

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

**RESOLUTION NO. 2020-034**

Authorizing the Acquisition of Certain Real Property for the N.W. Rock Creek Road Project, in Unincorporated Multnomah County.

**The Multnomah County Board of Commissioners Finds:**

- a. January 2020 presented higher than average precipitation, causing an existing 80-year-old culvert on NW Rock Creek Road to separate and become 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 N.W. Rock Creek Road, situated in unincorporated 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 28th day of May 2020.**



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:** Jamie Waltz, Interim Director, Department of Community Services

## Exhibit A

### Parcel 1 - Perpetual Slope & Drainage Easement

A portion of that tract of land described in Bargain and Sale Deed to Mary Ellen Cameron, recorded on January 30, 2009 on Document No. 2009-012616 ("Cameron"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at a found 5/8" iron rod with yellow plastic cap inscribed "J. PETERSON P.L.S. # 1856" set in Survey No. 49225 at the SW corner of that tract of land described in Bargain and Sale Deed to Ruth G. Dobbs, Trustee, and her successors in trust, under The Dobbs Living Trust, dated February 7, 2000, and any amendments thereto, recorded on September 20, 2006 on Document No. 2006-174946 on the northerly right-of-way line of NW Rock Creek Road, County Road No. 1321 (30.00 feet northerly of, when measured at right angles, to the centerline of said NW Rock Creek Rd.); thence S65°48'00"E, along said northerly right-of-way line, a distance of 170.88 feet to the Southwest corner of said "Cameron" Tract and the **Point of Beginning** of the herein described tract of land; thence; thence N00°01'03"E, along the West line of said "Cameron" Tract, a distance of 39.68 feet; thence N62°50'09"E, a distance of 20.98 feet; thence S76°27'14"E, a distance of 17.44 feet; thence S26°16'22"E, a distance of 95.15 feet to the northerly right-of-way line of said NW Rock Creek Road; thence northwesterly along said northerly right-of-way line along the arc of a 666.70 foot radius curve to the left, through a central angle of 6°50'44" (the long chord of which bears N62°22'38"W, 79.61 feet) an arc distance of 79.66 feet; thence N65°48'00"W, continuing along said northerly right-of-way line a distance of 7.91 feet to the point of beginning.

Containing 3,215 square feet more or less.

NW Rock Creek Road  
County Road No. 1321  
Item No. 2020-08

**Parcel 2 - Temporary Construction Easement: January 01, 2020 - March 31, 2021**

A portion of that tract of land described in Bargain and Sale Deed to Mary Ellen Cameron, recorded on January 30, 2009 on Document No. 2009-012616 ("Cameron"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

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Containing 748 square feet more or less.

