



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

August 10, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of Board Order and Quitclaim Deed authorizing transfer of 5 parcels to Water Environment Services. No fiscal impact. No County General Funds are involved.

Previous Board Action/Review	Briefed at Executive Session June 13, 2023. Briefed at Issues August 8, 2023.		
Performance Clackamas	1. The purpose of the Department of Transportation and Development (DTD)/Property Disposition program is to provide management and disposition of tax foreclosed properties for Clackamas County, taxing entities and the public so they can benefit from the assets being re-purposed for public benefit or returned to the tax rolls. Conveying county-owned properties advances the goal of repurposing properties for public benefit or returning them to the tax rolls. 2. Build public trust through good government by conducting property transactions in a transparent manner.		
Counsel Review	Yes, K. Rastetter & A. Keller	Procurement Review	No
Contact Person	D'Anne Rome	Contact Phone	503-742-4384

EXECUTIVE SUMMARY: DTD/Property Disposition requests approval to transfer five (5) parcels to Water Environment Services (WES) based on the “Clackamas County Policy for Sale and Transfer of County Surplus Property” to governmental agencies per ORS 271.330 (3), for no consideration.

In preparing property for the June Public Oral Auction, DTD/Property Disposition circulated a list of proposed sale properties to surrounding governmental agencies for review. Each agency, under the “Clackamas County Policy for Sale and Transfer of County Surplus Property,” can request a property be transferred to them for

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public purposes. WES has submitted such a request for five parcels so that they may maintain these areas properly as natural/wetland areas. Maps of the parcels are attached.

All five parcels were received via tax foreclosure and are unique in nature. 22E01DB10100 & 22E03DA02400 are storm water retention ponds, 22E08CD00510 & 22E08CD00511 are natural area/wetlands, and 27E30C 00500 is undeveloped forested land, the majority of which lies within the Sandy River 100-year migration hazard zone except for an existing wastewater pump station and pipeline that WES was granted permanent easement to in 1990.

WES's mission & purpose is to produce clean water, protect water quality, the natural environment and recover renewable resources. They provide wastewater services, storm water management, and environmental education. Historically WES has assisted in maintaining these parcels because of their unique nature and transferring them permanently to their portfolio would ensure the continuous, proper maintenance of these natural/wetland areas.

Recommendation: Staff recommends approval of transferring parcels 22E01DB10100, 22E03DA02400, 22E08CD00510, 22E08CD00511 & 27E30C 00500 to Water Environment Services/WES.

