

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

In the Matter of the Partial Removal of the )  
Cemetery Purposes Plat Dedication for )  
Portions of Wilhelm's Portland Memorial )  
and Moreland Bluff, located at Wilhelm's ) ORDER No. 2021-069  
Portland Memorial Funeral Home, )  
Mausoleum and Crematory, )  
6705 SE 14<sup>th</sup> Avenue, Portland, OR )

WHEREAS, ORS 97.440 allows for removal of a dedication of property to cemetery purposes by an order of the Board of County Commissioners of the county in which the property is situated; and

WHEREAS, Portland Memorial, Inc., the owner of and cemetery authority for Wilhelm's Portland Memorial Funeral Home, Mausoleum, and Crematory, has formally requested the removal of the dedication to cemetery purposes for a portion of the cemetery and for portions of adjacent lots previously sold by the cemetery authority and developed for residential use; and

WHEREAS, ORS 97.440 requires that a public hearing be held prior to any such removal of a dedication to cemetery purposes; and

WHEREAS, such a public hearing was held before the Multnomah County Board of County Commissioners on September 2, 2021; and

WHEREAS, ORS 97.440 requires that notice of such hearing be given by (i) publication once a week for at least four consecutive weeks in a newspaper of general circulation in the county where the cemetery is located and by publication twice in a newspaper with statewide circulation, and (ii) posting in three conspicuous places on that portion of the property from which the dedication is to be removed; and

WHEREAS, ORS 97.440 requires that the notice of the public hearing (i) describe the portion of the cemetery property sought to be removed from dedication, (ii) state that all remains have been removed or that no interments have been made in the portion of the cemetery property sought to be removed from dedication, and (iii) specify the time and place of the hearing; and

WHEREAS, ORS 97.440 authorizes the Board of County Commissioners of the county in which the property is situated to issue an order removing the dedication to cemetery purposes for the portion of the cemetery property sought to be removed from dedication upon proof (i) that the portion of the property from which dedication is sought to be removed is not being used for interment of human remains and (ii) that the requirements set forth at ORS 97.440 for notice of the public hearing have been satisfied; and

WHEREAS, Portland Memorial, Inc. has met the requirements of ORS 97.440 in a manner satisfactory to the Board; now, therefore

IT IS HEREBY ORDERED, pursuant to ORS 97.440, that the dedication to cemetery purposes be removed for that portion of PORTLAND MEMORIAL as described in Exhibit A-1 attached hereto;

IT IS FURTHER ORDERED, pursuant to ORS 97.440, that the dedication to cemetery purposes be removed for that portion of MORELAND BLUFF as described in Exhibit A-2 attached hereto;

IT IS FURTHER ORDERED that the Board's action in this matter does not constitute or indicate a position in favor of or against any pending or future land use proceeding(s) before the City of Portland or other agency with authority over the properties described in Exhibits A-1 or A-2;

IT IS FURTHER ORDERED that this Order removing the above-referenced dedications to cemetery purposes be recorded in the Deed Records of Multnomah County, Oregon; and

IT IS FURTHER ORDERED that the County Surveyor and County Assessor are directed to file copies of the same as required by law.

ADOPTED this September 2, 2021.



BOARD OF COUNTY COMMISSIONERS  
MULTNOMAH COUNTY, OREGON

By: Deborah Kafoury  
Deborah Kafoury, Chair

REVIEWED:

JENNY M. MADKOUR, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By: Kenneth M. Elliott  
Kenneth M. Elliott, Asst. County Attorney

## EXHIBIT A-1

REAL PROPERTY SITUATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, BEING PORTIONS OF THOSE PROPERTIES CONVEYED TO PORTLAND MEMORIAL AND PORTLAND CREMATION ASSOCIATION, PREDECESSOR TO PORTLAND MEMORIAL IN THOSE DOCUMENTS BOOK 812 PAGE 330-333, BOOK 2039 PAGE 309-312, BOOK 823 PAGE 343-344, AND BOOK 1727 PAGE 462 AND PORTION OF THE PLAT OF **PORTLAND MEMORIAL** IN BOOK 1192 PAGE 47 AND 48, MULTNOMAH COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTHEAST CORNER OF THE PLAT OF "**PORTLAND MEMORIAL**" RECORDED AS BOOK 1192, PAGES 47-48, PER MULTNOMAH COUNTY PLAT RECORDS; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SE 14TH AVENUE (BEING 15.00 FEET FROM THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO), SOUTH 0°32'44" WEST, 183.67 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 89°27'16" WEST, 166.02 FEET; THENCE CONTINUING NORTH 89°27'16" WEST, 141.13 FEET; THENCE NORTH 43°36'16" WEST, 6.43 FEET; THENCE SOUTH 0°28'06" WEST, 87.13 FEET; THENCE NORTH 89°15'50" WEST, 31.77 FEET; THENCE NORTH 26°44'35" WEST, 163.14 FEET; THENCE NORTH 0°32'44" EAST, 125.84 FEET TO THE NORTH LINE OF SAID PLAT OF PORTLAND MEMORIAL; THENCE SOUTH 88°48'16" EAST, 418.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 81,128 SQUARE FEET OR 1.862 ACRES, MORE OR LESS.

## EXHIBIT A-2

REAL PROPERTY SITUATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MULTNOMAH COUNTY, OREGON, BEING ALL OF THAT PORTION OF THE PLAT OF **MORELAND BLUFF** IN BOOK 1261 PAGE 5, CONTAINED IN LOTS 1 THROUGH 5 AND TRACT A, AND AS PREVIOUSLY INCLUDED IN THAT PORTION OF THE PLAT OF PORTLAND MEMORIAL BOOK 1192 PAGE 47 AND 78, MULTNOMAH COUNTY RECORDS.

CONTAINING 23,970 SQUARE FEET MORE OR LESS.