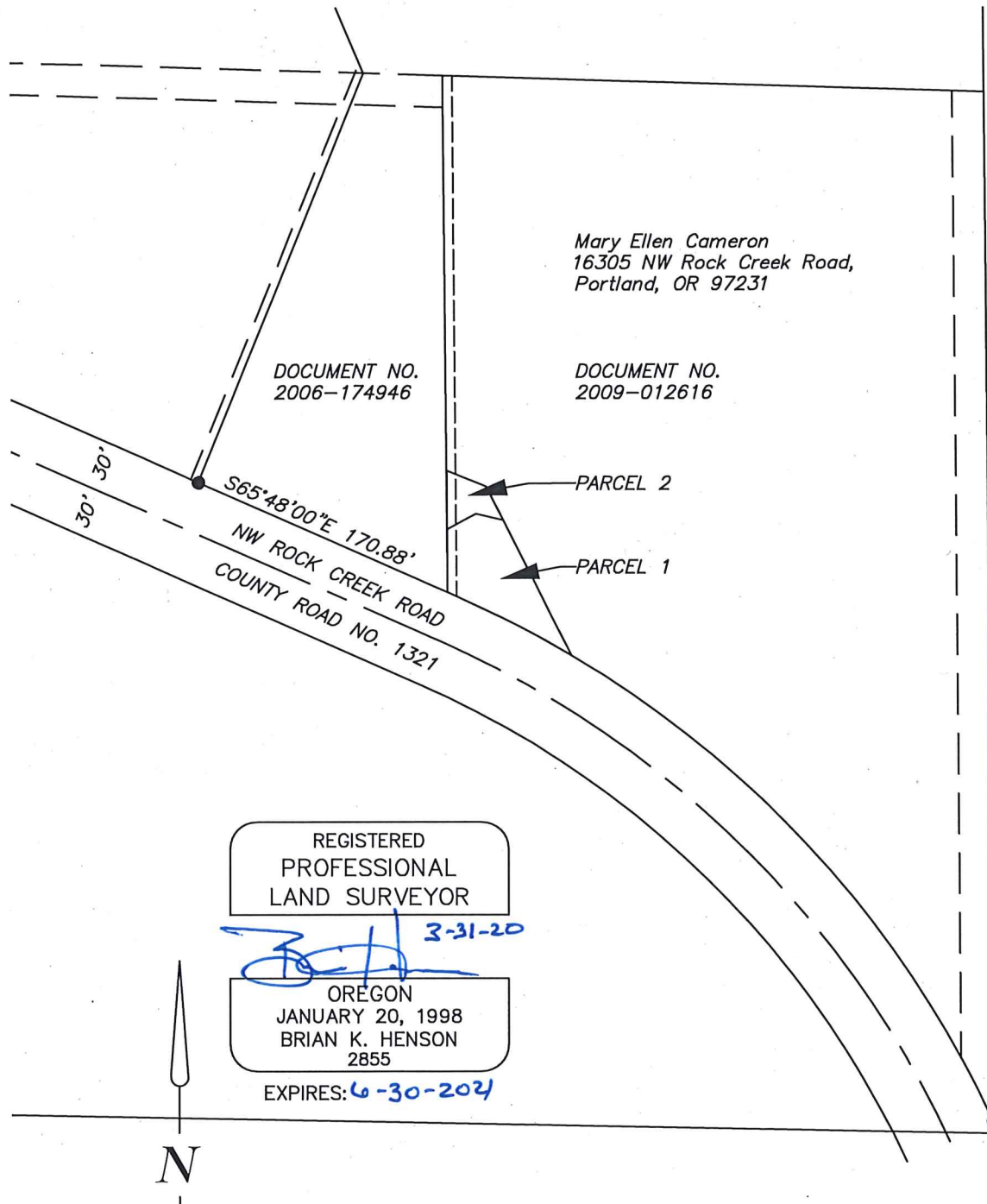


These legal descriptions, along with the basis of bearings thereof, were prepared based on that Survey recorded as Survey Number 49225, Multnomah County Survey Records.

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.



# EXHIBIT MAP

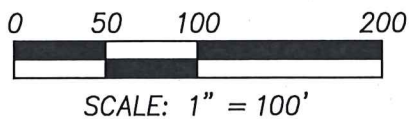


REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*[Signature]* 3-31-20

OREGON  
JANUARY 20, 1998  
BRIAN K. HENSON  
2855

EXPIRES: 6-30-2024



**Multnomah  
County**

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

JAMES S. CLAYTON PLS COUNTY SURVEYOR  
ROCK CREEK CULVERT PROJECT  
ITEM NO. 2020-08

## Exhibit A

### Parcel 1 - Perpetual Slope & Drainage Easement

A portion of that tract of land described in Bargain and Sale Deed to Ruth G. Dobbs, Trustee, and her successors in trust, under The Dobbs Living Trust, dated February 7, 2000, and any amendments thereto, recorded on September 20, 2006 on Document No. 2006-174946 ("Dobbs"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at a found 5/8" iron rod with yellow plastic cap inscribed "J. PETERSON P.L.S. # 1856" set in Survey No. 49225 at the SW corner of said "Dobbs" tract of land on the northerly right-of-way line of NW Rock Creek Road, County Road No. 1321 (30.00 feet northerly of, when measured at right angles, to the centerline of NW Rock Creek Rd.); thence S65°48'00"E, along said northerly right-of-way line, a distance of 125.69 feet to the **Point of Beginning** of the herein described tract of land; thence leaving said northerly right-of-way line, N62°50'09"E, 46.34 feet to the East line of said "Dobbs" Tract; thence S00°01'03"W, along the East line of said "Dobbs" Tract, a distance of 39.68 feet to the northerly right-of-way line of said Rock Creek Road; thence N65°48'00"W, along said northerly right-of-way line, a distance of 45.19 feet to the point of beginning.

