

**JURISDICTIONAL TRANSFER DOCUMENT
NE Martin Luther King Boulevard to NE 99th Avenue
Sandy Blvd. Highway (No. 59)
City of Portland**

Pursuant to ORS 373.010, the Oregon Transportation Commission is authorized and directed, whenever the route of any state highway passes through the corporate limits of any city, to select or designate the streets of the city over which the state highway shall be routed, or change such routing when in its opinion the interests of the motoring public will be better served.

Pursuant to ORS Chapters 366.395 and 373.015, the State may transfer its interest to any of its property not needed by it for highway purposes to any other governmental body or political subdivision within the State of Oregon, subject to such restrictions, if any, imposed by deed or other legal instrument or otherwise imposed by State.

Pursuant to ORS Chapters 190.110 and ORS 366.775, the State may enter into any agreement with any city for the relocation of any highway.

Portions of the former route of the Sandy Blvd. Highway, otherwise known as East Burnside Street and Sandy Blvd. (from NE Martin Luther King Blvd. to NE 99th Ave.) are no longer needed for state highway purposes as portions of the Sandy Blvd. Highway (No. 59). The segments eliminated from the highway are designated as Unit A, as more fully described below, and as shown on the map attached hereto, marked Exhibit A and by this reference made a part hereof. Unit A is needed for the service of persons living thereon or a community served thereby.

The City of Portland and the Oregon Transportation Commission entered into an agreement on _____, relating to the elimination, disposition, maintenance and repair of Unit A. Said agreement provides that the Oregon Transportation Commission shall, by resolution, formally eliminate Unit A as a portion of the Sandy Blvd. Highway and the state highway system; that all right, title, and interest of the State of Oregon in Unit A shall be conveyed to the City; and that the Unit shall be maintained by the City as portions of its city street system as long as needed for the service of persons living thereon or for a community served thereby.

RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM, OREGON 97301

THEREFORE, IT HAS BEEN RESOLVED BY THE OREGON TRANSPORTATION COMMISSION AS FOLLOWS:

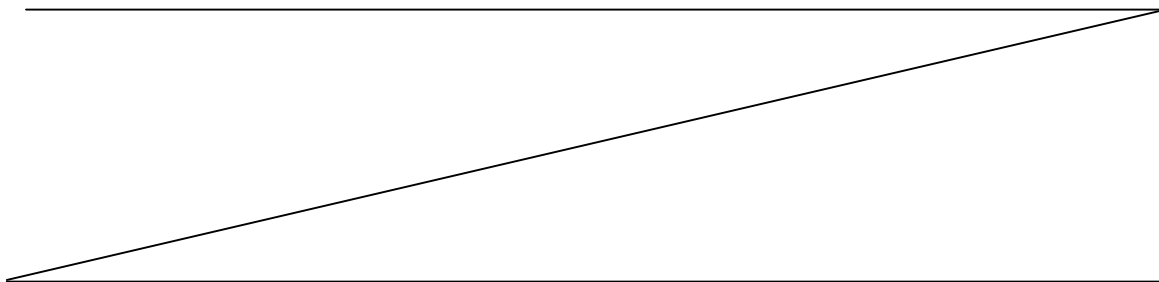
1. The NE Martin Luther King Boulevard to NE 99th Avenue portion of the former route of the Sandy Blvd. Highway (No. 59) is no longer needed by the State of Oregon as a portion of the state highway system. Said portion hereinafter referred to as Unit A has been duly eliminated as a portion of the Sandy Blvd. Highway and the state highway system. All right, title, and interest of the State of Oregon in Unit A hereby passes to and vests in the City of Portland as a portion of its city street system as long as needed for the service of persons living thereon or a community served thereby.

