

RESOLUTION NO. 11-2007

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MILWAUKIE, OREGON DECLARING REMAINING PROPERTY ACQUIRED AS PART OF THE MCLOUGHLIN BOULEVARD IMPROVEMENT PROJECT TO BE SURPLUS AND DIRECTING THE CITY MANAGER OR DESIGNEE TO NEGOTIATE THE TRANSFER OF THE PROPERTY.

WHEREAS, the City acquired fee title to portions of the properties located at 1915 SE Harrison Street and 10700 SE McLoughlin Boulevard (the "Properties") in connection with the McLoughlin Improvement Project from adjacent property owners; and

WHEREAS, the City has no further need or use for remaining portions of the Properties; and

WHEREAS, the properties are substandard undeveloped properties.

NOW, THEREFORE, BE IT RESOLVED, by the City Council, of the City of Milwaukie, Oregon, that:

Section 1. The properties located at 10700 SE McLoughlin Boulevard, not needed for street improvements, one consisting of approximately 18.7 square feet as shown on "Exhibit A-1" and the other consisting of 166 square feet as shown on "Exhibit A-2", is declared surplus to the City's needs, and negotiations to transfer the property is authorized.

Section 2. The property located at 1915 SE Harrison street, not needed for street improvements, consisting of approximately 240 square feet as shown on "Exhibit B", is declared surplus to the City's needs, and negotiations to transfer the property is authorized.

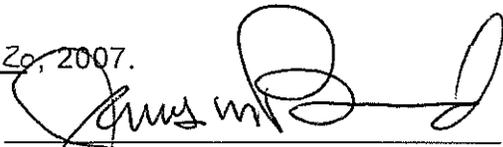
Section 3. The City Manager is authorized to negotiate the sale of the properties described in Section 2 and shall require payment at least equal on a square foot basis to the price paid by the City for the property.

Section 4. The sale shall be by the procedure set forth in Milwaukie Municipal Code Section 3.15.010.

Section 5. This Resolution takes effect upon its adoption.

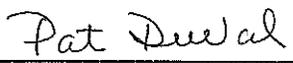
Introduced and adopted by the City Council of the City of Milwaukie, Oregon on 2007.

This resolution is effective on February 20, 2007.


James Bernard, Mayor

ATTEST:

APPROVE AS TO FORM:
Ramis, Crew, Corrigan LLP


Pat DuVal, City Recorder

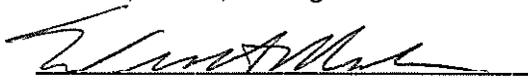

City Attorney

Exhibit A-1

Parcel 1 -- Fee

A parcel of land lying in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon and being a portion of Lot 8, Block 14, TOWN OF MILWAUKIE, a duly recorded plat in Clackamas County and also being all of that property described as "Parcel 1 -- fee" in that Warranty Deed to the City of Milwaukie, a municipal corporation of the State of Oregon, recorded February 1, 2005 in document Number 2005-009154, Clackamas County Deed Records, EXCEPT that portion of said property included in a strip of land variable in width lying on the Easterly side of the center line of the relocated Pacific Highway East (US 99E), which center line is described as follows:

Beginning at Engineer's center line Station "US 99E" 315+00.00, said station being 972.57 feet South and 98.30 feet East from the Southwest corner of Block 28, TOWN OF MILWAUKIE in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M.; thence North 8° 07' 00" West, 490.44 feet; thence on a 3274.04 foot radius curve left (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 10° 41' 04" West, 143.41 feet; thence on a 3274.04 foot radius curve to the right (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 8° 07' 00" West, 558.72 feet; thence on a spiral curve right (the chord of which bears North 4° 21' 20" West, 643.89 feet), 645.00 feet; thence on a 1637.02 foot radius curve right (the long chord of which bears North 4° 03' 05" East, 50.31 feet), 50.31 feet; thence on a spiral curve right (the chord of which bears North 0° 35' 56" East, 399.73 feet), 400.00 feet to Engineer's center line Station "US 99E" 340+91.34 back = Station 340.90.74 ahead; thence North 11° 55' 55" East, 198.87 feet to Engineer's center line Station "US 99E" 342+89.61.

