

ATTACHMENT A

AGREEMENT BETWEEN CITY OF PORTLAND
AND MULTNOMAH COUNTY FOR THE
TRANSFER OF OWNERSHIP OF BRENTWOOD PARK

WHEREAS Brentwood Park, generally located at S.E. 60th Avenue and Duke Street, also known as Park #57, is within the incorporated area of the City of Portland; and,

WHEREAS both parties agree that a neighborhood park is an urban service; the parties agree as follows:

1. Multnomah County agrees to deed the property known as Brentwood Park to the City of Portland by formal Board of Commissioners Order. This conveyance shall be without compensation pursuant to ORS Chapter 275.330.
2. The City of Portland agrees to provide initial renovation work for Brentwood Park, and further agrees to provide all ongoing maintenance responsibility for the Park.
3. The City of Portland agrees to abide by the findings and policies of the Multnomah County Parks Master Plan as regards this park.

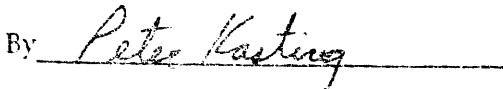
Multnomah County

By



Approved as to form
John B. Leahy, County Counsel
for Multnomah County, Oregon

By



City of Portland

By

J. E. Bud Clark
Mayor

Approved as to form

City Attorney

By



BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS, that MULTNOMAH COUNTY, a political subdivision of the State of Oregon, hereinafter called the grantor, without payment of compensation, pursuant to Oregon Revised Statute 275.330, does hereby grant, bargain, sell and convey unto the CITY OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter called the grantee, and grantee's heirs, successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining situated in the County of Multnomah and the State of Oregon described as follows, to-wit:

Parcel 1: Beginning at a point which is 315.3 feet West and 30 feet South of the Northeast corner of Section 19, Township 1 South, Range 2 East of the Willamette Meridian; thence South 253 feet; thence East 142.5 feet; thence North 253 feet to the South line of S.E. Duke Street; thence West along the South line of S.E. Duke Street to the point of beginning; EXCEPTING THEREFROM the easterly 42.5 feet thereof deeded to Robert D. Gauntt by Gilbert A. Hawes and Ida Hawes, by deed recorded February 16, 1950, in Deed Book 1386 at Page 243.

Parcel 2: Beginning at a point on the East section line 658.6 feet South of the Northeast corner of said Section 19; thence West parallel with the North section line 126 feet to the Southeast corner of the tract of land conveyed to the City of Portland by deed recorded June 28, 1951, in Book 1484, Page 210, Deed Records; thence North along the East line of the City Tract 125 feet; thence East 126 feet to the East section line; thence South along said East section line 125 feet to the place of beginning; SUBJECT to the rights of the public in and to the portion thereof lying within S.E. 62nd Avenue as said road is now established and located, and easement for existing public utilities, if any, in the portion of said premises lying within the vacated portion of S.E. 62nd Avenue. (Affects a strip of land 10 feet wide facing on the west line of said road as it is now established and located.)

Parcel 3: Beginning at a point 408.6 feet South of the Northeast corner of Section 19, Township 1 South, Range 2 East of the Willamette Meridian; thence West parallel to the North line of Section 19, Township 1 South, Range 2 East, 316 feet; thence South 125 feet; thence East 316 feet; thence North 125 feet to the place of beginning, EXCEPT tract in deed recorded June 1, 1948 in P. S. Deed Book 1267, Page 478 and EXCEPT part in S.E. 62nd Avenue, ALSO the following described real property beginning at a point 658.6 feet South of the Northeast corner of Section 19, Township 1 South, Range 2 East, thence West parallel with the North line of Section 19, Township 1 South, Range 2 East 316.5 feet; thence North 125 feet; thence 316 feet to the East line of Section 19; thence South to the place of beginning, EXCEPTING the East 126 feet thereof in Section 19, Township 1 South, Range 2 East.

Parcel 4: Beginning 283.6 feet South of the Northeast corner of Section 19, Township 1 South, Range 2 East of the Willamette Meridian, thence West and parallel with the North line of Section 19, 316 feet; thence South 125 feet; thence East 316 feet; thence North 125 feet to the point of beginning, except part in S.E. 62nd Avenue.

Parcel 5: The following described real property in Section 19, Township 1 South, Range 2 East of the Willamette Meridian: Beginning at a point in the East line of the Section 658.6 feet South of the Northeast corner; thence South along the East line of the Section 656.8 feet; thence West 665.37 feet; thence North 656.8 feet; thence East to the place of beginning; subject to the rights of the public in and to that portion lying within the boundaries of S.E. 60th Avenue and except part in S.E. 62nd Avenue.