Any right-of-way being conveyed in which State has any title shall be vested in City only

so long as used for public road purposes. If said right-of-way is no longer used for public road purposes, it shall automatically revert to State. Unit A is described as all the land lying within State's right-of-way boundaries as follows:

All land within the right of way boundaries of Sandy Blvd. Highway (No. 59) also known as East Burnside Street from the easterly curbline of NE Martin Luther King Boulevard approximate milepoint (MP) -0.05 to (MP) 0.36, and known as Sandy Blvd. from (MP) 0.36 to the intersection with NE Portland Highway (No. 123) (the westerly curbline of NE 99th Avenue) approximate milepoint (MP) 5.51 and lying in Sections 20, 21, 25, 29, 30, 34, 35, 36, Township 1N, Ranges 1E & 2E, Willamette Meridian, Multnomah County, Oregon.

2. The property above described is transferred subject to the rights of any utilities located within said property and further subject to the rights of the owners of said existing facilities if any there be, to operate, reconstruct, and maintain their utility facilities presently located within said property.



3. Under the authority delegated by the Oregon Transportation Commission to the Director in Delegation Order No. 2 dated February 13, 2002, the Resolution Eliminating a Section of Highway from the State Highway System and Minor Amendment to the Oregon Highway Plan for Jurisdictional Transfer No. 720 was approved on _____.

The Oregon Transportation Commission, by a duly adopted Delegation Order #3, dated March 18, 1999, and Sub-delegation Order #4, dated March 18, 1999, and Letter of Authority paragraph #13, dated January 18, 1999, authorize the Right of Way Manager to sign this Jurisdictional Transfer Document for and on behalf of the Commission.

By _____
Deolinda G. Jones, Right of Way Manager

Date: _____

STATE OF OREGON, County of Multnomah

Dated _____, 2003. Personally appeared Deolinda G. Jones, who being sworn, stated that she is the Right of Way Manager for the State of Oregon, Department of Transportation, and that this document accurately reflects action taken by the Oregon Transportation Commission. Before me:

Notary Public for Oregon
My Commission expires _____

Accepted on behalf of the City of Portland

By _____

Title _____

Date _____

Approved as to Form:

By _____
City Attorney

Date _____

EXHIBIT A
PROJECT DESCRIPTION
City of Portland
Sandy Boulevard NE 13th to NE 47th

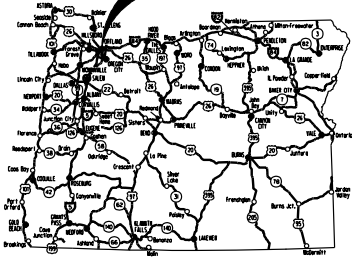
Description: This project will primarily provide for pavement restoration on Sandy Boulevard from NE 13th to NE 47th. The project will eliminate rutting in the pavement and create more curb exposure to aid in stormwater drainage and pedestrian safety. The new roadway surface will provide for improved riding conditions for cyclists.

This project includes jurisdictional transfer of this State Highway, Sandy Boulevard from NE Martin Luther King Jr. Boulevard to NE 99th Avenue, to the City of Portland.

Project Cost Estimate		Project Financing	
Preliminary engineering & design	\$1,000,000	Agency Contribution	\$303,000 4%
Right-of-way purchase	\$0	OTIA	\$7,901,742 96%
Construction	\$7,203,742	Total	\$8,204,742 100%
Total	\$8,204,742	* ODOT Maintenance contribution of \$900,000	

* \$480,000 lump sum to Agency (must be paid after execution of this agreement and accompanying Jurisdictional Transfer Document and prior to June 30, 2003) and then \$60,000 per year for 7 years thereafter, for a total commitment of \$900,000. Said \$900,000 is ODOT's contribution toward drainage maintenance of Unit A.

