

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

RESOLUTION NO. 2022-070

Authorizing the Acquisition of Certain Real Property for the S.E. Pounder Road Project, in Unincorporated East Multnomah County.

The Multnomah County Board of Commissioners Finds:

- a. In February 2021, a culvert inlet on S.E. Pounder Road became partially blocked with debris resulting in local flooding. The flooding caused significant road slope instability which required immediate emergency repair work. Pursuant to ORS 35.350, the County needed to take immediate possession of property because the emergency posed a threat to persons or property.
- b. To facilitate the emergency repair, impacted property owners granted permits of entry so project crews could perform the necessary work. It is now necessary to compensate the property owners in accordance with Federal and State laws, and TRS-01, and obtain permanent right of way easements for this project.
- c. It is necessary for Multnomah County to acquire the real property interests described in attached Exhibit A (the "Property") for purposes of constructing, operating, maintaining, repairing, replacing, and reconstructing road facilities which includes culverts, approaches, access, slopes, and drainage facilities on a portion of S.E. Pounder, situated in unincorporated East Multnomah County (the "Project").
- d. The Project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.

The Multnomah County Board of Commissioners Resolves:

1. It is necessary to acquire the Property described in Exhibit A for purposes of the Project.
2. Multnomah County Transportation Division (Division) is directed to begin negotiations to acquire the Property in accordance with all applicable laws, rules, and regulations governing such acquisition. Legal counsel is directed to assist the Division as necessary in such negotiations.
3. The County Engineer in coordination with the County Attorney is authorized to negotiate and settle the acquisition of this property.

ADOPTED this 14th day of July, 2022.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Lori Stegmann

Lori Stegmann, Vice-Chair

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

By *Courtney Lords*
Courtney Lords, Senior Assistant County Attorney

SUBMITTED BY: Jamie Waltz, Interim Director, Department of Community Services

EXHIBIT A

Parcel 1:

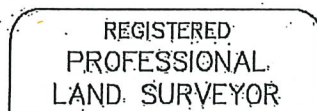
A portion of that real property described in that Statutory Special Warranty Deed to Heather L. Moon recorded October 14, 2011 as Document No. 2011-114166, Multnomah County Deed Records, situated in the Northwest One-Quarter of Section 2, Township 1 South, Range 4 East, Willamette Meridian, Multnomah County, Oregon, being more particularly described as follows:

Commencing at a 5/8 inch iron rod found at the angle point in the easterly line of said Document No. 2011-114166 property, being an angle point in the westerly right of way line of SE Pounder Road, (County Road No. 715, 40 feet wide), being 20 feet from centerline when measured at right angles thereto, thence $S16^{\circ}15'02''E$, along said easterly line and along said westerly right of way line, a distance of 9.00 feet to the **Point of Beginning** of the herein described parcel; thence leaving said easterly line and said westerly right of way line, $S73^{\circ}53'56''W$, a distance of 9.19 feet; thence $S16^{\circ}15'02''E$, a distance of 20.00 feet; thence $N73^{\circ}53'56''E$, a distance of 9.19 feet to said easterly line and said westerly right of way line; thence $N16^{\circ}15'02''W$, along said easterly line and said westerly right of way line a distance of 20.00 feet to the **Point of Beginning**.

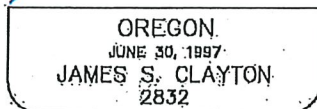
Containing approximately 184 Square Feet, more or less.

As shown on the attached Exhibit Map, herein made a part of this document.

The bearings for this description are based on the Oregon Coordinate Reference System, Portland Zone.



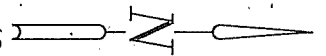
James S. Clayton 3-30-22




RENEWAL DATE: 1-1-2024

EXHIBIT MAP

SE POUNDER ROAD
COUNTY ROAD NO. 715
ITEM NO. 2021-10



SCALE: 1" = 20'

- LEGEND:
-  = PARCEL 1-184 SF
 - POB = POINT OF BEGINNING

SIMONE, GARY
SIMONE, DEBBY
600 SE POUNDER RD
DOCUMENT NO. 99183371

GROTT, ROBERT E
JAGENDORF, VERA L
720 SE POUNDER RD
DOCUMENT NO. 2002-236240

MOON, HEATHER L
645 SE POUNDER RD
DOCUMENT NO. 2011-114166

POINT OF
COMMENCEMENT
5/8" IRON ROD
SN 39874

S16° 15' 02"E 9.00'

S73° 53' 56"W 9.19'

S16° 15' 02"E 20.00'

N73° 53' 56"E 9.19'

POB
PARCEL 1

PARCEL 1
N16° 15' 02"W 20.00'

