

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR
MULTNOMAH COUNTY, OREGON

In the Matter of the Relocation and)	
Establishment of NW Reeder Road No. 4964)	No. 4964
Item 88-169, Earl L. Reeder and Ida M.)	<u>RESOLUTION</u>
Reeder and James E. Reeder)	#88-109

The above-entitled matter is before the Board to consider the condemnation and immediate possession by Multnomah County of the real property hereinafter described for the purpose of relocation and establishment of NW Reeder Road, No. 4964; and

It appearing that the Dairy Creek Bridge on Reeder Road requires replacement due to its deteriorated condition, and

It appearing that this structure provides the only access to the northeast part of Sauvie Island, and

It appearing that in conjunction with the replacement of the bridge it is necessary to realign a portion of Reeder Road, and

It appearing that it has been necessary to place a five ton weight restriction on the existing bridge until it is replaced, and

It appearing that the such restriction will not allow the passage of certain vehicles necessary to commerce on Sauvie Island, and

It appearing that a permit from the State of Oregon, Division of State Lands to construct the new culverts and fill in Dairy Creek requires that no equipment operation shall take place in the active flowing stream after October 1, 1988, and

It further appearing that the project has been planned and located in a manner which is most compatible with the greatest public good and the least private injury, and

It appearing that the easements over the real property hereinafter described are necessary for the replacement and relocation of Dairy Creek Bridge and the relocation and establishment of Reeder Road, and

It appearing that it is necessary to acquire immediate possession of the property hereinafter described so that construction of the new bridge can be completed as soon as possible to prevent any interference with transportation on Reeder Road, and to allow construction to proceed and be completed in accordance with the restrictions imposed by the State permit, now, therefore

BE IT RESOLVED by the Board of County Commissioners of Multnomah County that Multnomah County, by this Resolution, does hereby declare its intent to acquire said real property for the purposes hereinabove specified, and to acquire a perpetual easement for road purposes the following described real property situated in the County of Multnomah, State of Oregon, to-wit:

A parcel of land in Section 26, T3N, R1W, W.M., Multnomah County, Oregon, described as follows:

Beginning at a point on the west right-of-way line of Reeder Road, County Road No. 1888, said point being 25.00 feet westerly of, when measured at right angles, engineer's centerline Station 72+44.94, P.O.T.; thence S 9°16'15" E along said westerly right-of-way line, a distance of 264.58 feet; thence southwesterly along a non-tangent curve to the right having a radius of 725.00 feet, the chord of which bears S 16°09'51" W, 101.95 feet, an arc distance of 102.03 feet; thence S 20°11'45" W, a distance of 283.40 feet; thence southwesterly along a tangent curve to the left, having a radius of 675.00 feet, the chord of which bears S 18°07'08" W, 48.93 feet, an arc distance of 48.94 feet to a point on the westerly right-of-way line of said Reeder Road, said point being 25.00 feet northwesterly of, when measured at right angles, engineer's centerline Station 65+01.04, P.O.T.; thence S 35°11'45" W along said westerly right-of-way line, a distance of 44.00 feet; thence southwesterly along westerly right-of-way line along a tangent curve to the left, having a radius of 168.24 feet, the chord of which bears S 15°11'15" W, 115.13 feet an arc distance of 117.50 feet; thence S 4°49'15" E along said westerly right-of-way line, a distance of 49.64 feet; thence southeasterly along said westerly right-of-way line along a tangent curve to the right, having a radius of 1,884.86 feet, the chord of which bears S 1°04'45" E, 246.00 feet, an arc distance of 246.18 feet; thence S 2°39'45" W along said westerly right-of-way line, a distance of 135.71 feet to a point which is 25.00 feet westerly of, when measured at right angles, engineers centerline Station 59+22.21 E.C. of said Reeder Road; thence northwesterly along a non-tangent curve to the left, having a radius of 691.20 feet, the chord of which bears N 0°55'52" W, 86.64 feet, an arc distance of 86.69 feet; thence N 4°31'28" W, a distance of 248.50 feet; thence northeasterly along a tangent curve to the right, having a radius of 725.00 feet, the chord of which bears N 7°50'09" E, 310.38 feet, an arc distance of 312.80 feet; thence N 20°11'45" E, a distance of 283.40 feet; thence northeasterly along a tangent curve to the left, having a radius of 675.00 feet, the chord of which bears N 5°27'45" E, 343.33 feet, an arc distance of 347.15 feet to the point of beginning.

