

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

RESOLUTION NO. 2019-072

Quitclaim of a Tract at N.E. 33rd and Marine Drive, to the City of Portland.

The Multnomah County Board of Commissioners Finds:

- a. In 1961, Multnomah County acquired a 1.28 acre Tract of land situated in the S.W. corner of the intersection of N.E. 33rd Avenue and N.E. Marine Drive. Said Tract is described in the attached Exhibit A.
- b. This Tract of land was acquired for construction of a secondary road paralleling N.E. Marine Drive. This portion of the proposed secondary road was not constructed. Consequently, the property is currently vacant.
- c. In accordance with an Intergovernmental Agreement approved by the Portland City Council March 1, 1984 and by the Multnomah County Board of County Commissioners March 8, 1984, Multnomah County agreed to surrender jurisdiction to the City of Portland of all County Roads within the City limits of Portland, excluding the County Roads on the Willamette River Bridges.
- d. County surrendered road jurisdiction by Order dated June 12, 1984 and the City by Ordinance 156224 passed June 27, 1984 accepted road jurisdiction.
- e. The City believes that title and jurisdiction of said Tract was not properly addressed when jurisdiction was transferred. The City has requested that the County quitclaim said Tract to the City.
- f. The County's Transportation Division has no need for this Tract.
- g. This Tract should be an asset of the City, which is the proper road authority. The County's Transportation Division recommends the Board approve this transfer.
- h. It is in the best public interest to transfer all rights, title and interest to the Tract described in Exhibit A, to the City of Portland.

The Multnomah County Board of Commissioners Resolves:

1. The Chair, on behalf of Multnomah County, is authorized to execute a deed, substantially conforming to the deed attached as Exhibit A, to the City of Portland quitclaiming the County's interest in said Tract.

ADOPTED this 8th day of August, 2019.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Deborah Kafoury

Deborah Kafoury, Chair

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

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

SUBMITTED BY: Kim Peoples, Director, Department of Community Services

NE Marine Drive
Road No. 3121
Item No. 2019-31

Grantor:
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233
After recording return to:
Dee A. Walker, City of Portland
1120 SW 5th Ave., 8th Floor
Portland, OR 97204
**Until a change is requested,
tax statements shall be sent to:**
City of Portland, Bureau of Transportation
1120 SW 5th Ave., 8th Floor
Portland, OR 97204

Exhibit A

QUITCLAIM DEED

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, "**Grantor**", releases and quitclaims to **the City of Portland**, a municipal corporation of the state of Oregon, "**Grantee**" all right, title and interest in and to the following described real property as described in the attached Exhibit A:

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

The true consideration paid for this transfer stated in terms of dollars is \$0.00.

Dated this _____ day of _____, 2019.

MULTNOMAH COUNTY has caused this deed to be executed by the Chair of the Multnomah County Board of Commissioners by authority of the Board of County Commissioners heretofore entered of record.

Deborah Kafoury, County Chair
Multnomah County

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on _____, 2019, by Deborah Kafoury, County Chair, Multnomah County, authorized to execute the instrument. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Notary Public for Oregon
My Commission Expires: _____

REVIEWED:
By Jenny M. Madkour, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney

APPROVED & ACCEPTED

Christopher M. Wier
Bureau Director or designee
Name: Christopher M. Wier

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on 4/25/2019, 2019, by Christopher M. Wier,
Bureau Director of designee for the Bureau of Transportation, City of Portland, a municipal corporation of the State of
Oregon.

Karl N. Arruda
Notary Public for Oregon
My Commission Expires: 8/1/2021

APPROVED AS TO FORM:

APPROVED AS TO FORM

Mary Ann
City Attorney
CITY ATTORNEY 4/10/19



Exhibit A

Book 2066, Page 406, recorded June 13, 1961:

A parcel of land in Section 1, T1N, R1E, W.M., Multnomah County, Oregon, described as follows:

Commencing at a point on the center line of N.E. 33rd Drive, County Road No. 1473, at the point of intersection of the tangents of N.E. Marine Drive, County Road No. 1167; thence S. $4^{\circ}42'17''$ W., along the center line of said N.E. 33rd Drive, 448.05 feet to the southeast corner of that certain parcel of land conveyed by deed to Lee McCuddy and recorded in Deed Book 918, Page 105, Deed Records of Multnomah County, Oregon; thence N. $77^{\circ}42'43''$ W., along the south line of said parcel of land 30.26 feet to a point in the west right of way line of said N.E. 33rd Drive, said point being 30.00 feet west of the center line of N.E. 33rd Drive, when measured at right angles, and is the true point of beginning of this description; thence N. $4^{\circ}42'17''$ E., along the west right of way of said N.E. 33rd Drive, 177.35 feet to a point; thence N. $87^{\circ}31'43''$ W., 76.08 feet to a point; thence on a curve to the right, having a radius of 924.93 feet, the chord of which bears N. $77^{\circ}01'28''$ W., 337.24 feet, a distance of 339.14 feet to a point; thence N. $66^{\circ}31'13''$ W., 201.59 feet to a point on the west line of a certain parcel of land conveyed by deed to Lee McCuddy and recorded in Deed Book 918, Page 105, Deed Records of Multnomah County, Oregon, said point bears N. $4^{\circ}50'17''$ E., 207.77 feet from the southwest corner of said parcel of land; thence S. $4^{\circ}50'17''$ W., along said west line, 63.32 feet to a point; thence S. $66^{\circ}31'13''$ E., 475.80 feet to a point; thence on a curve to the right, having a radius of 218.00 feet, the chord of which bears S. $51^{\circ}18'23''$ E., 114.42 feet, a distance of 115.77 feet to a point in the south line of that certain parcel of land conveyed by deed to Lee McCuddy and recorded in Deed Book 918, Page 105, Deed Records of Multnomah County, Oregon; thence S. $77^{\circ}42'43''$ E., along said south line, 55.92 feet to the true point of beginning.