Containing 818 square feet more or less.

**Parcel 2** - Temporary Construction Easement: January 01, 2020 - March 31, 2021

A portion of that tract of land described in Bargain and Sale Deed to Ruth G. Dobbs, Trustee, and her successors in trust, under The Dobbs Living Trust, dated February 7, 2000, and any amendments thereto, recorded on September 20, 2006 on Document No. 2006-174946 ("Dobbs"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

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Containing 4,918 square feet more or less.



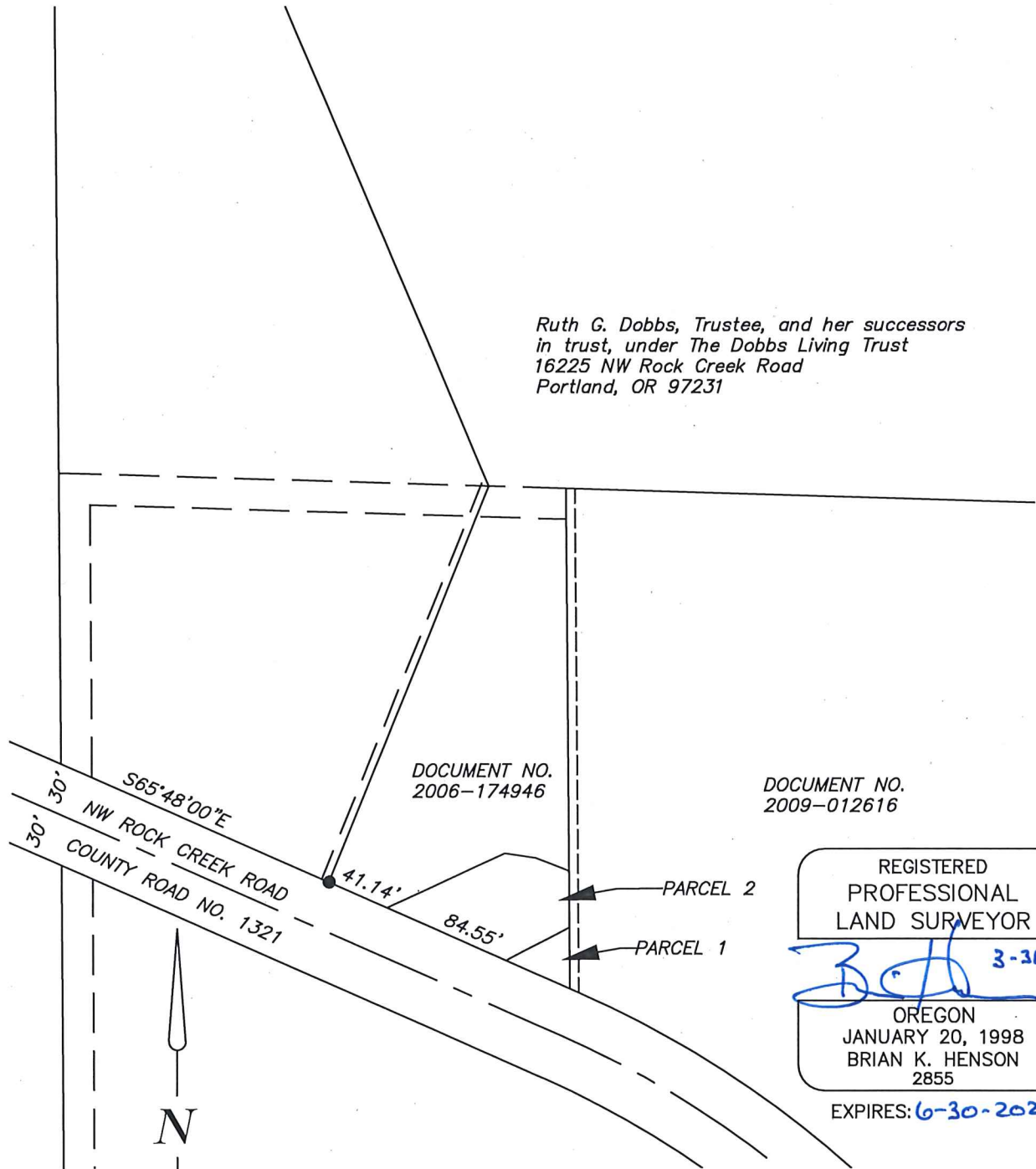
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# EXHIBIT MAP