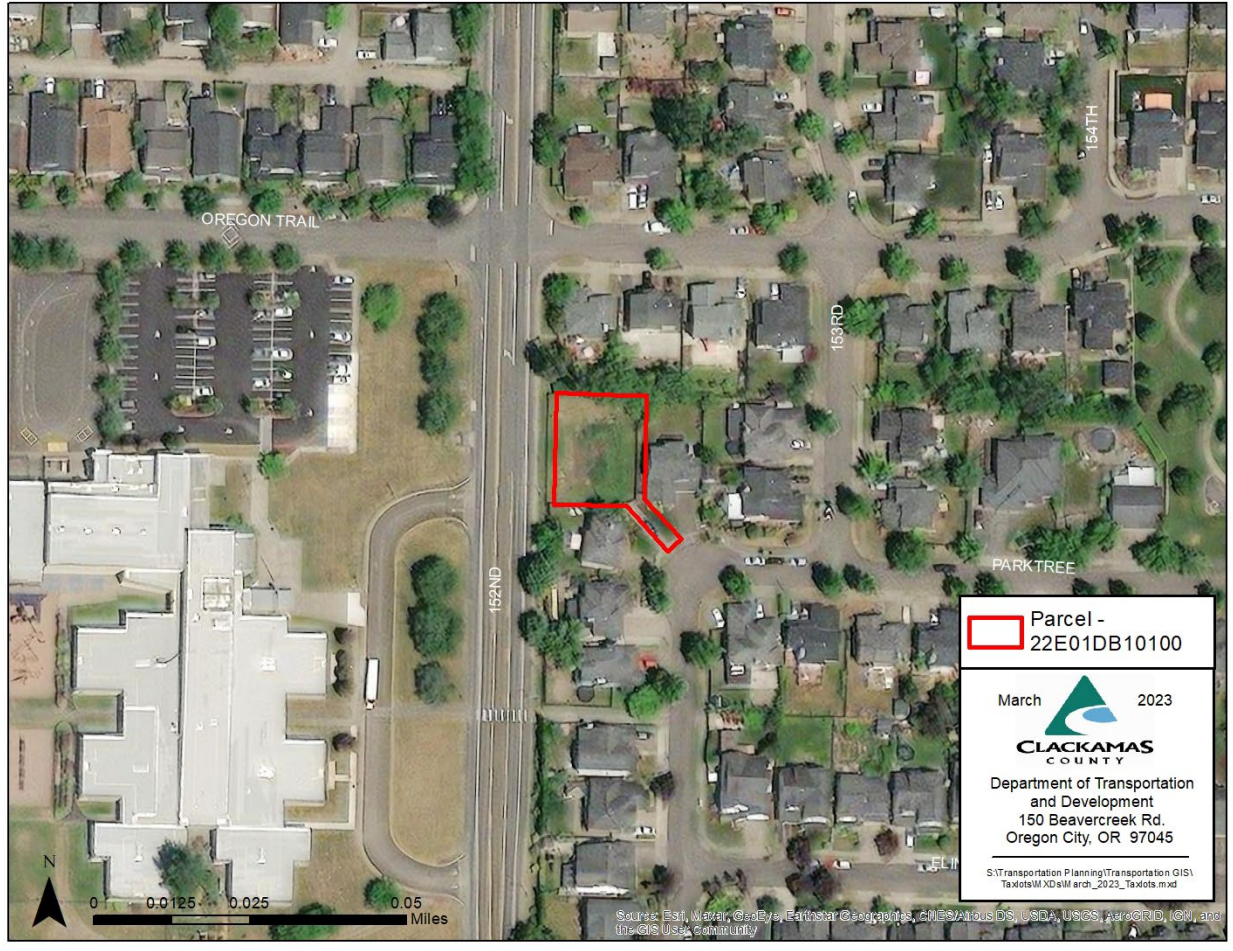
Respectfully submitted,

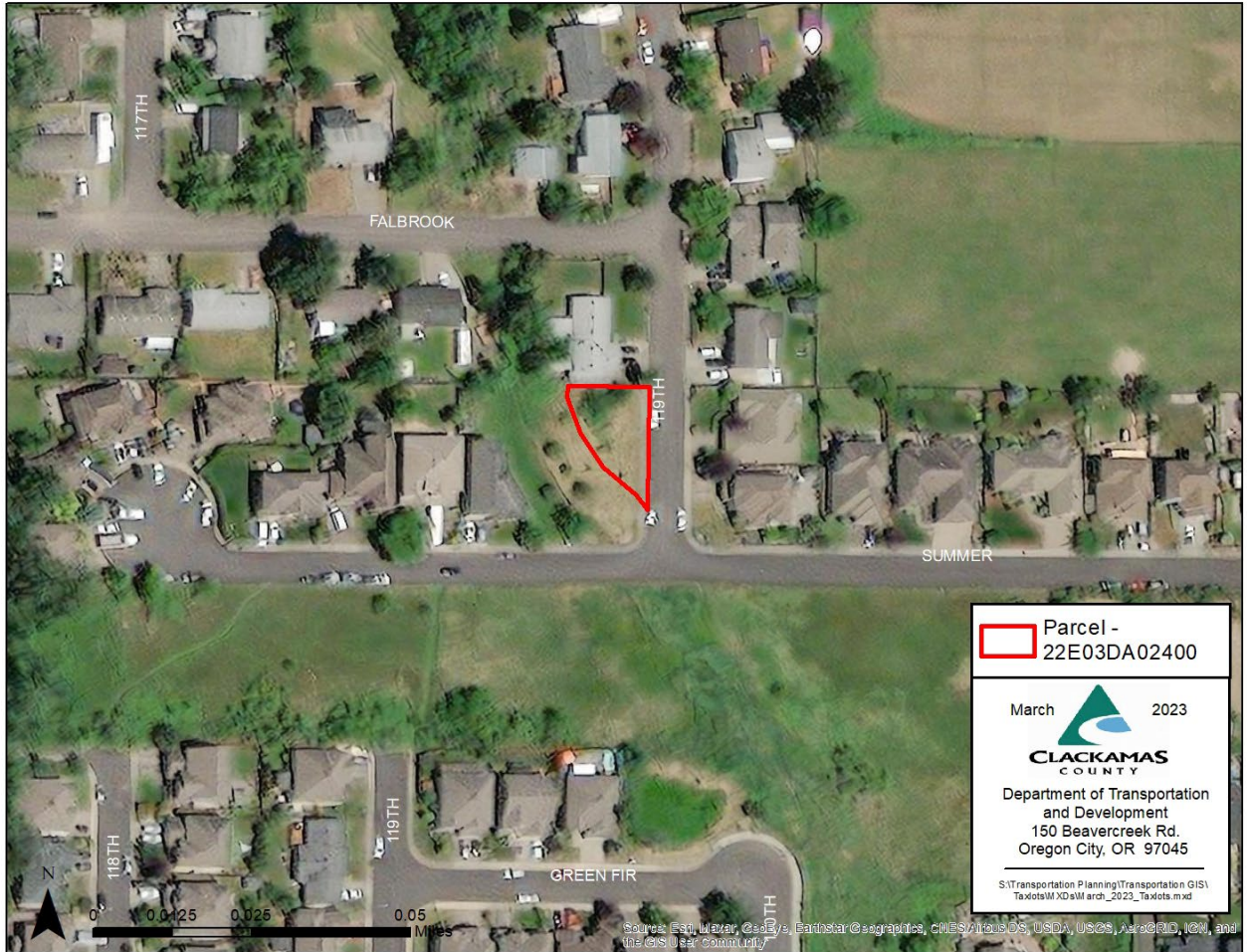
