

Multnomah County Official Records  
R Weldon, Deputy Clerk

2011-109043



\$46.00

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10/03/2011 10:41:57 AM

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**CITY OF PORTLAND**  
**Office of the City Auditor**  
**1221 SW Fourth Avenue, Room 140**  
**Portland, OR 97204-1900**

*du Kris Calvert*

I hereby certify this Ordinance No. 184584 to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on September 30, 2011.

**LaVonne Griffin-Valade**  
**Auditor of the City of Portland**  
By *Gayle Jennings*  
**Deputy**

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## ORDINANCE No. 184584

Designate five Multnomah County tax foreclosed properties deeded to the City as public right-of-way (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Multnomah County transferred title to six tax foreclosed properties to the City for public purposes by Document No. 2003-187748, recorded August 12, 2003 (RWA File # 6254-2003).
2. The Portland Bureau of Transportation accepted the gratis transfer of the six properties with the intent that they become City right-of-way.
3. An incorrect document was used in 2003 (Document No. 2003-191156) to designate the parcels as public right-of-way thereby leaving five of the six parcels still needing to be designated as public right-of-way and this Ordinance will correct that error.
4. The remaining five parcels abut existing public right-of-way and should now be designated as public right-of-way for future improvements and eliminate potential taxes.
5. Pursuant to City Code, Title 29.20.010 and Title 17.42.010, maintenance of improved or unimproved rights-of-way is the responsibility of the abutting property owner at the property owner's expense, except at the discretion of the City as provided for therein.
6. If the parcels are not used for public purposes, the title for that parcel will revert to the County.

NOW, THEREFORE, the Council directs:

- a. That the five parcels of land described as Parcels 1, 2, 4, 5, and 6, also referenced as R111780, R205354, R287193, R305606, and R315121 respectively, attached as Exhibit 1, are hereby designated as public right-of-way.
- b. That the Auditor shall return a certified copy of this Ordinance to the Right-of-Way Acquisition Section, Bureau of Transportation, for recording in the Multnomah County Deed Records; Right-of-Way Acquisition shall return the recorded Ordinance to the Auditor and retain a copy for its records.

Passed by the Council, MAY 18 2011

Mayor Sam Adams  
Prepared by: Dee A. Walker: slg  
Date Prepared: April 22, 2011  
RW 6254-2003

LaVonne Griffin-Valade  
Auditor of the City of Portland

By

*Emily Matasa*

Deputy

RECORDED IN MULTNOMAH COUNTY, OREGON  
C. Swick, Deputy Clerk

EXHIBIT 1

C05

ATKLM

Total : 26.00

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

THE CITY OF PORTLAND  
OFFICE OF TRANSPORTATION  
1120 SW 5<sup>TH</sup> AVE, SUITE 800  
PORTLAND OR 97204  
Attn: Marcia S. Wilder

2003-187748 08/12/2003 10:55:59am

THE CITY OF PORTLAND  
OFFICE OF TRANSPORTATION  
1120 SW 5<sup>TH</sup> AVE, SUITE 800  
PORTLAND OR 97204

Attn: Marcia S. Wilder

Plu Tax Title 8/12/03

## DEED TO THE CITY OF PORTLAND

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 six separate parcels of real property, located in the City of Portland, Multnomah County, Oregon:

As described in the attached Exhibit A.

Provided that said properties shall be used and continue to be used by the Grantee for public purposes, and should these properties 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.

This transfer is without monetary consideration.

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, MULTNOMAH COUNTY has caused these presents to be executed by the Chair of the Multnomah County Board of Commissioners this 24th day of July 2003, by authority of a Resolution of the Board of County Commissioners entered of record.



REVIEWED:  
AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Diane M. Linn*  
Diane M. Linn, Chair

ACCEPTED:  
CITY OF PORTLAND  
OFFICE OF TRANSPORTATION

By *Sandra N. Duffy*  
Sandra N. Duffy, Assistant County Attorney

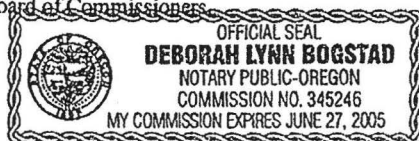
By *Dave Hill* BY SDT  
L. David Hill, Acting City Engineer

STATE OF OREGON )  
COUNTY OF MULTNOMAH ) ss

APPROVED AS TO FORM

*Jeffrey L. Berger*

This Deed was acknowledged before me this 24th day of July 2003, by *Diane M. Linn*, 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.



*Deborah Lynn Bogstad*  
Deborah Lynn Bogstad  
Notary Public for Oregon  
My Commission expires: 6/27/05

**EXHIBIT A TO  
DEED TO CITY OF PORTLAND**

**PARCEL NO. 1 - D031917 LEGAL DESCRIPTION:**

A tract of land in Lot 1, Block 3, Barbur Heights, a duly recorded subdivision in Multnomah County, State of Oregon described as follows:

Lot 1, except that part in street as recorded February 20, 1958 in Book 1884 at Page 520 and excepting therefrom that portion of said Lot 1 lying in the following described tract of land:

All of those portions of Lot 1 and the Easterly 15 feet of Lot 2, lying Northerly of a line which is parallel to and 89.21 feet South of the North line of Lots 1 and 2.

**PARCEL NO. 2 - D031918 LEGAL DESCRIPTION:**

EXC N 5' OF LOTS 1 & 2, BLOCK 4, LE ROY HTS, Multnomah County, Oregon

**PARCEL NO. 3 - D031919 LEGAL DESCRIPTION:**

LOT A, PARTITION PLAT 1993-68, Multnomah County, Oregon

**PARCEL NO. 4 - D031920 LEGAL DESCRIPTION:**

EXC PT IN ST LOT B, THOMSON VILLAS, Multnomah County, Oregon

**PARCEL NO. 5 - D031921 LEGAL DESCRIPTION:**

N OF MIDWAY ST LOT 6, BLOCK 11, WHITWOOD CT, Multnomah County, Oregon

**PARCEL NO. 6 - D031922 LEGAL DESCRIPTION:**

A tract of land in the Northwest One-Quarter of Section 11, Township 1 North, Range 1 East, of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at a point on the North line of North East Gertz Rd. (County Road No. 1093), which point is North 84° 24' East, a distance of 604.90 feet from the Southwest corner of that 7 acre tract of land conveyed to Edgar Boyce and Elma Boyce by deed recorded June 7, 1937 in Book 401 Page 371, Multnomah county Deed Records; thence North 84° 24' East, along the North line of said North East Gertz Rd. to the intersection of said North line with the West line of North East 13<sup>th</sup> Avenue; thence Northerly, along said West line to a point which bears North 42° 32' East, a distance of 70.90 feet from the point of beginning; thence South 42° 32' West, a distance of 70.90 feet to the point of beginning.