SE POUNDER ROAD (COUNTY ROAD NO. 715)



Multnomah
County

JAMES S. CLAYTON PLS, COUNTY SURVEYOR

DEPARTMENT OF COMMUNITY SERVICES
TRANSPORTATION DIVISION
COUNTY SURVEYOR'S OFFICE
1600 S.E. 190TH AVE.
PORTLAND, OR. 97233-5910

Parcel 2:

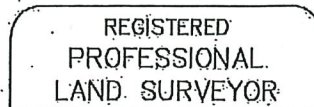
A portion of that real property described in that Warranty Deed to Gary Simone and Debby Simone, recorded September 30, 1999 as Document No. 99183371, Multnomah County Deed Records, situated in the Northwest One-Quarter of Section 2, Township 1 South, Range 4 East, Willamette Meridian, Multnomah County, being more particularly described as follows:

Commencing at a 5/8 inch iron rod found at the angle point in the easterly line of that tract of land described by that deed recorded as Document No. 2011-114166, Multnomah County Deed Records, being an angle point in the westerly right of way line of SE Pounder Road, (County Road No. 715, 40 feet wide), being 20 feet from centerline when measured at right angles thereto, thence $N80^{\circ}00'37''E$, a distance of 40.17 feet to an angle point in the westerly line of said Document No. 99183371 property, also being an angle point in the easterly right of way line of said SE Pounder Road, being 20 feet from centerline when measured at right angles thereto; thence $S16^{\circ}15'02''E$, along said westerly line and said easterly right of way line, a distance of 13.33 feet to the **Point of Beginning** of the herein described parcel; thence $S16^{\circ}15'02''E$, continuing along said westerly line and said easterly right of way line, a distance of 52.97 feet, more or less, to the southerly line of said Document No. 99183371 property; thence leaving said westerly line and said easterly right of way line, $N68^{\circ}54'53''E$, along said southerly line, a distance of 18.72 feet; thence $N15^{\circ}09'39''W$, a distance of 51.40 feet; thence $S73^{\circ}44'58''W$, a distance of 19.63 feet to the **Point of Beginning**.

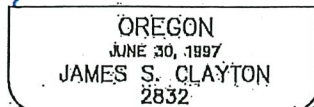
Containing approximately 998 Square Feet, more or less.

As shown on the attached Exhibit Map, herein made a part of this document.

The bearings for this description are based on the Oregon Coordinate Reference System, Portland Zone.