Dan Johnson

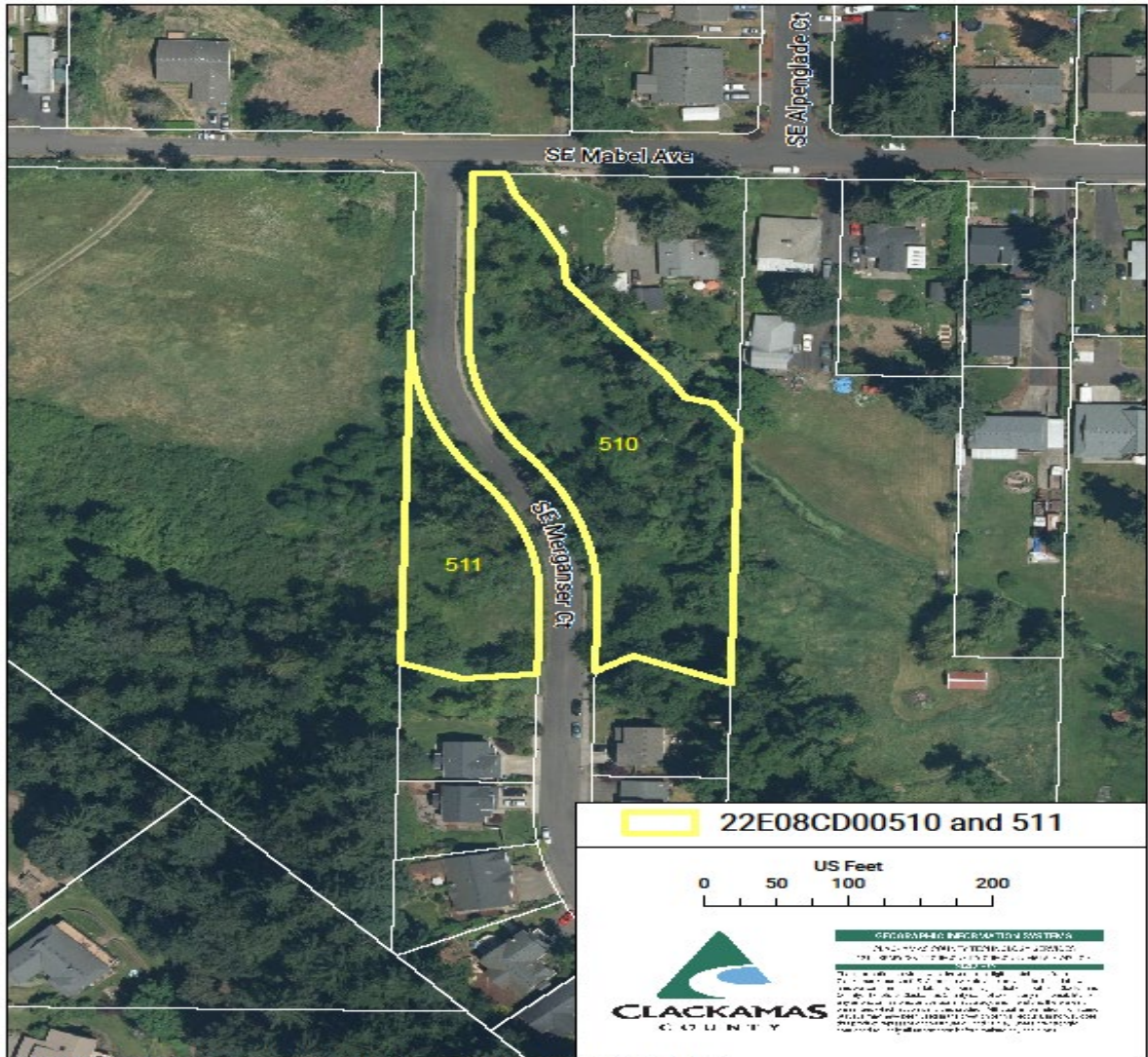
Dan Johnson, Director