Ruth G. Dobbs, Trustee, and her successors  
in trust, under The Dobbs Living Trust  
16225 NW Rock Creek Road  
Portland, OR 97231



0 50 100 200  
SCALE: 1" = 100'



**Multnomah  
County**

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

JAMES S. CLAYTON PLS COUNTY SURVEYOR  
ROCK CREEK CULVERT PROJECT  
ITEM NO. 2020-09

## Exhibit A

### Parcel 1 - Perpetual Slope & Drainage Easement

A portion of that tract of land described in Warranty Deed to Morgan Beller and Sara K. Bowersox, recorded on September 2, 1999 on Document No. 99-168078 ("Beller-Bowersox"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

Commencing at a found 5/8" iron rod with yellow plastic cap inscribed "J. PETERSON P.L.S. # 1856" set in Survey No. 49225 at the SW corner of that tract of land described in Bargain and Sale Deed to Ruth G. Dobbs, Trustee, and her successors in trust, under The Dobbs Living Trust, dated February 7, 2000, and any amendments thereto, recorded on September 20, 2006 on Document No. 2006-174946, Multnomah County Deed Records on the northerly right-of-way line of NW Rock Creek Road, County Road No. 1321 (30.00 feet northerly of, when measured at right angles, to the centerline of NW Rock Creek Rd.); thence S65°48'00"E, along said northerly right-of-way line, a distance of 125.04 feet; thence leaving said northerly right-of-way line, S24°12'00"W, a distance of 60.00 feet to the southerly right-of-way line of said NW Rock Creek Road and the **Point of Beginning** of the herein described tract of land; thence S65°48'00"E, along said southerly right-of-way line, a distance of 53.75 feet; thence continuing southeasterly along said southerly right-of-way line along the arc of said 606.70 foot radius curve to the right, through a central angle of 8°25'00" (the long chord of which bears S61°35'30"E, 89.04 feet) an arc distance of 89.12 feet; thence S59°44'12"W, a distance of 79.30 feet; thence N81°15'31"W, a distance of 30.55 feet; thence N16°02'05"W, a distance of 103.75 feet to the point of beginning.

Containing 6,462 square feet more or less.

**Parcel 2 - Temporary Construction Easement: January 01, 2020 - March 31, 2021**

A portion of that tract of land described in Warranty Deed to Morgan Beller and Sara K. Bowersox, recorded on September 2, 1999 on Document No. 99-168078 ("Beller-Bowersox"), Multnomah County Deed Records, situated in the Southeast One-quarter of Section 23, Township 2 North, Range 2 West, W.M., Multnomah County, Oregon, more particularly described as follows:

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Containing 7,667 square feet more or less.

