



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

January 5, 2023

BCC Agenda Date/Item: \_\_\_\_\_

Board of County Commissioners  
Clackamas County

**Approval of a Board Order and Quitclaim Deed transferring two taxlots to the City of Oregon City. Sale value is \$13,887. Funding is through the City of Oregon City. No County General Funds are involved.**

<b>Previous Board Action/Review</b>	Discussed in executive session on December 13, 2022. Briefed at Issues on January 4, 2023.		
<b>Performance Clackamas</b>	1. The purpose of the Department of Transportation and Development (DTD)/Property Disposition program is to provide management and disposition of tax foreclosed properties and non-performing timberlands to 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.		
<b>Counsel Review</b>	11/28/2022, KR	<b>Procurement Review</b>	No
<b>Contact Person</b>	Sarah Eckman	<b>Contact Phone</b>	503-894-3135

**EXECUTIVE SUMMARY:** Parcels 01833234/ 22E32AC05800 & 01833243/ 22E32AC05900 were received in tax foreclosure in 2021 for \$6033.78 each in delinquent taxes per deed 2021-093160. The nearest cross streets are Trillium Park Dr. & Canyon Ct. in Oregon City. The address assigned to 22E32AC05800 is 17314 Trillium Park Dr., 22E32AC05900 has not been assigned an address. The parcels are .37 acres. & .19 acres. A map of the parcels is attached to this memo.

In preparing property for our last Public Oral Auction, Clackamas County Property Disposition circulated a listing 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," has the ability to request a property be transferred to them for public purposes.

The City of Oregon City submitted such a request for these parcels.

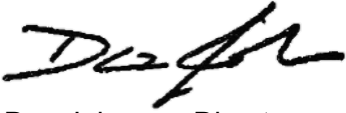
Portions of Trillium Park Drive have been experiencing a slow moving landslide since its construction in 1999. In 2017, during a period of intense precipitation, the area experienced a landslide. This caused impacts to the utility infrastructure and required closure of the roadway. The City of Oregon City has repaired the utilities, and is working to abandon the roadway. Acquisition of these properties will further the city's plan to mitigate future landslide concerns.

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**RECOMMENDATION:** Staff respectfully recommends approval of selling parcels 01833234/ 22E32AC05800 & 01833243/ 22E32AC05900 to the City of Oregon City for \$13,887.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dan Johnson', written in a cursive style.

Dan Johnson, Director  
Department of Transportation & Development

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

In the Matter of Approving The  
Transfer of Real Property



Board Order No. \_\_\_\_\_

**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 as follows:

*Beginning at a point on the Easterly side of Trillium Park Drive, said point also being the most northwesterly corner of Lot 56, TRILLIUM PARK NO. 3, in the City of Oregon City, County of Clackamas and State of Oregon; thence South 73°41' 45" East 52.36 feet; thence South 85°7' 33" East 38.18 feet; thence North 89° 39' 01" East 23.63 feet; thence South 70° 52'52" East 35.59 feet; thence South 44° 37'24" East 34.58 feet; thence South 53° 8'17" East 45.38 feet; thence South 60° 30'8" West 35.81 feet; thence South 69° 54'4" West 72.21 feet; thence South 88°40'18" West 30 feet; thence North 35° 25'49" West 50 feet; thence North 65° 38'40" West 102.83 feet to the Easterly right of way line of Trillium Park Drive, thence North 47° 54'44" East along said right of way line 56.05 feet; thence 5.40 feet along the arc of a 375.84 foot radius curve concave to the Southeast through a central angle of 00°49'24" (long chord bears North 47° 30'07" East 5.40 feet) to the point of beginning of said Lot 56.*

*Beginning at a point on the Easterly side of Trillium Park Drive, said point also being the most northwesterly corner of Lot 56, TRILLIUM PARK NO. 3, in the City of Oregon City, County of Clackamas and State of Oregon; thence 110.09 feet along the Easterly line of said Trillium Park Drive along an arc of a 230 foot radius curve concave to the Southeast through a central angle of 27° 25'29" (long chord bears North 26° 50'1 0" East, 29.54 feet); thence North 47° 54'44" East 40.72 feet; thence South 65° 38'40" East 102.83 feet; thence South 35° 25'49" East 50 feet; thence South 88°40'18" West 81.56 feet; thence North 68° 18'38" West 98.96 feet to the true point of beginning of said Lot 57; **and***

**Whereas**, it further appearing that pursuant to ORS 271.310 and ORS 275.225 this 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;

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

In the Matter of Approving The  
Transfer of Real Property



Board Order No. \_\_\_\_\_

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Clackamas County transfer by quitclaim deed the real estate described above.