Department of Transportation & Development

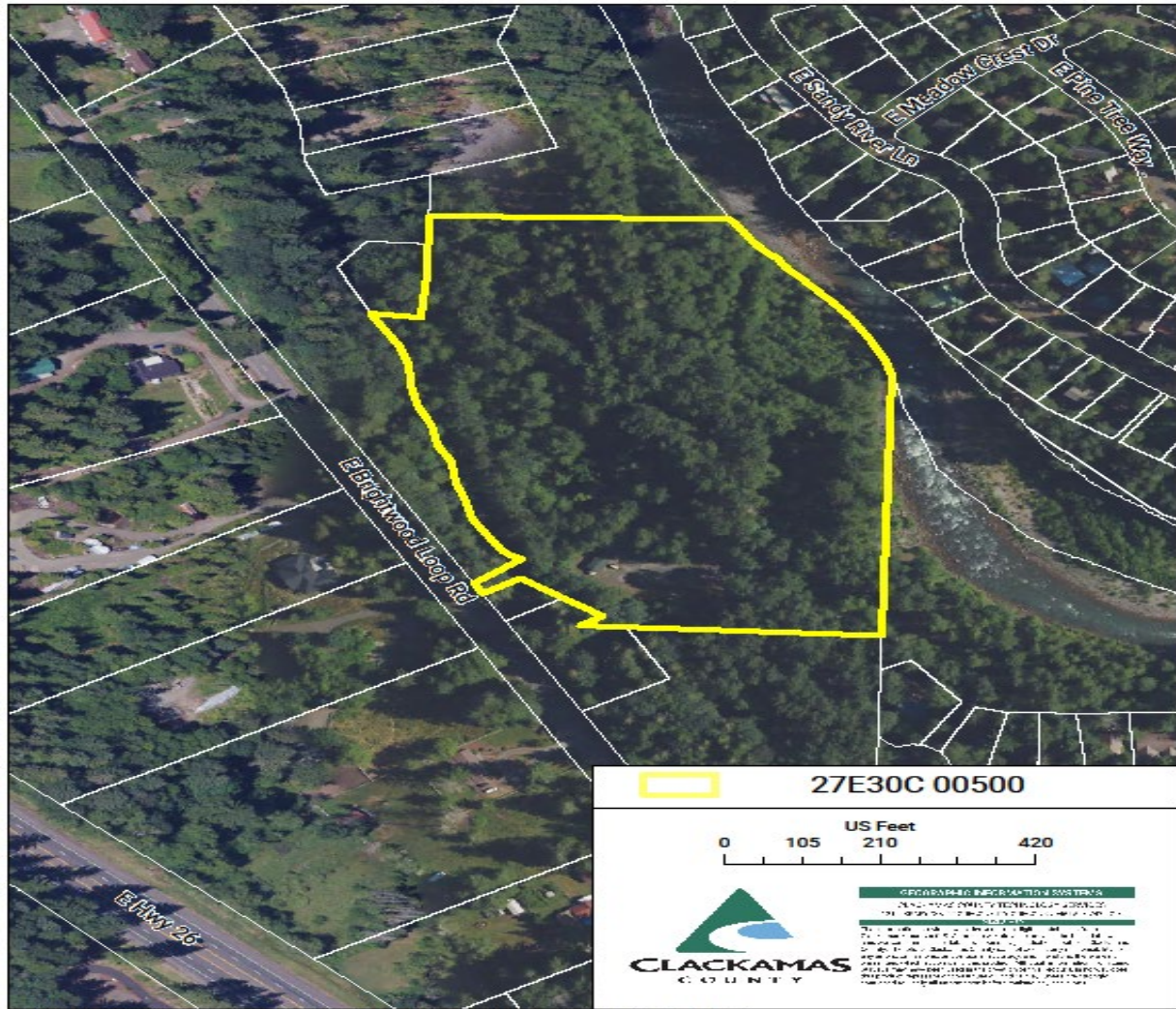
Attachments:

1. **Attachments A-D (Maps)**
2. **Quit Claim Deed**
3. **Board Order**









**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Approving The
Transfer of Real Property To Water
Environment Services



Board Order No. _____
Page 1 of 3

Whereas, this matter coming before the Board at this time, and it appearing that Clackamas County wishes to transfer all rights, title and interest in the real estate described in *Exhibit A*;

Whereas, it further appearing that pursuant to ORS 271.330 (3) that his Board has the authority to transfer real property owned by the County through foreclosure; and

Whereas, it further appearing that County staff have determined that this transfer of real property furthers the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED that Clackamas County transfer by quitclaim deed the real estate described in Exhibit A to Water Environment Services.

DATED this ____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

EXHIBIT A

Legal Description

Parcel I: (22E01DB10100)

Tract C, Oregon Trail Estates, in Clackamas County and State of Oregon.

Parcel II: (22E30DA02400)

The North 9 acres of the South 5 chains of the Northeast quarter of the Southeast quarter of Section 3, Township 2 South, Range 2 East of the Willamette Meridian, Clackamas County, Oregon.

Except for that tract of land conveyed March 27, 1972 to Richard Walker Kolin, et ux recorded in Clackamas County Deed Records on March 27, 1972 in Book 72, Page 8049, described as follows:

Beginning at the Northeast corner of Lot 1, Echo Valley, thence West along the South line of that tract conveyed to Robert Tubbs, et ux, by deed recorded July 3, 1962 in Book 606, Page 299 a distance of 1320 feet to the quarter section line; thence North 133 feet to a point on said line; thence East 1320 feet, more or less, to a point in the center of 122nd Avenue, said point being on the East line of said section; thence South 133 feet to a point; thence West 20 feet to the point of beginning.

Parcel III: (22E08CD00510)

Tract A, Merganser, in the County of Clackamas and State of Oregon.

Parcel IV: (22E08CD00511)

Tract B, Merganser, in the County of Clackamas and State of Oregon.

