

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving Transfer of Tax Foreclosed Property to Other Governments for Non-Housing Public Purposes.

The Multnomah County Board of Commissioners Finds:

- a. ORS 271.330 and Multnomah County Code (MCC) Chapter 7 allow for transfer of tax foreclosed real property to governmental bodies provided the property is used for a public purpose.
- b. The Cities of Gresham, and Portland (collectively "the Cities") are eligible under ORS 271.330 and MCC Chapter 7 to request the transfer of tax foreclosed property for public purposes, and the Cities have requested the transfer of six tax foreclosed properties ("the Properties") for non-housing public purposes.
- c. The City of Gresham has requested the transfer of four tax foreclosed properties, which are more particularly described in the deed to the City of Gresham, attached and identified as Exhibit A, Part 1.
- d. The City of Portland has requested the transfer of two tax foreclosed properties, which are more particularly described in the deed to the City of Portland, attached and identified as Exhibit A, Part 2.
- e. The County's Special Program Section published notice of the September 22, 2011, public hearing to consider the proposed transfer of the Properties as required under ORS 271.330 (5) and MCC § 7.407.
- f. The Properties are not needed for public use by the County and are eligible for transfer to the Cities for public purpose use, and a transfer to the Cities without monetary consideration will serve the public interest.

The Multnomah County Board of Commissioners Resolves:

1. The transfer of the Properties to the Cities in compliance with ORS 271.330 and MCC § 7.407(G) is approved.
2. Each deed of conveyance must provide that the subject property be used and continue to be used for public purposes; and should the property cease to be used for public purposes, the interests of the Grantee shall automatically terminate and title shall revert to the County.
3. The County Chair on behalf of Multnomah County is authorized to execute deeds that are substantially in conformance with the deeds as set forth in Exhibit A, Parts 1 and 2.

ADOPTED this 22nd 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:
Joanne Fuller, Director, Dept. of County Management
Page 1 of 5– Resolution Approving Government Transfers

EXHIBIT A to Resolution (Part 1)

Until a change is requested, all tax statements shall be sent to the following address:
CITY OF GRESHAM
DEPT OF ENVIRONMENTAL SERVICES
1333 NW EASTMAN PARKWAY
GRESHAM OR 97030-3813

After recording return to:
Multnomah County Tax Title 503/2

DEED D122249

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, **Grantor**, conveys to the CITY OF GRESHAM, a municipal corporation of the State of Oregon, **Grantee**, the real property described in the attached Exhibit 1:

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 22nd day of September 2011

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 22nd day of September 2011, by Jeff Cogen, 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: 7/14/2014

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

ACCEPTED:
CITY OF GRESHAM
DEPARTMENT OF ENVIRONMENTAL SERVICES

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Erik Kvarsten, City Manager

EXHIBIT 1 (Deed D122249)

1. (Tax Account No.: R194512);

Legal Description:

Tract "A", June Heights

2. (Tax Account No.: R339064);

Legal Description:

A tract of land in the Southwest One-Quarter of Section 10, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon and described as follows:

Beginning at the one-quarter corner in the South line of Section 10; thence S88°16'W, a distance of 221 feet; thence N36°14'W, a distance of 24.30 feet; thence N88°16'E, a distance of 214.75 feet; thence N00°05'E, a distance of 30.00 feet; thence N88°16'E, a distance of 20 feet; thence S00°05'W, a distance of 50 feet to the point of beginning.

3. (Tax Account No.: R338614);

Legal Description:

A tract of land in the Gerhard Linneman D.L.C. No. 51 in Section 8, Township 1 South, Range 3 East of the Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

All that part of the following described tract of land lying West of the West line of the Gerhard Linneman D.L.C. No. 51:

Beginning at a point that bears N89°52'12"W, along the North line of said Linneman D.L.C., 1446.58 feet from the Northeast corner thereof; thence S29°09'55"W, 954.21 feet to a point on the North line of a 40 foot easement and right of way granted to the City of Portland by instrument recorded February 1, 1924 in Deed Book 953, Page 451, said point being marked by an iron pipe found; thence S89°28'53"W along said easement line, 520 feet to an iron pipe on the East line of that tract conveyed to Mary Ann McMillan by deed recorded December 7, 1910 in Deed Book 512, Page 77; thence S00°25'38"W, parallel with the West line of said Linneman D.L.C., 35.30 feet to an old stone marked with an "X" on top marking an angle corner in the East line of said McMillan tract; thence S86°43'38"W, along said McMillan tract 91.25 feet to a 2 inch iron pipe marking an angle point in said McMillan tract; thence S01°44'47"W along the McMillan tract 414.75 feet to an iron pipe marking an angle point in the McMillan tract; thence S89°38'46"W along the McMillan Tract, 527.42 feet to a point 50.00 feet West of the West line of said Linneman D.L.C; thence S00°25'38"W parallel to said West line of said Linneman D.L.C, 20.00 feet; thence N89°38'46"E, 50.00 feet to the Northwest corner of the Iona McColl tract as described by deed recorded June 17, 1932 in Deed Book 176 at Page 407, said point also being the most Westerly corner of that tract conveyed to Arthur W. Grant by deed recorded March 27, 1928 in Deed Book 1140 at Page 146; thence S86°58'45"E along the Southerly line of said Grant tract, 1164.64 feet to the Northwesterly line of that tract conveyed to Georgia R. Shaull by deed recorded February 10, 1958 in Book 1883 at Page 196, Multnomah County Deed Records, said point being N86°58'45"W along said line of the Grant tract, 230.00 feet from an intersection with the Northwest line of the Portland Traction Company Right of Way; thence N21°10'53"E parallel to said Portland Traction Company Right of Way, 50 feet; thence S86°58'45"E parallel to said Grant tract line, 230.00 feet to said Northwesterly line of the Portland Traction Company; thence N21°10'53"E along said Portland Traction Company Right of Way, 1439.24 feet to the North line of the Linneman D.L.C.; thence N89°52'12"W, 364.24 feet to the point of beginning.

4. (Tax Account No.: R149082);

Legal Description:

LOT A EAGLE TERRACE

EXHIBIT A to Resolution (Part 2)

Until a change is requested, all tax statements
shall be sent to the following address:
COP OFFICE OF TRANSPORTATION
1120 SW 5TH SUITE 800
PORTLAND OR 97204

After recording return to:
Multnomah County Tax Title 503/4

DEED D122250

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 real property described in the attached Exhibit 1.

Provided that said property shall be used and continue to be used by the Grantee for public purposes, and should this property cease to be used for public purposes by the Grantee, the interests of the Grantee shall automatically terminate and title shall revert to the Grantor.

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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

This transfer is without monetary consideration.

IN WITNESS WHEREOF, the Multnomah County Board of Commissioners, by authority of a Resolution of the Board entered of record, has caused this deed to be executed by the Chair of the Board.

Dated this 22nd day of September 2011

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

STATE OF OREGON)
) ss
COUNTY OF MULTNOMAH)

This Deed was acknowledged before me this 22nd day of September 2011, by Jeff Cogen, 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: 7/14/2014

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

ACCEPTED:
CITY OF PORTLAND
OFFICE OF TRANSPORTATION

By _____
Matthew O. Ryan, Assistant County Attorney

By _____
Christine Leon, Division Manager

EXHIBIT 1 (Deed D122250)

1. (Tax Account No.: R329291)

Legal Description:

A tract of land located in Section 19, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, State of Oregon, described as follows:

Beginning at the intersection of the West line of said Section 19 and the North right-of-way line of S.W. Garden Home Road; thence South $81^{\circ}00'00''$ East, 664.39 feet along the North line of said road; thence North $00^{\circ}12'30''$ East, 564.44 feet; thence continuing North $00^{\circ}12'30''$ East, 123.92 feet to the true place of beginning; thence continuing North $00^{\circ}12'30''$ East to the South right-of-way line of S. W. Multnomah Blvd.; thence East on said right-of-way line, 5.65 feet; thence South $00^{\circ}12'30''$ West, continuing on said right-of-way line to the North line of a tract of land described in document 95-125359 and recorded in Multnomah County deed records; thence West 5.65 feet to the true point of beginning.

2. (Tax Account No.: R330134)

Legal Description:

A parcel of land situated in the northwest one-quarter of Section 21, T1S, R1E, W.M., Multnomah County, Oregon, being a 10.00 foot strip lying south of and adjacent to the following described tract:

Commencing at the northeast corner of the southwest one-quarter of the northwest one-quarter of Section 21, T1S, R1E; thence N $89^{\circ}46''$ W along the north line of the southwest one-quarter of the northwest one-quarter of Section 21, 209.00 feet; thence S $0^{\circ}23'$ E parallel to the east line of the southwest one-quarter of the northwest one-quarter of Section 21, 150.00 feet to the beginning; thence N $89^{\circ}46'$ W, 200.00 feet; thence S $0^{\circ}23''$ E, 210.00 feet; thence S $89^{\circ}46'$ E, 59.00 feet, more or less, to the northerly line of SW Capitol Hill Road; thence northeasterly along the northerly line of SW Capitol Hill Road 165.00 feet, more or less, to point S $0^{\circ}23'$ E from true beginning; thence N $0^{\circ}23'$ W, 126.00 feet, more or less to the beginning.