In addition to the above described parcel, two easements for the construction and maintenance of slopes are described as follows:

PARCEL "A"

Beginning at a point on the west line of above described parcel, said point bears S 3°15'01" E, a distance of 292.68 feet from the point of

beginning of the above described parcel, which is 25.00 feet westerly of, when measured at right angles, engineer's centerline Station 72+44.94 P.O.T. of Reeder Road, County Road No. 1888; thence S 45°46'40" W, a distance of 53.24 feet; thence S 20°11'45" W, a distance of 150.00 feet; thence S 6°09'34" W, a distance of 103.08 feet to a point on the west line of above described parcel; thence N 20°11'45" E, a distance of 245.95 feet; thence northeasterly along a tangent curve to the left having a radius of 675.00 feet, the chord of which bears N 17°59'01" E, 52.11 feet, an arc distance of 52.12 feet to the point of beginning.

PARCEL "B"

Beginning at a point on the west right-of-way line of Reeder Road, County Road No. 1888, said point being 25.00 feet westerly of, when measured at right angles, engineer's centerline Station 72+44.94 P.O.T.; thence S 9°16'15" E along said westerly right-of-way line, a distance of 264.58 feet; thence S 16°09'51" W, a distance of 101.95 feet; thence S 20°11'45" W, a distance of 45.95 feet to the true point of beginning of slope easement; thence S 20°11'45" W, a distance of 237.45 feet; thence southwesterly along a tangent curve to the left having a radius of 675.00 feet, the chord of which bears S 17°38'09" W, 60.30 feet, an arc distance of 60.32 feet; thence N 33°03'32" E, a distance of 100.20 feet; thence N 20°11'45" E, a distance of 100.00 feet; thence N 6°09'35" E, a distance of 103.08 feet to the true point of beginning.

Except the following parcel which the State of Oregon, Division of State Lands conveyed by easement to Multnomah County described as follows:

Any portion of the following described tract of land that falls below the ordinary high water line of said tract of land being 100.00 feet in width, 50.00 feet on each side of the following described centerline.

Beginning at a point on the centerline of the proposed New NW Reeder Road said point being Engineer's centerline Station 65 + 00 p.o.c. thence northeasterly along a curve to the right having a radius of 700 feet, the chord of which bears N 17°38'09" E, 62.53 feet, an arc distance of 62.54 feet; thence N 20°11'45" E, a distance of 283.40 feet; thence northeasterly along a tangent curve to the left having a radius of 700 feet, the chord of which bears N 17°59'01" E, 54.04 feet an arc distance 54.05 to Engineer's centerline Station 69 + 00 p.o.c.

The total amount of land being acquired for a perpetual easement is 27,796 square feet, more or less, and in addition the slope easements required is 1,500 square feet, more or less.

BE IT RESOLVED by the Board of County Commissioners as follows:

1. That the Board does hereby find and declare that it is necessary to acquire the easements described herein for the replacement and relocation of the Dairy Creek Bridge and the relocation and establishment of Reeder Road, and

2. That in the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is hereby authorized and directed to commence and prosecute to final determination such proceedings as may be necessary to acquire perpetual easement on the property. Such action shall be in accordance with all applicable laws, rules and regulations governing such acquisition, and

3. That upon the final determination of any such proceeding the deposit of funds and payment of judgment conveying perpetual easement on the property to the County is hereby authorized, and

4. That the Board hereby finds that it is necessary to obtain immediate possession of such property to prevent interference with transportation on Reeder Road, and to allow construction to proceed and be completed in accordance with the restrictions imposed by the State permit, and

5. Legal counsel is hereby authorized and directed to take such action in accordance with law to obtain immediate possession of the property, and

6. That there is hereby authorized the creation of a fund in the amount of \$2,400.00, the estimated just compensation for such property, which shall, upon obtaining possession of the property, be deposited with the Clerk of the court wherein the action was commenced for the use of the defendants in the action, and the Director, Department of General Services, is authorized to draw a warrant on the ROAD FUND of the County in such sum for deposit.

(SEAL)

June 23, 1988

APPROVED AS TO FORM:

LAURENCE KRESSEL, County Counsel
for Multnomah County, Oregon

By

4468V

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By

Gladys McCoy, Chair
Board of County Commissioners