained by the grantor to ensure the property is used for a purpose consistent with the grant. ORS 271.330 (5) allows the government conveying the property to waive the reversionary interest requirement.
- e. BES has offered to pay \$25,000 ("Purchase Price"), an amount supported by an independent appraisal commissioned by BES. The Purchase Price coincides with the minimum bid set in the Order. Because the Offer is supported by extensive due diligence and fair consideration, the Division of Assessment, Recording & Taxation/Tax Title Program recommends the County Board approve the sale to BES and waive the reversionary interest.
- f. The Tax Title Program published notice of the August 18, 2016, public hearing to consider the proposed transfer as required under ORS 271.330 (5).

- g. The public interest is best served by the County conveying the Property to BES at the Purchase Price proposed herein and by waiving the reversionary interest.

The Multnomah County Board of Commissioners Resolves:

1. The Property is transferred to BES as requested for public purposes and the County waives its right to a reversionary interest.
2. County Chair is authorized to execute a deed, substantially in conformance with the attached deed, conveying the Property to BES upon payment of the Purchase Price.

ADOPTED this 18th day of August 2016.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

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

By *Carlos Rasch*
Carlos Rasch, Assistant County Attorney

SUBMITTED BY: Marissa Madrigal, Director, Dept. of County Management.

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

CITY OF PORTLAND
ATTN: ENVIRONMENTAL SERVICES
1120 SW FIFTH AVENUE, ROOM 1000
PORTLAND, OR 97204

After recording return to:

MULTNOMAH COUNTY
%TAX TITLE PROGRAM
501 SE HAWTHORNE BLVD
PORTLAND OR 97214

Deed D172566 for R154077

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to the City of Portland, a municipal corporation of the State of Oregon, **Grantee**, the following real property:

All that portion of Lots 1, 2 and 3, which is North of Johnson Creek, Block 4, EDGE O'TOWN VILLAS, in the City of Portland, County of Multnomah and State of Oregon

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 \$25,000.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners by authority of a Resolution of the Board, entered on August 18, 2016, by Resolution No.: 2016- , has caused this deed to be executed by the Chair of the County Board.

Dated this ____ day of August, 2016.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this ____ day of August, 2016, by Deborah Kafoury, 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: 6/26/18

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

ACCEPTED:
BUREAU OF ENVIRONMENTAL SERVICES

By _____
Carlos Rasch, Assistant County Attorney

By _____
Michael Jordan, Director