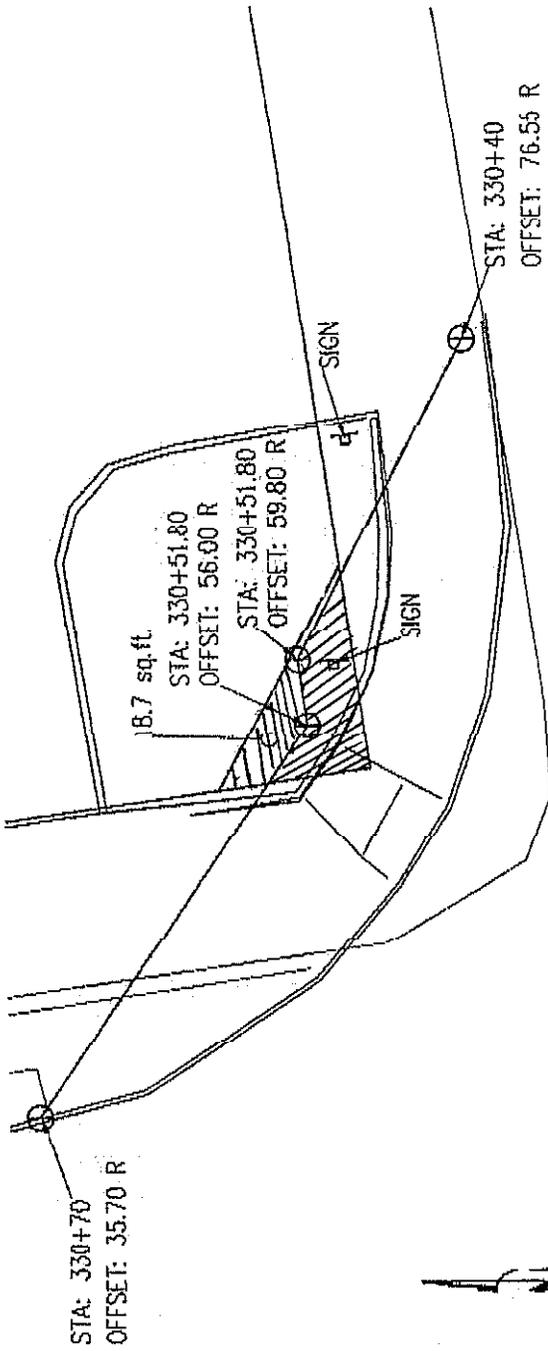
The width in feet of said strip of land is as follows:

<u>"US 99E" Station to</u>	<u>"US 99E Station</u>	<u>Width on Easterly Side of Center Line</u>
330+40.00	330+51.80	76.55 in a straight line to 59.80
330+51.80	330+70.00	56.00 in a straight line to 35.70

Bearings are based on the Oregon Coordinate System of 1983(98), North zone.

This parcel of land contains 18.7 square feet, more or less.

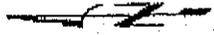
Exhibit A-1



KEY

-  - To be re-sold to owner
-  - R-O-W (convey to DOT)

SCALE: 1"=10'



SE JACKSON STREET

SE McLOUGHLIN BLVD

330+70

Exhibit A - 2

Parcel 1 – Fee

A parcel of land lying in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon and being a portion of Lot 5, Block 14, TOWN OF MILWAUKIE, a duly recorded plat in Clackamas County and also being all of that property described in that Warranty Deed to the City of Milwaukie, a municipal corporation of the State of Oregon, recorded February 1, 2005 in document Number 2005-009154, Clackamas County Deed Records, EXCEPT that portion of said property included in a strip of land variable in width lying on the Easterly side of the center line of the relocated Pacific Highway East (US 99E), which center line is described as follows:

Beginning at Engineer's center line Station "US 99E" 315+00.00, said station being 972.57 feet South and 98.30 feet East from the Southwest corner of Block 28, TOWN OF MILWAUKIE in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M.; thence North 8° 07' 00" West, 490.44 feet; thence on a 3274.04 foot radius curve left (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 10° 41' 04" West 143.41 feet; thence on a 3274.04 foot radius curve to the right (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 8° 07' 00" West, 568.72 feet; thence on a spiral curve right (the chord of which bears North 4° 21' 20" West, 643.89 feet), 645.00 feet; thence on a 1637.02 foot radius curve right (the long chord of which bears North 4° 03' 05" East, 50.31 feet), 50.31 feet; thence on a spiral curve right (the chord of which bears North 9° 35' 56" East, 399.73 feet), 400.00 feet to Engineer's center line Station "US 99E" 340+91.34 back = Station 340.90.74 ahead; thence North 11° 55' 55" East, 198.87 feet to Engineer's center line Station "US 99E" 342+89.61.