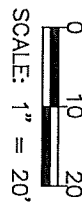
[Handwritten signature] 3.30.21



RENEWAL DATE: 1-1-2024

EXHIBIT MAP

SE POUNDER ROAD
COUNTY ROAD NO. 715
ITEM NO. 2021-11

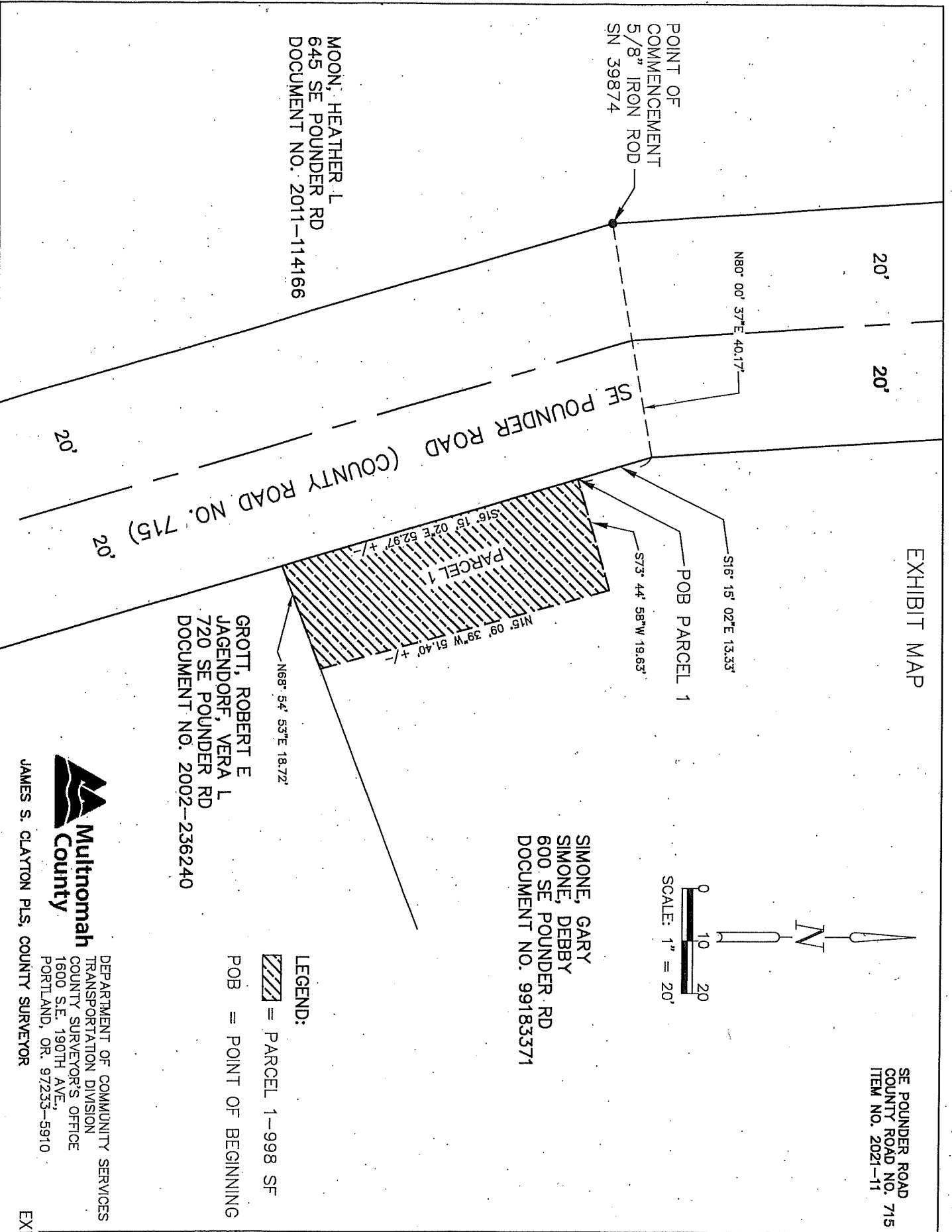


SIMONE, GARY
SIMONE, DEBBY
600 SE POUNDER RD
DOCUMENT NO. 99183371


GROTT, ROBERT E
JAGENDORF, VERA L
720 SE POUNDER RD
DOCUMENT NO. 2002-236240

MOON, HEATHER L
645 SE POUNDER RD
DOCUMENT NO. 2011-114166

POINT OF
COMMENCEMENT
5/8" IRON ROD
SN 39874



LEGEND:
 = PARCEL 1-998 SF
 = POINT OF BEGINNING

 **Multnomah County**
 DEPARTMENT OF COMMUNITY SERVICES
 TRANSPORTATION DIVISION
 COUNTY SURVEYOR'S OFFICE
 1600 S.E. 190TH AVE.
 PORTLAND, OR. 97233-5910

JAMES S. CLAYTON PLS, COUNTY SURVEYOR

Parcel 3:

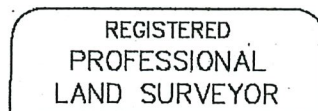
A portion of that real property described in that Statutory Bargain and Sale Deed to Robert E. Grott and Vera L. Jagendorf, recorded December 24, 2002 as Document No. 2002-236240, Multnomah County Deed Records, situated in the Northwest One-Quarter of Section 2, Township 1 South, Range 4 East, Willamette Meridian, Multnomah County, Oregon, being all of the following described tract of land included in that real property described in said Statutory Bargain and Sale Deed, said tract being more particularly described as follows:

Commencing at a 5/8 inch iron rod found at the angle point in the easterly line of that tract of land described by that deed recorded as Document No. 2011-114166, Multnomah County Deed Records, being an angle point in the westerly right of way line of SE Pounder Road, (County Road No. 715, 40 feet wide), being 20 feet from centerline when measured at right angles thereto, thence N80°00'37"E, a distance of 40.17 feet to an angle point in the easterly right of way line of said SE Pounder Road, being 20 feet from centerline when measured at right angles thereto, and the **Point of Beginning** of the herein described tract of land; thence S16°15'02"E, along said easterly right of way line, a distance of 71.32 feet; thence leaving said easterly right of way line, N68°54'53"E, a distance of 45.21 feet; thence N-21°05'07"W, a distance of 10.00 feet; thence S68°54'53"E, a distance of 13.50 feet; thence N81°42'40"W, a distance of 14.59 feet; thence N08°51'42"W, a distance of 28.84 feet; thence N29°35'37"W, a distance of 21.51 feet; thence S84°31'44"W, a distance of 16.52 feet to the **Point of Beginning**.

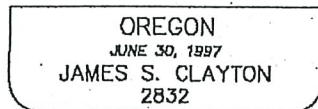
Containing approximately 225 Square Feet, more or less.

As shown on the attached Exhibit Map, herein made a part of this document.

The bearings for this description are based on the Oregon Coordinate Reference System, Portland Zone.