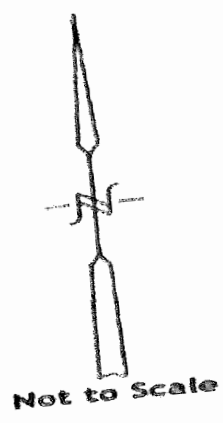
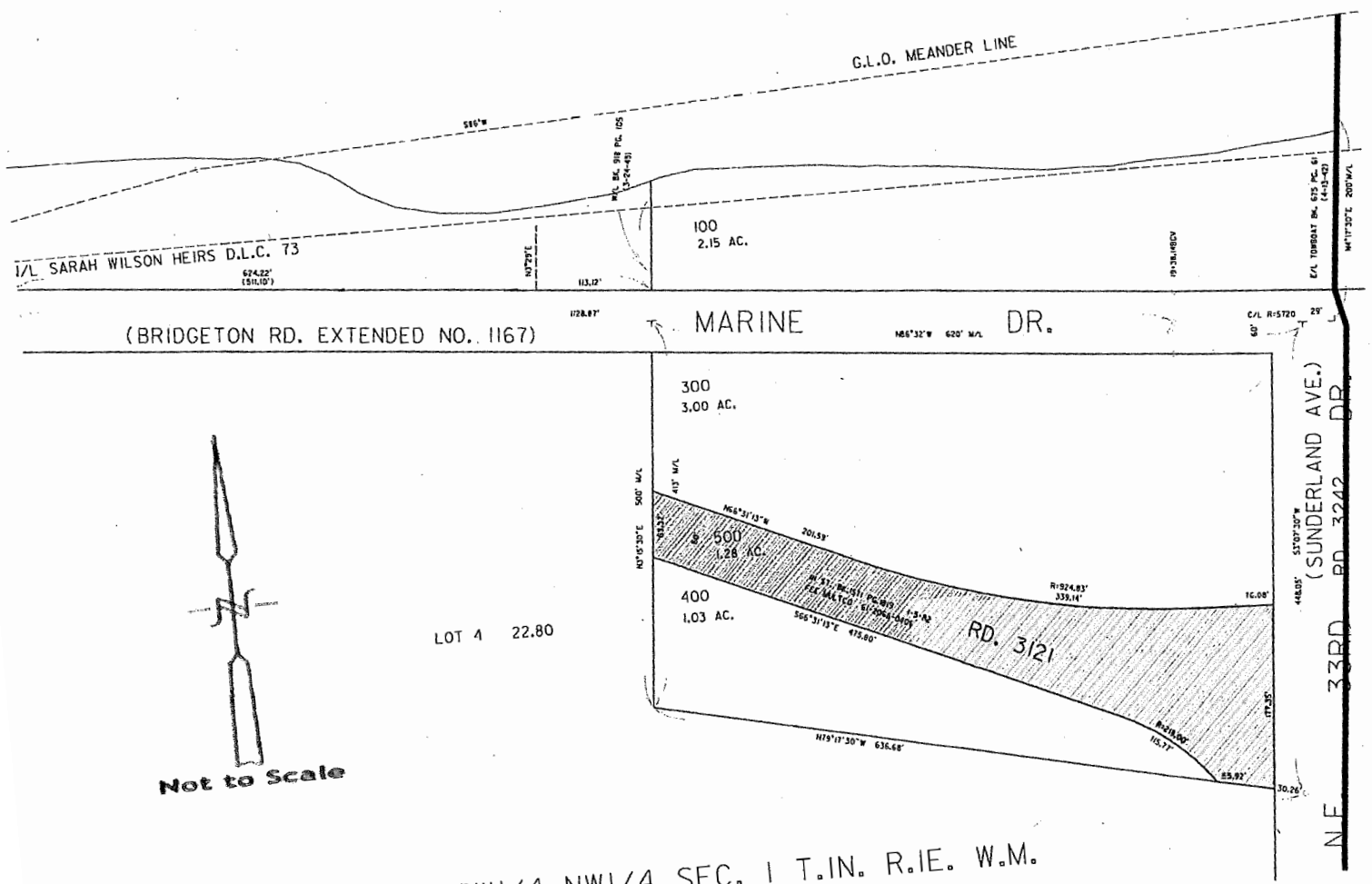
As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

NE Marine Drive
Road No. 3121
Item No. 2019-31

Exhibit Map

COLUMBIA

RIVER



SW1/4 NW1/4 SEC. 1 T.1N. R.1E. W.M.
MULTNOMAH COUNTY
IN 1E IBC
PORTLAND