Parcel V: (27E30C 00500)

That part of the following described parcel of land lying north and east of the Mt Hood Loop Hwy in the NW ¼ SW¼ of Sec 30 R2S R7E WM:

Beginning at the most westerly corner of the Mt Hood Silver Fox Farm tract as described in Book 183 of Deeds, page 391;

then S 60°W 275.0 feet more or less to the West line of said Sec 30;

then North on section line 1150.0 feet, more or less, to the most southerly corner of a tract of land under contract to L.O. Wing containing 1.32 acres;

then N 58°, 50' E along the southerly line of said Wing tract 400.0 feet, more or less to the easterly side line of the Mt. Hood Loop Hwy;

then Northwesterly along the easterly side line of the said Mt Hood Loop Hwy 300.0 feet, more or less to the most southerly corner of a 1.25 acre tract conveyed to Mark P Rowan in Book 220 of Deeds at page 48;

then N 52° 30' E 240.0 feet, more or less, to the most easterly corner of Hark P Rowan tract;

then continue northeasterly on same course 30.0 feet, more or less, to the westerly side of a tract of land conveyed to Lenora A Shulte in Book 188 of Deeds page 484;

then southerly along the westerly side of the tracts conveyed in Book 188 of deeds page 484, 188 of deed page 484, 188 of Deeds page 485, 188 of deeds page

EXHIBIT A

Legal Description Con't

208 and 199 of Deeds page 129 to the southwest corner of the tract conveyed in 199 of Deeds page 129;

then N 73° 30' E 147.0 feet to the southeasterly corner of said tract described in Book 199 of Deeds page 129;

Then run northeasterly on a straight line 500.0 feet more or less to the most southerly corner of Rowan's Shadow Park as described on Plat Book 21, page 19;

then N 48° 30' E 160.0 feet to an angle point in said plat;

then N 48° 30' W 168.2 feet to an angle point in said plat;

then north 488.0 feet to angle point in said plat;

then North 45° 00' W 42.47 feet, more or less to the 1/16th line;

then east on the 1/16th section line 550.0 feet, more or less, to the 1/6 section corner in the center of the NW ¼ of section 30;

then south on 1/6th section line 2170.0 feet, more or less to the northeast corner of Mt. Hood Silver Fox Farm tract described in Book 183 of Deeds at page 391 aforesaid;

then west on the north line of said Mt. Hood Silver Fox Farm tract 450.0 feet, more less, to the easterly side line of the Mt. Hood Loop Highway;

then S 60° 00' W on northwest boundary of said last named tract in Book 183 of Deeds page 391, 771.0 feet, more or less to the place of beginning, except therefrom, those certain parcels of land situated in the said NW ¼ SW ¼ north and east of the Mt. Hood Loop Highway of Sec 30 described in book 360 page 388 (27E30C 00300), Book 583 Page 485 (27E30C 00400), Book 611 page 307 (27E30C 00700), Book 615 page 789 (27E30C 00800), of Clackamas County Deed records.

And except all that part in the Northeast quarter of the Southeast quarter lying Northeasterly of the Sandy River in Section 30, T2S R7E in (1990- 028825 tax lot 00501 which is now part of 27E30CA10900) Clackamas County, State of Oregon.

After recording return to:

Clackamas County
Property Disposition
150 Beaver Creek Road, 3rd Floor
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:

Water Environment Services
150 Beaver Creek Rd., 4th Floor
Oregon City, OR 97045

QUITCLAIM DEED

CLACKAMAS COUNTY, OREGON, a political subdivision of the State of Oregon, Grantor, releases, and quitclaims to Water Environment Services, Grantee, all its rights, title and interest in that real property situated in Clackamas County, Oregon, and being described as follows:

See Exhibit A (the "Property").

Grantee shall use the Property acquired hereby as open space, parks, or natural areas for perpetual public purpose. If Grantee uses said Property for a non-public purpose inconsistent with this quitclaim during this time, it shall revert to Grantor upon recordation by Grantor of an instrument so stating in the official records.

The true and actual consideration being paid for this transfer is \$0. This amount excludes any amount for liens, mortgages, contract, indebtedness, or other encumbrances existing against the above-described real property to which the Property remains subject or which the Grantee agrees to pay or assume.

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.

