

Proj. Date: 1/10/2018 Filename: S:_L\Design\100048 - SW Boones Ferry & Stephenson\CD\RIGHT-OF-WAY DRAWINGS\PLAN\SHEETS\DRG_1S1E33DB_200.dwg Plot: 200.dwg 10:30 AM

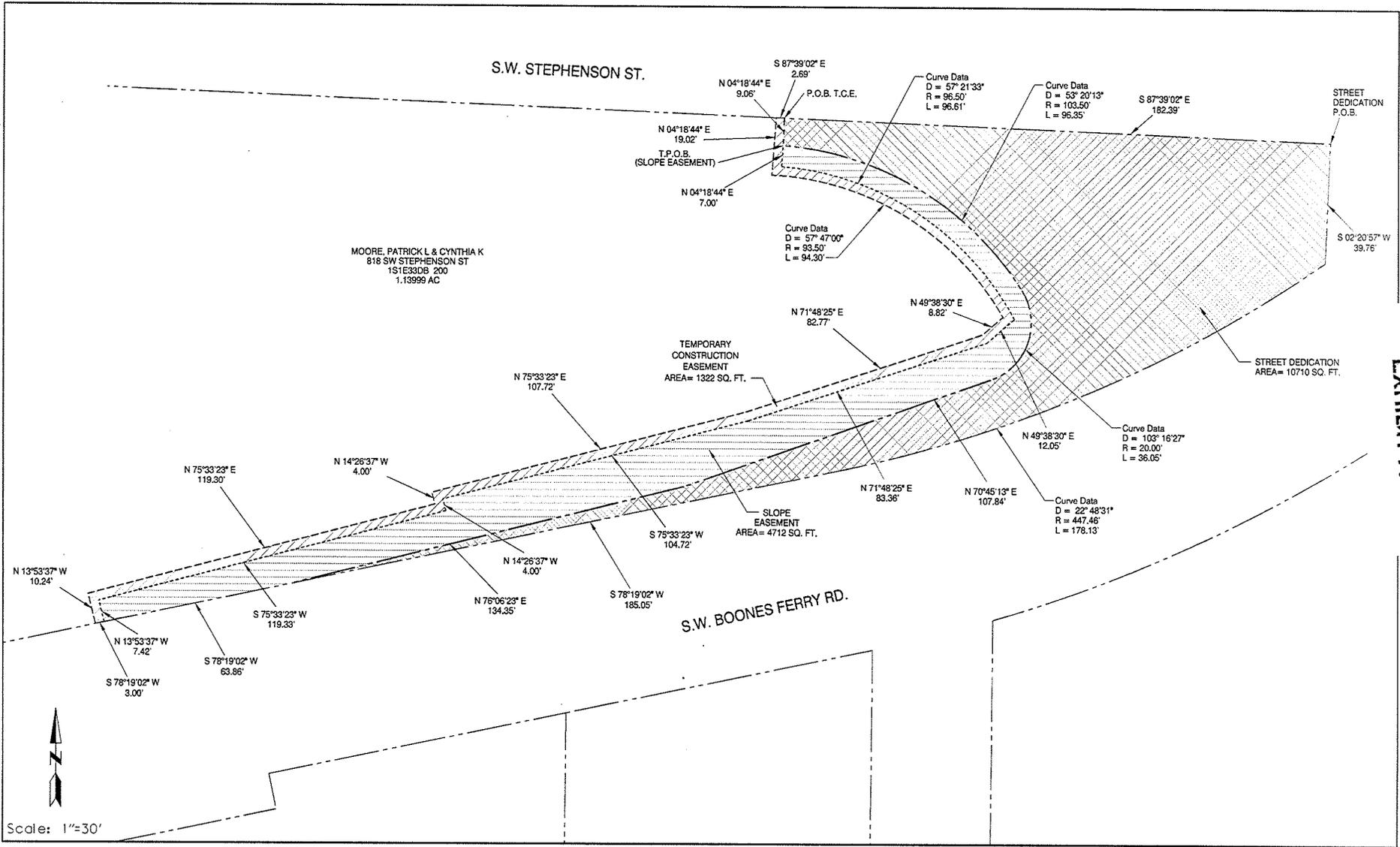


EXHIBIT A



SAM ADAMS
STAFF TOWNSHIP P.E. COMMISSIONER
CITY ENGINEER

State I.D.

