

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

RESOLUTION NO. _____

Authorizing Condemnation of Real Property for the Sellwood Bridge Project

The Multnomah County Board of Commissioners Finds:

- a. The Board by Resolutions No. 2010-166 adopted December 9, 2010, No. 2011-028 adopted April 7, 2011 and No. 2011-079 adopted on June 16, 2011; authorized the County to undertake negotiations for the acquisition of certain real property interests more particularly described in attached Exhibit 1 (the "Properties") for the purpose of constructing, operating, maintaining, repairing and reconstructing the Sellwood Bridge, approaches and interchanges in the City of Portland ("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.
- c. The negotiations for the acquisition of the Properties has not to date resulted in settlement, and it is now necessary to authorize legal proceedings be filed to acquire the Properties to allow construction on the Project to proceed and be completed on schedule and within budgetary limitations.

The Multnomah County Board of Commissioners Resolves:

1. It is necessary to acquire the Properties for the purpose of the Project.
2. In the event that no satisfactory agreement can be reached with the owners of the Properties as to the purchase price, legal counsel is authorized and directed to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the Properties. Such action shall be in accordance with all applicable laws, rules, and regulations governing such acquisition.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the Properties to the County is authorized.

4. Legal counsel is authorized and directed to take such action as may be necessary in accordance with law to obtain the Properties. Legal counsel is directed to diligently pursue negotiations to resolve the litigation.

ADOPTED this 15th day of September, 2011

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:
HENRY H. LAZENBY, JR., COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By

Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:

M. Cecilia Collier, Director,
Department of Community Services