James S. Clayton 11-19-21



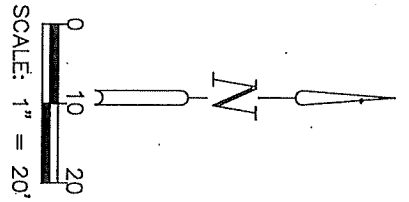
RENEWAL DATE: 1-1-2022

EXHIBIT A

Pg. 5/6

EXHIBIT MAP

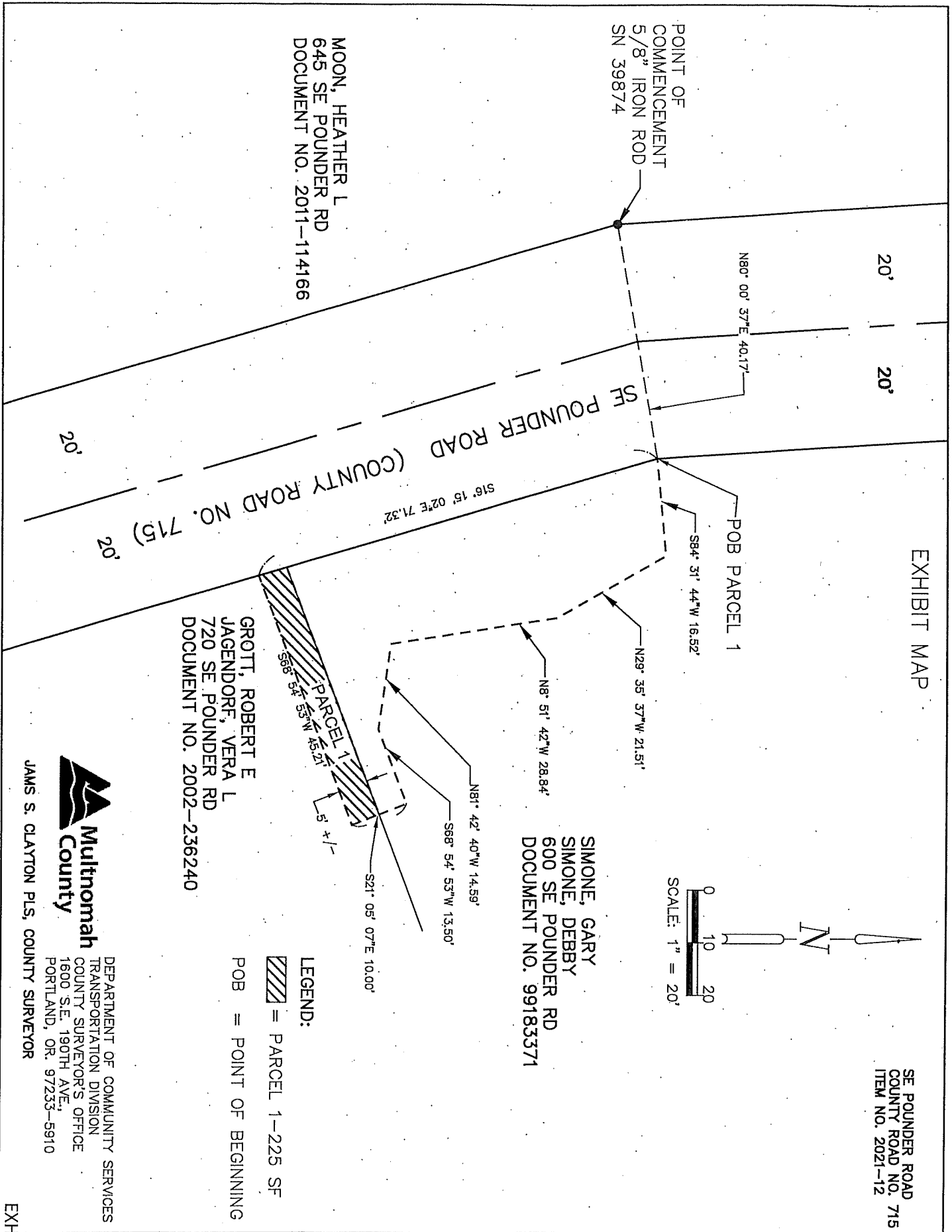
SE POUNDER ROAD
COUNTY ROAD NO. 715
ITEM NO. 2021-12



SIMONE, GARY
SIMONE, DEBBY
600 SE POUNDER RD
DOCUMENT NO. 99183371

GROTT, ROBERT E
JAGENDORF, VERA L
720 SE POUNDER RD
DOCUMENT NO. 2002-236240

MOON, HEATHER L
645 SE POUNDER RD
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JAMS S. CLAYTON PLS, COUNTY SURVEYOR

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