*Clackamas County, Oregon approved by its Board of County Commissioners by Board Order Number **2023-** .*

Dated this the _____ day of _____, 2023.

CLACKAMAS COUNTY

Tootie Smith, Chair,
Clackamas County Board of County Commissioners

State of Oregon }
County of Clackamas }

This document was acknowledged before me on _____ day of _____

2023, by _____ as Chair of the Clackamas County

Board of County Commissioners.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A to Quit Claim Deed

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EXHIBIT A to Quit Claim Deed

Legal Description

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then N 58°, 50' E along the southerly line of said Wing tract 400.0 feet, more or less to the easterly side line of the Mt. Hood Loop Hwy:

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then southerly along the westerly side of the tracts conveyed in Book 188 of deeds page 484, 188 of deed page 484, 188 of Deeds page 485, 188 of deeds page 208 and 199 of Deeds page 129 to the southwest corner of the tract conveyed in 199 of Deeds page 129;

then N 73° 30' E 147.0 feet to the southeasterly corner of said tract described in Book 199 of Deeds page 129;

Then run northeasterly on a straight line 500.0 feet more or less to the most southerly corner of Rowan's Shadow Park as described on Plat Book 21, page 19;

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then N 48° 30' W 168.2 feet to an angle point in said plat;

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then North 45° 00' W 42.47 feet, more or less to the 1/16th line;

then east on the 1/16th section line 550.0 feet, more or less, to the 1/6 section corner in the center of the NW ¼ of section 30;

then south on 1/6th section line 2170.0 feet, more or less to the northeast corner of Mt. Hood Silver Fox Farm tract described in Book 183 of Deeds at page 391 aforesaid;

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From: [Rome, D'anne](#)
To: [Phillips, Lori](#)
Subject: ***CONSENT AGENDA - WES Transfer Docs Final Docs
Date: Tuesday, July 18, 2023 4:49:15 PM
Attachments: [WES Staff Report.final.docx](#)
[Board Order WES Transfers.final.docx](#)
[QUITCLAIM DEED.final.docx](#)
[Appendix A Legal Desc.docx](#)

Good afternoon,

Attached are the final, edited documents for the WES transfers that I am hoping to add to next week's consent agenda if possible.

Below is Kathi's approval statement which is a new required step when submitting packets to the Board Clerk.

Hi D'anne,

By this email counsel approves of the transfer. If there is something additional required let us know.

Kathi

Kathleen Rastetter
503-742-5398
Clackamas County

From: Johnson, Dan <danjoh@clackamas.us>
Sent: Tuesday, July 18, 2023 4:07 PM
To: Rome, D'anne <DRome@clackamas.us>
Cc: Eckman, Sarah <SarahSte@clackamas.us>; Phillips, Lori <loriphi@clackamas.us>
Subject: RE: WES Transfer Docs

These look good.

Lori, Consider this my approval once D'Anne sends the packets back.

Dan Johnson | Director

Pronouns: he | him

Office of the Director

Clackamas County Department of Transportation & Development

150 Beaver Creek Road, Oregon City, OR 97045

503-742-4325

Hours of Operation: Mon – Fri, 7 a.m. - 4 p.m.

www.clackamas.us

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Were you happy with the service you received today?



From: Rome, D'anne <DRome@clackamas.us>

Sent: Tuesday, July 18, 2023 2:52 PM

To: Johnson, Dan <danjoh@clackamas.us>

Cc: Eckman, Sarah <SarahSte@clackamas.us>

Subject: WES Transfer Docs

Good afternoon,

These documents have been reviewed by Kathi & Amanda & reflect their requested changes. Can you please review and let me know if you have further edits. I am hoping to have this placed on next week's consent agenda.

Thanks,

D'Anne

D'Anne Rome

Property Resource Agent

Department of Transportation and Development | Clackamas County

Property Disposition

DRome@clackamas.us

971-346-0395

150 Beavercreek Road, Oregon City, OR 97045

www.clackamas.us

**My office hours are Monday through Thursday 6:30 a.m. to 5 p.m.*

Were you happy with the service you received today?



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