NW Rock Creek Road  
County Road No. 1321  
Item No. 2020-10

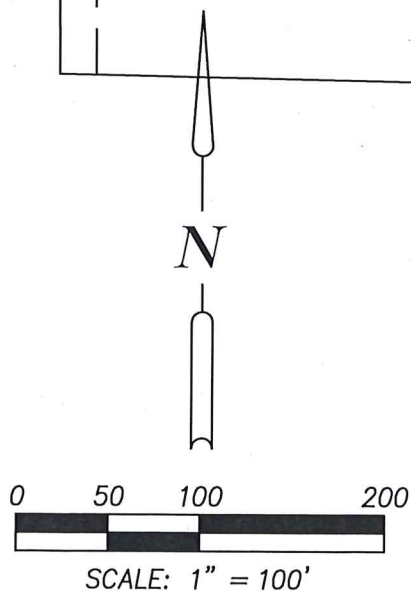
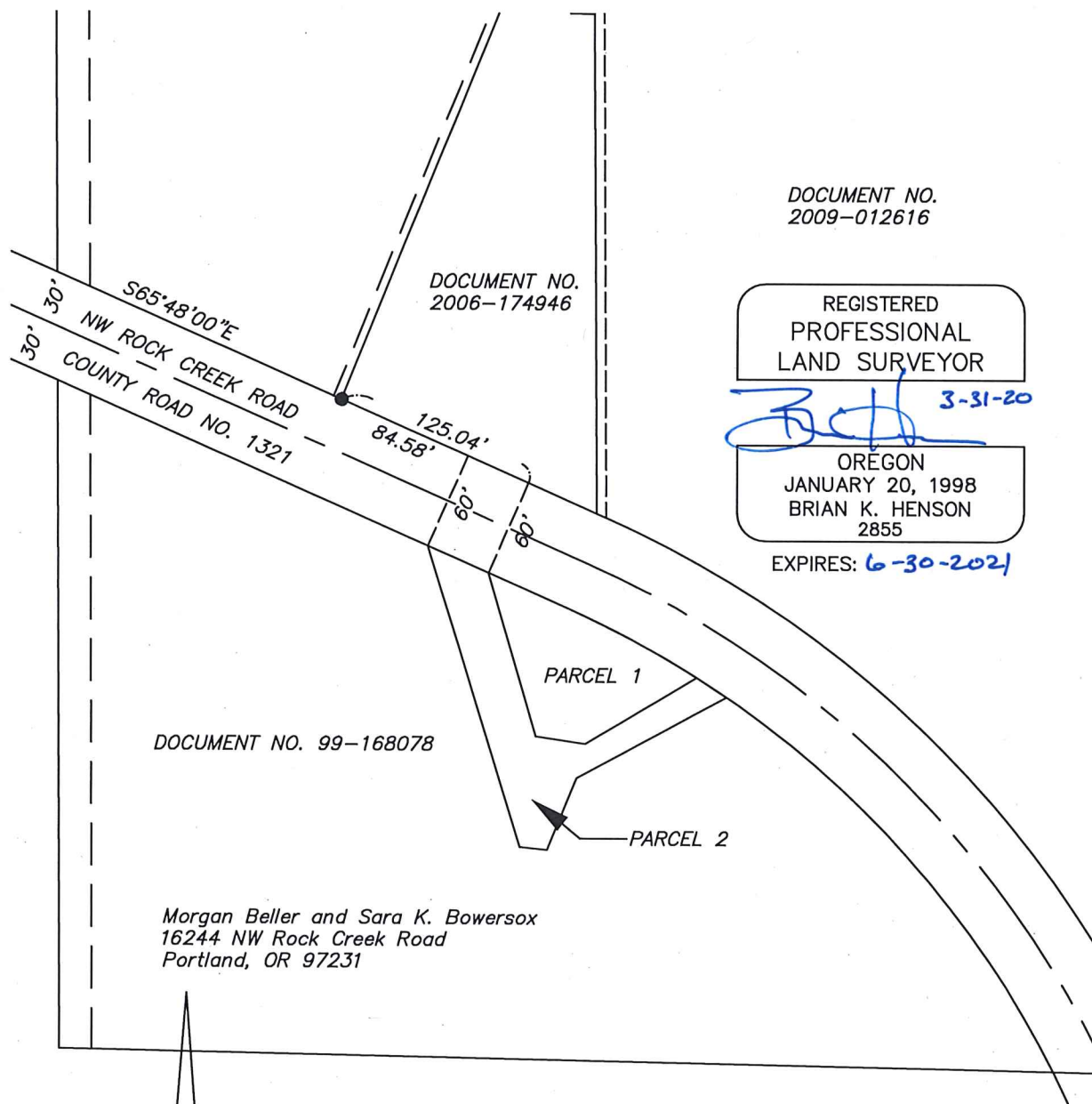


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**Multnomah  
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JAMES S. CLAYTON PLS

COUNTY SURVEYOR

ROCK CREEK CULVERT PROJECT

ITEM NO. 2020-10