

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Conveying the County)
Park known as Holladay Park, Park Site)
No. 49 to the City of Portland)
_____)

O R D E R
93-405

WHEREAS, by agreement dated December 30, 1993, between Multnomah County and the City of Portland, the County has agreed to convey certain County Parks within the City's urban services boundary to the City of Portland upon request, without payment of consideration; and

WHEREAS, the City of Portland requests transfer of Holladay Park, Park Site No. 49 in accordance with the terms of the agreement described above and the provisions of ORS 275.330.

NOW, THEREFORE, THE BOARD ORDERS:

1. The Board finds the transfer of Holladay Park, Park Site No. 49 to the City of Portland for park purposes is in the best interest of the public and is hereby approved.
2. The Chair is authorized to execute and deliver to the City of Portland a deed conveying without warranties the following described real property;

A portion of the west one-half of Lot 42, HAZELWOOD, a recorded plat, recorded October 12, 1888, in Book 140, Page 28, Plat Records of Multnomah County, Oregon, situated in the northwest one-quarter of Section 35, T1N, R2E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at a point in the west line of said Lot 42, said point being the northeast corner of Block 5, WINDEMERE, a recorded plat, recorded May 24, 1951, in Book 1183, Page 21, Plat Records of Multnomah County, Oregon; thence S 89°26'20" E along the easterly projection of the north line of said Block 5, a distance of 333.96 feet to a point on the division line between the west and east one-halves of said Lot 42; thence S 00°34'25" W, along said division line, a distance of 752.08 feet to the southeast corner of the west one-half of said Lot 42; thence S 89°47'20" W, along the south line of said Lot 42, a distance of 183.89 feet to a point on the northerly right-of-way line of NE Holladay Street; thence northwesterly along said right-of-way line, along the arc of a 125.00 foot radius non-tangent curve to the left, the chord of which bears N 71°46'32.5" W, 79.06 feet, an arc distance of 80.44 feet; thence S 89°47'20" W, continuing along said right-of-way line, a distance of 74.85 feet to a point on the west line of said Lot 42, said point being the southeast corner of Block 9, said WINDEMERE; thence N 00°34'50" E, along the west line of said Lot 42, a distance of 731.60 feet to the point of beginning.

Containing 5.71 acres, more or less.

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3. The conveyance shall be subject to the following:
- a) The property shall be used for public purposes as a park or open space. Upon use of the property for any other purpose, the ownership shall automatically revert to Grantor without further action.
 - b) The property shall be used, maintained and operated in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, as approved by Multnomah County, the City of Portland and the City of Gresham.

Adopted this 30th day of December, 1993.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By: _____

Beverly Stein
BEVERLY STEIN, Chair

REVIEWED:

LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

John L. DuBay

John L. DuBay

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BARGAIN AND SALE DEED

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 as follows:

A portion of the west one-half of Lot 42, HAZELWOOD, a recorded plat, recorded October 12, 1888, in Book 140, Page 28, Plat Records of Multnomah County, Oregon, situated in the northwest one-quarter of Section 35, T1N, R2E, W.M., Multnomah County, Oregon, more particularly described as follows:

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Containing 5.71 acres, more or less.

As shown on attached map marked Exhibit A and hereby made a part of this document.

SUBJECT TO:

1. The property shall be used for public purposes as a park or open space. Upon use of the property for any other purpose, the ownership shall automatically revert to Grantor without further action.
2. The property shall be used, maintained and operated in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, as approved by Multnomah County, the City of Portland and the City of Gresham.

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This transfer is without monetary consideration



Dated this 30th day of December, 1993.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By: Beverly Stein
BEVERLY STEIN, Chair

REVIEWED:

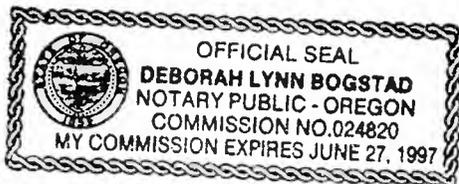
LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

By: John E. DuBay
John E. DuBay

STATE OF OREGON)
County of Multnomah) ss.

On this 30th day of December, 1993, A.D., before me, a Notary Public in and for the County and State, personally appeared Beverly Stein, to me personally known, Chair of the Board of County Commissioners of Multnomah County, Oregon, to sign official County documents and that the seal affixed to said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, and Beverly Stein acknowledged said instrument to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand, affixed my official seal, the day and year first in this, my certificate, written.



Deborah Lynn Bogstad
Notary Public for Oregon

My Commission Expires: 6/27/97