1S1E33DB 200

EXHIBIT A-1

January 4, 2011

Street Dedication – Moore, Patrick L & Cynthia K– 1S1E33DB 200
818 SW Stephenson Street

A portion of that tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records, situated in the southeast one-quarter on Section 33, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, described as follows:

Beginning at a point on the South line of SW Stephenson Street, said point being the Northeast corner of said tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records; Thence S 02° 20' 57" W, a distance of 39.76 feet, to the Northwesterly line of SW Boones Ferry Road; Thence along the Northwesterly line of SW Boones Ferry Road, along the arc of a 447.46 foot radius curve to the right, through a central angle of 22° 48' 31", an arc distance of 178.13 feet (chord bears S 66° 54' 47" W, 176.95 feet); Thence continuing along the Northwesterly line of SW Boones Ferry Road, S 78° 19' 02" W, a distance of 185.05 feet; Thence N 76° 06' 23" E, a distance of 134.35 feet; Thence N 70° 45' 13" E, a distance of 107.84 feet, to a point of curvature; Thence along the arc of a 20.00 foot radius curve to the left, through a central angle of 103° 16' 27", an arc distance of 36.05 feet (chord bears N 19° 07' 00" E, 31.36 feet), to a point of compound curvature; Thence along the arc of a 103.50 foot radius curve to the left, through a central angle of 53° 20' 13", an arc distance of 96.35 feet (chord bears N 59° 11' 21" W, 92.91 feet); Thence N 04° 18' 44" E, a distance of 9.06 feet, to the South line of SW Stephenson Street; Thence S 87° 39' 02" E, along the South line of SW Stephenson Street; a distance of 182.39 feet, to the Point of Beginning.

Contains approximately 10,710 square feet.

Exhibit A-2

January 4, 2011

Slope Easement – Moore, Patrick L & Cynthia K– 1S1E33DB 200
818 SW Stephenson Street

A portion of that tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records, situated in the Southeast Quarter of Section 33, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, described as follows:

Commencing at a point on the South line of SW Stephenson Street, said point being N 87° 39' 02" W, a distance of 182.39 feet from the Northeast corner of said tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records; Thence S 04° 18' 44" W, a distance of 9.06 feet, to the True Point of Beginning of the tract herein described; Thence along the arc of a 103.50 foot radius curve to the right, through a central angle of 53° 20' 13", an arc distance of 96.35 feet (chord bears S 59° 11' 21" E, 92.91 feet), to a point of compound curvature; Thence along the arc of a 20.00 foot radius curve to the right, through a central angle of 103° 16' 27", an arc distance of 36.05 feet (chord bears S 19° 07' 00" W, 31.36 feet); Thence S 70° 45' 13" W, a distance of 107.84 feet; Thence S 76° 06' 23" W, a distance of 134.35 feet, to the Northwesterly line of SW Boones Ferry Road; Thence S 78° 19' 02" W, along the Northwesterly line of SW Boones Ferry Road, a distance of 63.86 feet; Thence N 13° 53' 37" W, a distance of 7.42 feet; Thence N 75° 33' 23" E, a distance of 119.33 feet; Thence N 14° 26' 37" W, a distance of 4.00 feet; Thence N 75° 33' 23" E, a distance of 104.72 feet; Thence N 71° 48' 25" E, a distance of 83.36 feet; Thence N 49° 38' 30" E, a distance of 12.05 feet, Thence along the arc of a 96.50 foot radius curve to the left, through a central angle of 57° 21' 33", an arc distance of 96.61 feet, (chord bears N 57° 11' 25" W, 92.62 feet); Thence N 04° 18' 44" E, a distance of 7.00 feet, to the True Point of Beginning.

Contains approximately 4,712 square feet.

