

PORTLAND DEVELOPMENT COMMISSION

Portland, Oregon

RESOLUTION NO. 6965

AUTHORIZING THE EXECUTION OF A BARGAIN AND SALE DEED FOR THE DISPOSITION OF REAL PROPERTY LOCATED AT 13328 NE AIRPORT WAY IN THE AIRPORT WAY URBAN RENEWAL AREA TO THE CITY OF PORTLAND

WHEREAS, the Portland Development Commission (“PDC”) is the owner of a 52,816 square foot parcel located at 13328 NE Airport Way (the “Property”), having acquired the Property on July 31, 1989, to facilitate the extension of NE Airport Way from Interstate 205 to NE 181st Street in implementation of the Airport Way Urban Renewal Plan (the “Project”);

WHEREAS, the NE Airport Way extension was constructed by the City of Portland Bureau of Transportation (“PBOT”) with PDC financial assistance;

WHEREAS, the Property is used as a stormwater containment facility for the Project and is managed and maintained by and at the sole expense of the City of Portland but is still owned by PDC; and

WHEREAS, PDC and PBOT desire to consolidate ownership of the Property with other property comprising the Project and owned by PBOT.

NOW, THEREFORE, BE IT RESOLVED, that the Chair and Secretary of the Board of Commissioners are authorized to execute a Bargain and Sale Deed substantially in the form attached hereto as Exhibit A (the “Deed”) to convey the Property to the City of Portland;

BE IT FURTHER RESOLVED, that the Deed may be modified to convey the Property to a different City Bureau, if requested by the City of Portland;

BE IT FURTHER RESOLVED, that the Chair and Secretary of the Board of Commissioners are authorized to make other modifications to the Deed so long as the modifications, in their opinion and in the opinion of the General Counsel, do not materially increase PDC’s obligations or risks; and

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon its adoption.

Adopted by Portland Development Commission on September 12, 2012

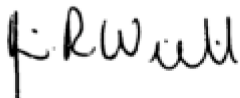


Exhibit A
Bargain and Sale Deed

After recording return to,
and until a change is requested,
all tax statements shall be sent to:

Portland Bureau of Transportation
1120 SW 5th Avenue, Suite 800
Portland, OR 97204

BARGAIN AND SALE DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the **CITY OF PORTLAND**, a municipal corporation of the State of Oregon, acting by and through the **PORTLAND DEVELOPMENT COMMISSION**, as the duly designated Urban Renewal Agency of the City of Portland (which, together with any successor public agency designated by or pursuant to law, is herein called "PDC"), does hereby grant, bargain, sell and convey to **CITY OF PORTLAND**, a municipal corporation of the State of Oregon, acting by and through the **PORTLAND BUREAU OF TRANSPORTATION** ("PBOT"), and unto its successors and assigns, all right, title and fee interest in and to the following described real property, with the tenements, hereditaments and appurtenances (herein called the "Property"), situated in the County of Multnomah and State of Oregon:

SEE EXHIBIT A ATTACHED HERETO

AND INCORPORATED HEREIN BY THIS REFERENCE

Consideration for this conveyance is \$0. The true consideration for this conveyance consists entirely of other value.

The conveyance is subject to the following:

This Deed is made by PDC pursuant to powers exercised by it under Oregon Revised Statutes Chapter 457, and Chapter XV of the Charter of the City of Portland, and with use restrictions consistent with and for the purpose of carrying out an urban renewal plan for the Airport Way Urban Renewal Plan as has or may be amended.

TO HAVE AND TO HOLD the same unto the said PBOT and unto its successors and assigns forever.

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, AND 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, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, PDC has caused this Deed to be executed this ____ day of _____, 2012.

PDC:

CITY OF PORTLAND, a municipal corporation of the State of Oregon, acting by and through the PORTLAND DEVELOPMENT COMMISSION, as the duly designated Urban Renewal Agency of the City of Portland

By: _____
J. Scott Andrews, Chairman

By: _____
John C. Mohlis, Secretary

APPROVED AND ACCEPTED BY PBOT:

CITY OF PORTLAND, a municipal corporation of the State of Oregon, acting by and through the Portland Bureau of Transportation

By: _____
Name: _____
Title: _____

STATE OF OREGON)
) ss.
County of Multnomah,)

The foregoing instrument was acknowledged before me this _____ day of _____, 2012 by J. Scott Andrews, as Chairman of the Portland Development Commission, on its behalf.

Notary Public of Oregon
Commission Expires: _____

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me this ____ day of _____,
2012 by J. Scott Andrews, as the Chairman of the Portland Development Commission.

Notary Public of Oregon
Commission Expires: _____

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me this ____ day of _____,
2012 by John C. Mohlis, as the Secretary of the Portland Development Commission.

Notary Public of Oregon
Commission Expires: _____

EXHIBIT "A"

LEGAL DESCRIPTION

A 90.00 foot wide strip of land in Section 23, Township 1 North, Range 2 East of the Willamette Meridian, in the City of Portland, Multnomah County, Oregon, being a portion of that property described as Tract B, in Bargain and Sale Deed to Frank J. and Bess M. Damonte, recorded April 19, 1967, in Book 557, page 448, Multnomah County Deed Records, lying adjacent to, parallel with and East of the West line of said Damonte tract, between the South line of NE Airport Way and the North line of Lot 3, Block 3, Space Industrial Park.

Tax Account No. R318530

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RESOLUTION TITLE:

AUTHORIZING THE EXECUTION OF A BARGAIN AND SALE DEED FOR THE DISPOSITION OF REAL PROPERTY LOCATED AT 13328 NE AIRPORT WAY IN THE AIRPORT WAY URBAN RENEWAL AREA TO THE CITY OF PORTLAND


Adopted by the Portland Development Commission on September 12, 2012

PRESENT FOR VOTE	COMMISSIONERS	VOTE		
		Yea	Nay	Abstain
<input checked="" type="checkbox"/>	Chair Scott Andrews	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Aneshka Dickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner John Mohlis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Commissioner Steven Straus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Commissioner Charles Wilhoite	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Consent Agenda		<input checked="" type="checkbox"/> Regular Agenda		

CERTIFICATION

The undersigned hereby certifies that:

The attached resolution is a true and correct copy of the resolution as finally adopted at a Board Meeting of the Portland Development Commission and as duly recorded in the official minutes of the meeting.

	<p>Date:</p> <p>September 13, 2012</p>
<p>Gina Wiedrick, Recording Secretary</p>	