



FINAL AGENDA

FORREST C. SOTH CITY COUNCIL CHAMBER
4755 SW GRIFFITH DRIVE
BEAVERTON, OR 97005

REGULAR MEETING
OCTOBER 3, 2005
6:30 P.M.

CALL TO ORDER:

ROLL CALL:

PROCLAMATIONS:

PRESENTATIONS:

Economic Development Presentation

VISITOR COMMENT PERIOD:

COUNCIL ITEMS:

STAFF ITEMS:

CONSENT AGENDA:

05174 Transfer of Two Properties from Washington County with Stormwater
Quality Structures

PUBLIC HEARINGS:

ORDINANCES:

EXECUTIVE SESSION:

In accordance with ORS 192.660 (2) (h) to discuss the legal rights and duties of the governing body with regard to litigation or litigation likely to be filed and in accordance with ORS 192.660 (2) (e) to deliberate with persons designated by the governing body to negotiate real property transactions and in accordance with ORS 192.660 (2) (d) to conduct deliberations with the persons designated by the governing body to carry on labor negotiations. Pursuant to ORS 192.660 (3), it is Council's wish that the items discussed not be disclosed by media representatives or others.

ADJOURNMENT

This information is available in large print or audio tape upon request. In addition, assistive listening devices, sign language interpreters, or qualified bilingual interpreters will be made available at any public meeting or program with 72 hours advance notice. To request these services, please call 503-526-2222/voice TDD.

AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**

SUBJECT: Transfer of Two Properties from
Washington County with Stormwater Quality
Structures

FOR AGENDA OF: 10-03-05 **BILL NO:** 05174

Mayor's Approval: 

DEPARTMENT OF ORIGIN: Operations 

DATE SUBMITTED: 09-20-05

CLEARANCES: Finance 
City Attorney 
Planning 

PROCEEDING: CONSENT AGENDA

- EXHIBITS:**
1. Bargain and Sale Deed with Property Description for Tax Lot ID# 1S133BB-07500
 2. Bargain and Sale Deed with Property Description for Tax Lot ID# 1S120BB-05200
 3. Maps of Property Locations

BUDGET IMPACT

EXPENDITURE	AMOUNT	APPROPRIATION
REQUIRED None	BUDGETED n/a	REQUIRED n/a

HISTORICAL PERSPECTIVE:

In 1994, when Washington County completed a series of major improvements to Murray Blvd., stormwater filters were installed in vaults at two locations to treat surface and stormwater flowing from catch basins prior to emptying into nearby streams and creeks. These stormwater filter vaults were placed on two tracts of land that have remained in County ownership.

INFORMATION FOR CONSIDERATION:

Although Murray Blvd. is a County Road, the storm and surface water system is the responsibility of the City by agreement with Clean Water Services. City employees have cleaned and maintained the stormwater filters which are part of the storm and surface water system for a number of years. In recognition of these facts, the County has proposed the transfer of ownership of the two parcels on which these stormwater filter vaults are situated. As there are no direct fiscal impacts resulting from the transfer of ownership, staff supports the transfer.

RECOMMENDED ACTION:

Authorize the Mayor to sign the Bargain and Sale Deeds.

After recording please return to: GRANTEE

Tax statements shall be sent to the GRANTEE:

GRANTEE: City of Beaverton
P.O. Box 4755
4755 SW Griffith Drive
Beaverton, OR 97076

BARGAIN AND SALE DEED

THIS INDENTURE made this 23rd day of August, 2005, by and between WASHINGTON COUNTY, a political subdivision of the State of Oregon (Grantor), and City of Beaverton, a municipal corporation of the State of Oregon (Grantee):

WHEREAS, County has acquired the property herein described, and

WHEREAS, ORS 271.310(2) grants political subdivisions the power to relinquish title to land to another governmental body; and

NOW, THEREFORE, for the consideration stated, County conveys to Grantee, the real property described on Exhibit A hereto and made a part hereof, on the condition the property shall be used for not less than 20 years for a public purpose by the City of Beaverton. If the property or any portion thereof is used for purposes other than public purposes, title to the property or portions thereof used for purposes other than public purposes shall automatically revert to and vest in Grantor.

The true and actual consideration for this conveyance is none.

“THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AND DEFINED IN ORS 30.930.”

IN WITNESS WHEREOF, County has caused this Deed to be executed by its Chair of the Board of County Commissioners this 23 day of August, 2005, pursuant to Board Minute Order No. 05-10, dated January 4, 2005.

WASHINGTON COUNTY, OREGON

Tom Brian
Chair, Board of County Commissioners

APPROVED AS TO FORM:

[Signature]
Office of County Counsel

Barbara Hejtmanek
Recording Secretary

This instrument was acknowledged before me on August 23, 2005, by Tom Brian, personally known to me as the Chair (Vice-Chair) of the Washington County Board of County Commissioners, on behalf of whom this Deed was executed.