Exhibit A-3

January 4, 2011

TCE – Moore, Patrick L & Cynthia K– 1S1E33DB 200
818 SW Stephenson Street

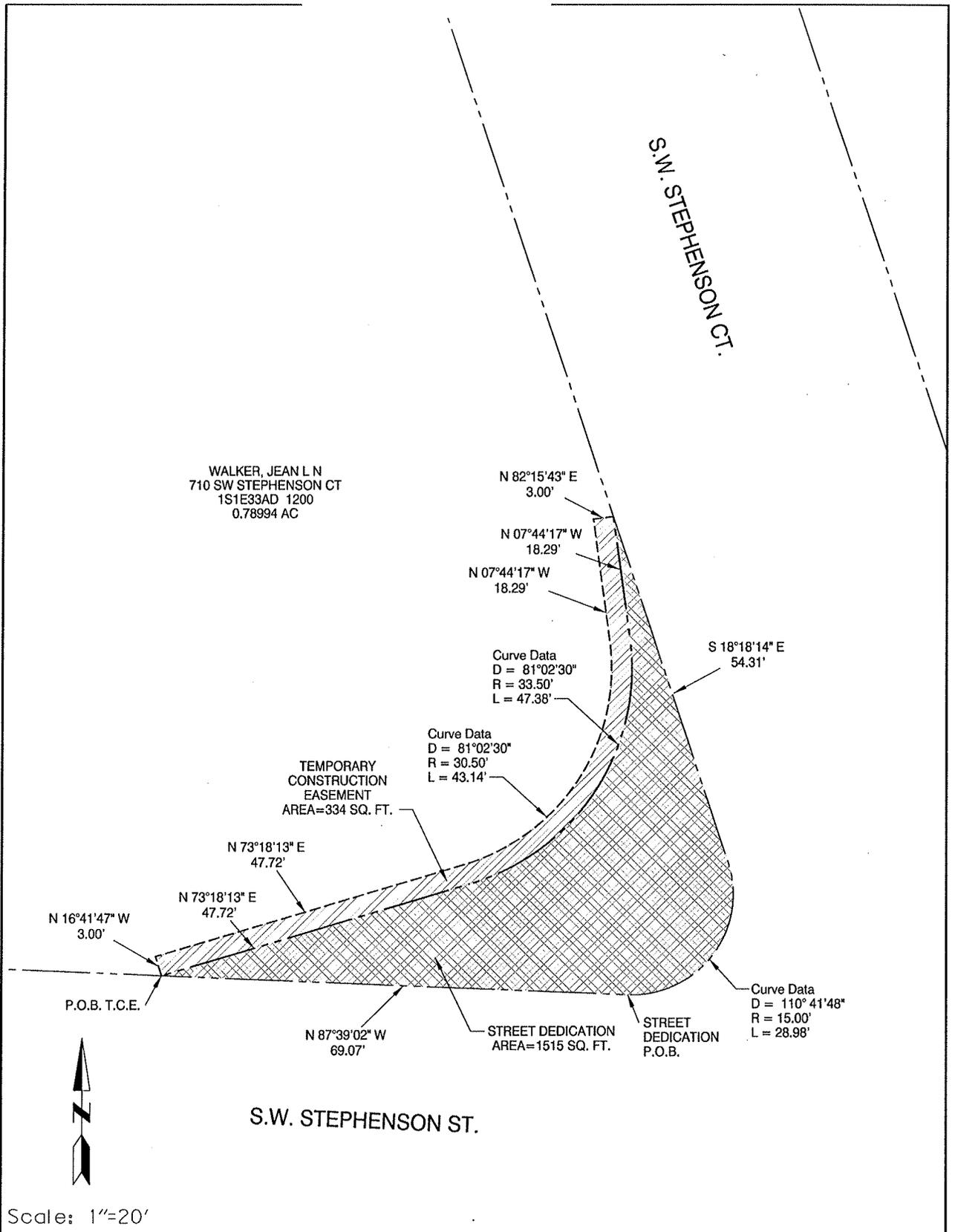
A portion of that tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records, situated in the Southeast Quarter of Section 33, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, described as follows:

Beginning at a point on the South line of SW Stephenson Street, said point being N 87° 39' 02" W, a distance of 182.39 feet from the Northeast corner of said tract of land deeded to Patrick L & Cynthia K Moore, described in Book 2383, Page 1295, recorded February 4, 1991, Multnomah County Deed Records; Thence S 04° 18' 44" W, a distance of 16.06 feet; Thence along the arc of a 96.50 foot radius curve to the right, through a central angle of 57° 21' 33", an arc distance of 96.61 feet (chord bears S 57° 11' 25" E, 92.62 feet); Thence S 49° 38' 30" W, a distance of 12.05 feet; Thence S 71° 48' 25" W, a distance of 83.36 feet; Thence S 75° 33' 23" W, a distance of 104.72 feet; Thence S 14° 26' 37" E, a distance of 4.00 feet; Thence S 75° 33' 23" W, a distance of 119.33 feet; Thence S 13° 53' 37" E, a distance of 7.42 feet, to the Northwesterly line of SW Boones Ferry Road; Thence S 78° 19' 02" W, along the Northwesterly line of SW Boones Ferry Road, a distance of 3.00 feet; Thence N 13° 53' 37" W, a distance of 10.24 feet; Thence N 75° 33' 23" E, a distance of 119.30 feet; Thence N 14° 26' 37" W, a distance of 4.00 feet; Thence N 75° 33' 23" E, a distance of 107.72 feet; Thence N 71° 48' 25" E, a distance of 82.77 feet; Thence N 49° 38' 30" E, a distance of 8.82 feet; Thence along the arc of a 93.50 foot radius curve to the left, through a central angle of 57° 47' 00", an arc distance of 94.30 feet (chord bears N 58° 49' 18" W, 90.35 feet); Thence N 04° 18' 44" E, a distance of 19.02 feet, to the South line of SW Stephenson Street; Thence S 87° 39' 02" E, along the South line of SW Stephenson Street, a distance of 3.00 feet, to the Point of Beginning.

Contains approximately 1,322 square feet.

EXHIBIT B

Plot Date: 1/10/2011
 File Name: S:_ILDesign\100048 - SW Boones Ferry & Stephenson\CAD\RIGHT-OF-WAY DRAWINGS\PLAN SHEETS\1S1E33AD 1200_ILIN=20ft.dgn



SAM ADAMS
STEVE TOWNSEN, P.E.

COMMISSIONER
CITY ENGINEER

State I.D.

1S1E33AD 1200

Exhibit B-1

January 4, 2011

Street Dedication - Walker, Jean L – 1S1E33AD 1200 – 710 SW Stephenson Ct.

A portion of Lot 10, *GRACEMONT*, recorded June 7, 1940, Multnomah County Plat Records, situated in the northeast one-quarter on Section 33, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, described as follows:

Beginning at a point on the North line of SW Stephenson Street, said point being the Southerly point of curvature of a 15.00 foot radius curve at the Southeast corner of said Lot 10; Thence N 87° 39' 02" W, along the North line of SW Stephenson Street, a distance of 69.07 feet; Thence N 73° 18' 13" E, a distance of 47.72 feet; Thence along the arc of a 33.50 foot radius curve to the left, through a central angle of 81° 02' 30", an arc distance of 47.38 feet (chord bears N 32° 46' 58" E, 43.53 feet); Thence N 07° 44' 17" W, a distance of 18.29 feet, to the Southwesterly line of SW Stephenson Court; Thence S 18° 18' 14" E, along said Southwesterly line, a distance of 54.31 feet, to a point of curvature; Thence along the arc of a 15.00 foot radius curve to the right, through a central angle of 110° 41' 48", an arc distance of 28.98 feet (chord bears S 37° 02' 22" W, 24.68 feet), to the Point of Beginning.

Contains approximately 1,515 square feet.

Exhibit B-1

January 4, 2011

TCE - Walker, Jean L – 1S1E33AD 1200 – 710 SW Stephenson Ct.

A portion of Lot 10, *GRACEMONT*, recorded June 7, 1940, Multnomah County Plat Records, situated in the Northeast Quarter of Section 33, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, described as follows:

Beginning at a point on the North line of SW Stephenson Street, said point being N 87° 39' 02" W, a distance of 69.07 feet, from the Southerly point of curvature of a 15.00 foot radius curve at the Southeast corner of said Lot 10; Thence N 16° 41' 47" W, a distance of 3.00 feet; Thence N 73° 18' 13" E, a distance of 47.72 feet; Thence along the arc of a 30.50 foot radius curve to the left, through a central angle of 81° 02' 30", an arc distance of 43.14 feet (chord bears N 32° 46' 58" E, 39.63 feet); Thence N 07° 44' 17" W, a distance of 18.29 feet; Thence N 82° 15' 43" E, a distance of 3.00 feet, to the Southwesterly line of SW Stephenson Court; Thence S 07° 44' 17" W, a distance of 18.29 feet, to a point of curvature; Thence along the arc of a 33.50 foot radius curve to the right, through a central angle of 81° 02' 30", an arc distance of 47.38 feet (chord bears S 32° 46' 58" W, 43.53 feet); Thence S 73° 18' 13" W, a distance of 47.72 feet, to the Point of Beginning.