Parcel 6: The following described real property in Section 19, Township 1 South, Range 2 East of the Willamette Meridian: Beginning at a point in the East line of S.E. 60th Avenue 385 feet South of the North line of the Section; thence South along the East line of S.E. 60th Avenue 273.6 feet; thence East 316.5 feet; thence North 273.6 feet to a point that is 315.88 feet West of the East line of the Section; thence West 315.88 feet to the place of beginning; subject to the rights of the public in and to that portion lying within the boundaries of S.E. 60th Avenue, and easement from J. D. Rode and Rhoda M. Rode, husband and wife to Joseph H. Kistler and Jennie A. Kistler recorded May 11, 1929 in Book 3, Page 334, Deed Records. (Affects TL 5.)

THE ABOVE DESCRIBED PROPERTY TO BE USED BY THE GRANTEE HEREIN FOR PARK AND RECREATIONAL PURPOSES ONLY.

TO HAVE AND TO HOLD, the above described and granted premises unto the said grantee, its successors and assigns forever. The true and actual consideration paid for this transfer is the benefit to be gained by the public. The consideration stated in terms of dollars is nothing.

IN WITNESS WHEREOF, MULTNOMAH COUNTY, OREGON, has caused these presents to be executed by its County Executive this 13th day of May, 1985 by authority of an Order of the Board of County Commissioners heretofore entered of record.

MULTNOMAH COUNTY, OREGON

(SEAL)


County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
for Multnomah County, Oregon

By Peter Kastung _____

STATE OF OREGON)
) ss.
County of Multnomah)

On this 13th day of May, 1985, A.D., before me, a Notary Public in and for the County and State, personally appeared Dennis Buchanan, to me personally known, County Executive 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 Dennis Buchanan 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.

Dennis E. Buchanan
Notary Public for Oregon

My Commission Expires: 1/06/86

ORDINANCE NO. 158404

An Ordinance authorizing an agreement with Multnomah County for conveyance of Brentwood Park to the City, authorizing acceptance of a bargain and sale deed, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland (City) annexed a portion of unincorporated Multnomah County (County) near S.E. 60th and S. E. Duke Street.
2. Included in this area is a park known as Brentwood Park which is owned by the County.
3. The County has conveyed Brentwood Park to the City at no cost to the City.
4. The transfer of Brentwood Park is consistent with the City's Urban Services Policy and is necessary to accomplish a smooth transition from County to City services in newly annexed areas.
5. To fully implement this park transfer, it is necessary to enter into an intergovernmental agreement specifying the purpose for which this park property may be used and the City's willingness to abide by the findings and policies of the Multnomah County Parks Master Plan.
6. Pursuant to ORS Chapter 190, the City has the authority to enter into such an intergovernmental agreement.

NOW, THEREFORE, the Council directs:

- a. The Mayor is hereby authorized and directed to execute an agreement with Multnomah County to provide for the orderly transfer of Brentwood Park from Multnomah County to the City of Portland, said agreement to be substantially in conformance with Exhibit A attached and by reference made a part of this Ordinance.
- b. The Mayor is authorized to accept a bargain and sale deed in conformance with Exhibit B attached conveying Brentwood Park from the County to the City, and the Auditor is directed to file the deed with Multnomah County Assessment and Taxation.

ORDINANCE No.

Section 2. The Council declares an emergency exists in that full implementation of this park transfer should be accomplished without undue delay; therefore this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council. **APR 23 1986**
Commissioner Mike Lindberg
John W. Sewell/vc
April 8, 1986

Jewel Lansing
Auditor of the City of Portland
By *Doris E. Chassey* Deputy

Calendar No. 748

ORDINANCE No. 158404

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE		
LINDBERG		
SCHWAB		
STRACHAN		
CLARK		

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

JEWEL LANSING
Auditor of the CITY OF PORTLAND
By D. B. Deputy

Filed APR 19 1986

INTRODUCED BY
Commissioner Mike Lindberg
NOTED BY THE COMMISSIONER
Affairs <u>7/11/85</u>
Finance and
Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau
Park Bureau
Prepared By
Date
John W. Sewell/vc 4/8/86
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head
William V. Owens
CALENDAR
Consent <input checked="" type="checkbox"/> Regular
NOTED BY
City Attorney
City Auditor
City Engineer