PROJECT LOCATION



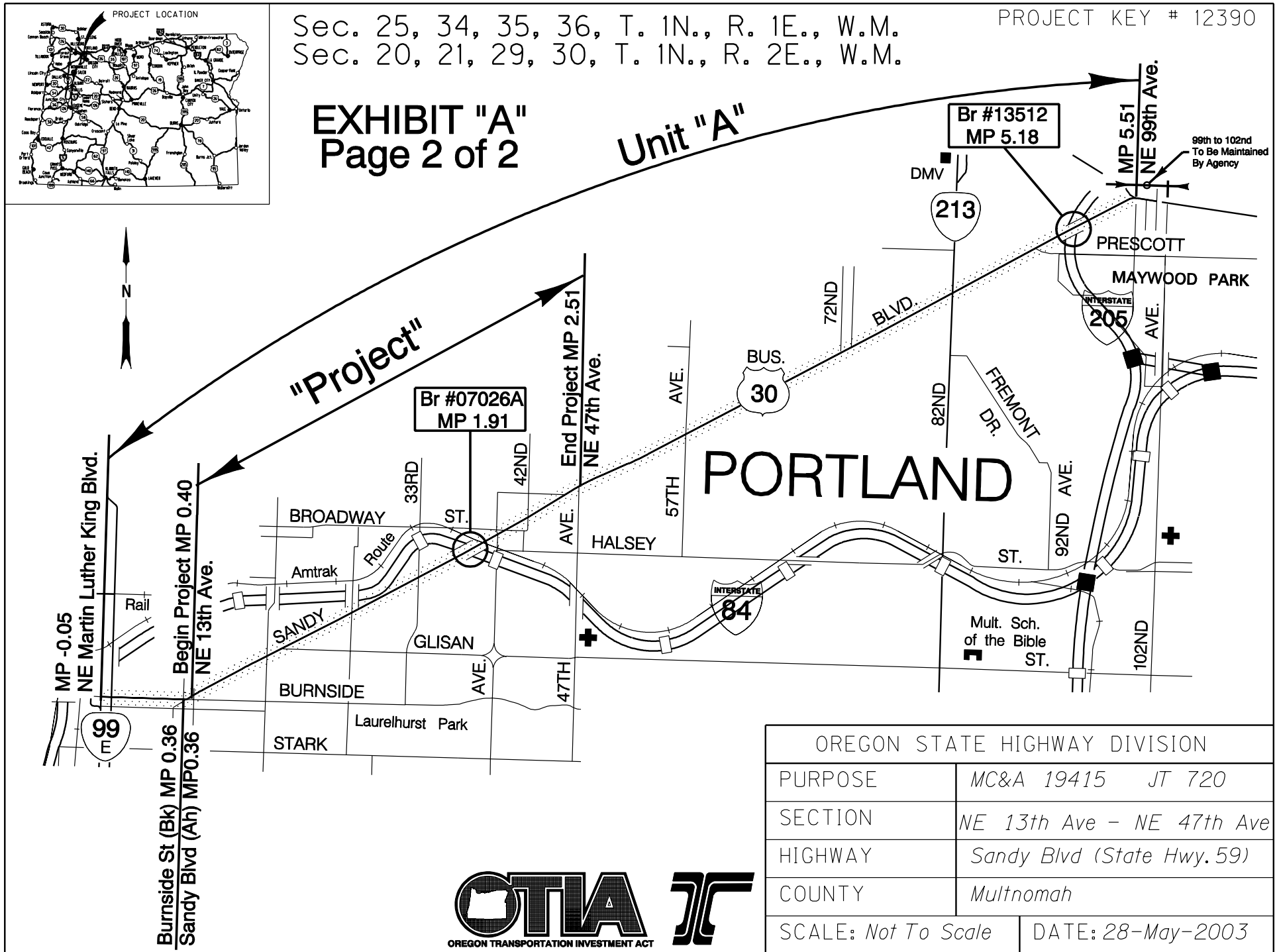
Sec. 25, 34, 35, 36, T. 1N., R. 1E., W.M.
 Sec. 20, 21, 29, 30, T. 1N., R. 2E., W.M.

PROJECT KEY # 12390

EXHIBIT "A"
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Unit "A"

"Project"



OREGON STATE HIGHWAY DIVISION	
PURPOSE	MC&A 19415 JT 720
SECTION	NE 13th Ave - NE 47th Ave
HIGHWAY	Sandy Blvd (State Hwy. 59)
COUNTY	Multnomah
SCALE: Not To Scale	DATE: 28-May-2003