The width in feet of said strip of land is as follows:

<u>"US 99E" Station to</u>	<u>"US 99E Station</u>	<u>Width on Easterly Side of Center Line</u>
332+30.07	332+45.35	40.33 in a straight line to 53.76
332+45.35	332+60.00	53.76 in a straight line to 98.52

Bearings are based on the Oregon Coordinate System of 1983(98), North zone.

This parcel of land contains 166 square feet, more or less.

Exhibit A-2

N.81°53'00"E.

SE HARRISON ST

SE McLOUGHLIN BLVD

STA: 332+60
OFFSET: 98.52 R

64.28 sq.ft.
0.0015 acres

STA: 332+30.07
OFFSET: 40.33 R

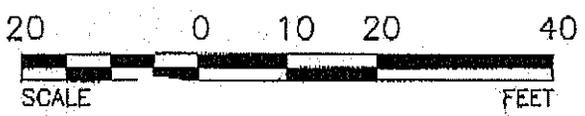
1
2
STA: 332+45.35
OFFSET: 53.76 R
165.62 sq.ft.
0.0038 acres

KEY

-  ROW (Convey to ODOT)
-  - ~~To be re-sold to owner~~
-  - To be re-sold to owner

332

OLSON BROTHERS
ENTERPRISES LLC
88-01620



331

Exhibit B

Parcel 1 – Fee

A parcel of land lying in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M., Clackamas County, Oregon and being a portion of Lot 1, Block 1, LEWELLING PARK, a duly recorded plat in Clackamas County and also being all of that property described in that Deed to the City of Milwaukie, a municipal corporation of the State of Oregon, recorded June 6, 2005 in document Number 2005-051695, Clackamas County Deed Records, EXCEPT that portion of said property included in a strip of land variable in width lying on the Easterly side of the center line of the relocated Pacific Highway East (US 99E), which center line is described as follows:

Beginning at Engineer's center line Station "US 99E" 315+00.00, said station being 972.57 feet South and 98.30 feet East from the Southwest corner of Block 28, TOWN OF MILWAUKIE in the Northeast one-quarter of Section 35, Township 1 South, Range 1 East, W.M.; thence North 8° 07' 00" West, 490.44 feet; thence on a 3274.04 foot radius curve left (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 10° 41' 04" West, 143.41 feet; thence on a 3274.04 foot radius curve to the right (the long chord of which bears North 9° 24' 02" West, 146.72 feet), 146.73 feet; thence North 8° 07' 00" West, 568.72 feet; thence on a spiral curve right (the chord of which bears North 4° 21' 20" West, 643.89 feet), 645.00 feet; thence on a 1637.02 foot radius curve right (the long chord of which bears North 4° 03' 05" East, 50.31 feet), 50.31 feet; thence on a spiral curve right (the chord of which bears North 9° 35' 56" East, 399.73 feet), 400.00 feet to Engineer's center line Station "US 99E" 340+91.34 back = Station 340.90.74 ahead; thence North 11° 55' 55" East, 198.87 feet to Engineer's center line Station "US 99E" 342+89.61.

The width in feet of said strip of land is as follows:

<u>"US 99E" Station to</u>	<u>"US 99E Station</u>	<u>Width on Easterly Side of Center Line</u>
333+05.00	333+17.80	91.79 in a straight line to 67.23
333+17.80	333+45.00	53.16 in a straight line to 34.31

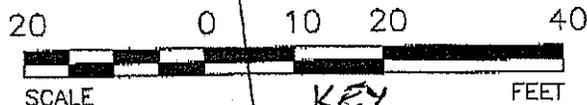
Bearings are based on the Oregon Coordinate System of 1983(98), North zone.

This parcel of land contains 240 square feet, more or less.

Exhibit B

GALE O. TR 91-

334
SE McLOUGHLIN BLVD



KEY

- ROW (convey to ODOT)
- To be re-sold to owner

L & B HOLZMAN LLC
98-29746

DRY
D
CCK
1/G
CCK

Sta. 332+80.00
"17TH" 19+70.55

STA: 333+45
OFFSET: 34.31 R

Sta. 332+78.71
"HA" 0+00.00

239.97 sq.ft.
0.0055 acres

STA: 333+17.80
OFFSET: 53.16 R

STA: 333+17.80
OFFSET: 67.23 R

171.29 sq.ft.
0.0039 acres

STA: 333+05
OFFSET: 91.79 R

333

N.81°53'00"E.

SE HARRISON ST

STA: 332+60