Contains approximately 334 square feet.

RESOLUTION No.

Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SW Boones Ferry Rd - SW Stephenson Rd Project, through the exercise of the City's Eminent Domain Authority (Resolution)

WHEREAS, the City of Portland may exercise the power of eminent domain pursuant to Section 9-108 of the City Charter and in accordance with Eminent Domain procedures provided for in ORS Chapter 35 (Eminent Domain; Public Acquisition of Property), when the exercise of such power is deemed necessary by the City Council to accomplish public purposes for which the City has responsibility; and

WHEREAS, the City of Portland has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public; and

WHEREAS, the project known as SW Boones Ferry Road – SW Stephenson Road has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, travel safeguarded; and

WHEREAS, to accomplish the project set forth above, it is necessary to acquire the interests in the properties described in "Exhibits A - B and their associated exhibits", attached to this resolution and, by this reference incorporated herein; and

WHEREAS, funds are available in the Transportation Operating Fund, FY 2010-2011 Budget, SAP # T00048.L46;

NOW, THEREFORE, BE IT RESOLVED, by the Council, that it is hereby declared that it is necessary to acquire the property interests shown and/or described in Exhibits A – B and their associated exhibits to this Resolution for the SW Boones Ferry Road – SW Stephenson Road Project, for which the City is authorized by law to acquire property, and that the project has been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury; and

BE IT FURTHER RESOLVED, that the power of eminent domain is hereby exercised with respect to each of the interests in properties described in the attached Exhibits A – B and their associated exhibits. Each is acquired subject to payment of just compensation and subject to procedural requirements of Oregon law; and

BE IT FURTHER RESOLVED, that the Bureau of Transportation's staff and the Office of the City Attorney are authorized and requested to attempt to agree with the owner and other persons in interest as to the compensation to be paid for each acquisition, and, in the event that no satisfactory agreement can be reached, to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any other issue appropriate to be determined by a court in connection with the acquisition. This authorization is not intended to expand the

jurisdiction of any court to decide matters determined above or determinable by the City Council;
and

BE IT FURTHER RESOLVED, that the Bureau of Transportation is authorized to determine the continuing necessity or propriety of the acquisition authorized by this Resolution, its quantity, quality, or locality, and to reduce or abandon any acquisition described in the attached Exhibits A - B and their associated exhibits; and

BE IT FURTHER RESOLVED, that the Commissioner-in-Charge and Auditor are authorized to draw and deliver warrants chargeable to the Transportation Operating Fund when demand is presented and approved by the proper authority.

Adopted by the Council,

Mayor Sam Adams
Prepared by: Marty Maloney
Date Prepared: February 14, 2011

LaVonne Griffin-Valade
AUDITOR OF THE CITY OF PORTLAND
By

Deputy

Agenda No.
RESOLUTION NO.
Title

Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the SW Boones Ferry Rd – SW Stephenson Rd Project, through the exercise of the City’s Eminent Domain Authority (Resolution)

<p>INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS <i>K. Williams on behalf of Mayor Adams</i></p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p>BUREAU APPROVAL</p> <p>Bureau: Bureau of Transportation Group Manager: Greg Jones Development & Capital Program Other <i>Greg Jones</i></p> <p>Prepared by: Marty Maloney Date Prepared: 2/14/2011</p> <p>Financial Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date March 2, 2011</p> <p>City Attorney Approval <i>MRM</i></p>	<p>CLERK USE: DATE FILED <u>FEB 25 2011</u></p> <p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Parsons</i> Deputy</p> <p>ACTION TAKEN:</p> <p>MAR 02 2011 REFERRED TO COMMISSIONER OF FINANCE & ADMINISTRATION</p>
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AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 5 min (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz	
2. Fish	2. Fish	
3. Saltzman	3. Saltzman	
4. Leonard	4. Leonard	
Adams	Adams	