Barbara Hejtmanek
Notary Public of Oregon
My Commission Expires: 8-11-07

Accepted for the City of Beaverton:

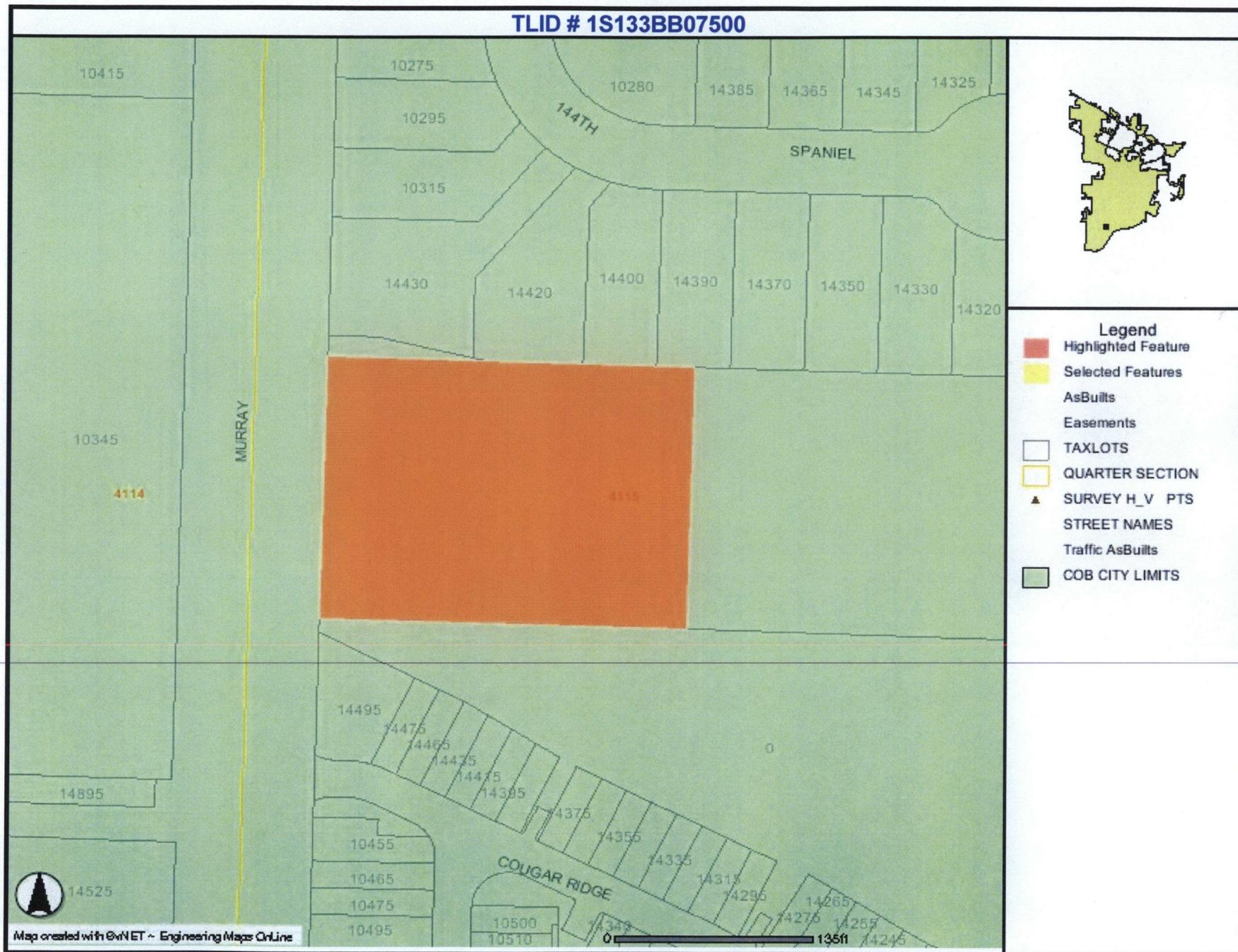
By: _____
Mayor

Approved as to Form:

By: _____
City Attorney

EXHIBIT "A"

Parcel 1, "PARTITION PLAT NO. 1993 - 030", a duly recorded partition, situated in the Northwest one-quarter of Section 33, Township 1 South, Range 1 West of the Willamette Meridian, in the City of Beaverton, Washington County, Oregon.
Contains 47,628 square feet (1.093 Acres), more or less.



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WASHINGTON COUNTY, OREGON

Tom Brian
Chair, Board of County Commissioners

APPROVED AS TO FORM:

Janetta Shumard
Office of County Counsel

Barbara Hejtmanek
Recording Secretary

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Barbara Hejtmanek
Notary Public of Oregon
My Commission Expires: 8-11-07

Accepted for the City of Beaverton:

By: _____
Mayor

Approved as to Form:

By: _____
City Attorney

EXHIBIT "A"

A portion of Section 20, Township 1 South, Range 1 West, Willamette Meridian, Washington County, Oregon, more particularly described as follows:

Beginning at a point on the East line of said Section 20, 2130.8 feet South of the Northeast corner thereof; thence South $89^{\circ}26'$ West, 30 feet to a point on the west line of the County Road known as Southwest 145th Avenue, said point being the northeast corner of that certain tract described in Deed to Harold L. Ross, et ux, recorded March 3, 1965, in Book 542, Page 612, Records of Washington County, Oregon, and the true point of beginning of herein described premises; thence South $89^{\circ}26'$ West along the north line of said Ross tract and the Westerly extension thereof, 204.5 feet to a point; thence North 101 feet to a point on the north line of that certain tract described in Deed to William C. Taylor, et ux, recorded March 3, 1965, in Book 542, Page 611, said records; thence North $89^{\circ}26'$ East along the north line of said Taylor tract, 204.5 feet to a point on the west line of Southwest 145th Avenue; thence South along the west line of Southwest 145th Avenue, 101 feet to the true point of beginning.
The parcel of land to which this description applies contains 16,815 square feet (0.386 acres), more or less.