**DATED** this \_\_\_\_ day of January, 2023.

**BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

After recording return to:  
Clackamas County, Sarah Eckman/D. Rome  
150 Beaver Creek Road, STE 419  
Oregon City, OR 97045

Until a change is requested all taxes shall be sent to:  
City of Oregon City  
PO Box 3040  
Oregon City OR 97045

### QUITCLAIM DEED

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

*Beginning at a point on the Easterly side of Trillium Park Drive, said point also being the most northwesterly corner of Lot 56, TRILLIUM PARK NO. 3, in the City of Oregon City, County of Clackamas and State of Oregon; thence South 73°41' 45" East 52.36 feet; thence South 85°7' 33" East 38.18 feet; thence North 89° 39' 01" East 23.63 feet; thence South 70° 52'52" East 35.59 feet; thence South 44° 37'24" East 34.58 feet; thence South 53° 8'17" East 45.38 feet; thence South 60° 30'8" West 35.81 feet; thence South 69° 54'4" West 72.21 feet; thence South 88°40'18" West 30 feet; thence North 35° 25'49" West 50 feet; thence North 65° 38'40" West 102.83 feet to the Easterly right of way line of Trillium Park Drive, thence North 47° 54'44" East along said right of way line 56.05 feet; thence 5.40 feet along the arc of a 375.84 foot radius curve concave to the Southeast through a central angle of 00°49'24" (long chord bears North 47° 30'07" East 5.40 feet) to the point of beginning of said Lot 56.*

**and**

Beginning at a point on the Easterly side of Trillium Park Drive, said point also being the most northwesterly corner of Lot 56, TRILLIUM PARK NO. 3, in the City of Oregon City, County of Clackamas and State of Oregon; thence 110.09 feet along the Easterly line of said Trillium Park Drive along an arc of a 230 foot radius curve concave to the Southeast through a central angle of 27° 25'29" (long chord bears North 26° 50'1 0" East, 29.54 feet); thence North 47° 54'44" East 40.72 feet; thence South 65° 38'40" East 102.83 feet; thence South 35° 25'49" East 50 feet; thence South 88°40'18" West 81.56 feet; thence North 68° 18'38" West 98.96 feet to the true point of beginning of said Lot 57.

**Grantee shall use the property for perpetual public purpose. If Grantee uses said property for a non-public purpose 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 \$13,887. 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 purchaser 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 **2022-**.

Date this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**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 \_\_\_\_\_ 2022, by  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: \_\_\_\_\_

APPENDIX "A"

REQUEST FOR TRANSFER OF TITLE TO PROPERTY

(A Separate Form Must Be Submitted For Each Parcel of Property Requested.)

This form is submitted pursuant to ORS 271.330, by a representative of the following governmental agency: City of Oregon City. This agency requests transfer of title to the following parcel of surplus property: 22E 32AC 05800.

Transfer of title to this property would help this agency pursue an adopted comprehensive, strategic or operational plan and serve a public purpose in the following manner (please attach formal documentation of the property use plan if available):

Portions of Trillium Park Drive have been experiencing a slow moving landslide since its construction in 1999. In 2017, during a period of intense precipitation the area experienced a landslide. This caused impacts to the utility infrastructure as well as required closure of the roadway. The city has repaired the utilities, and is working to abandon the roadway. Acquisition of these properties will further the plan to mitigate future landslide concerns.

If this request is approved, this agency is prepared to pay consideration for the parcel within six months of transfer.

It is understood that:

- 1) If the requested parcel was obtained by the County through a tax foreclosure proceeding, the consideration will be equal to the amount of the actual costs totaling \$ 6,927.60 as outlined by Property Disposition; **OR**
- 2) If the requested parcel was obtained by the County through deed, this agency offers \$ \_\_\_\_\_, as consideration.

The source for these funds will be: Transportation Fund

PLEASE PRINT OR TYPE: Submitted by: Anthony J. Konkol, III  
 A Representative of: City of Oregon City  
 Mailing Address: PO Box 3040  
Oregon City, OR 97045  
 Telephone Number: 503-657-0891  
 Date Submitted: OCT 13 2022 Signature: Anthony J. Konkol III

APPENDIX "A"

**REQUEST FOR TRANSFER OF TITLE TO PROPERTY**

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**If this request is approved**, this agency is prepared to pay consideration for the parcel within six months of transfer. It is understood that:

- 1) If the requested parcel was obtained by the County through a tax foreclosure proceeding, the consideration will be equal to the amount of the actual costs totaling \$ 6,959.40 as outlined by Property Disposition; **OR**
- 2) If the requested parcel was obtained by the County through deed, this agency offers \$ \_\_\_\_\_, as consideration.

The source for these funds will be: Transportation Fund

PLEASE PRINT OR TYPE: Submitted by: Anthony J. Konkol, III  
 A Representative of: City of Oregon City  
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APPENDIX "B"

REQUEST OF INTENT FOR SALE AND TRANSFER OF COUNTY SURPLUS REAL PROPERTY

(A Separate Form Must Be Submitted For Each Parcel of Property Requested).

This form is submitted pursuant to ORS 271.330, by a representative of the following governmental agency: City of Oregon City. This agency requests an intent of transfer of title to the following parcel of surplus property: 22E 22AC 05800 (Map Number).

Please provide a brief state of the intended public benefit use or need associated with the acquisition of this parcel.

Portions of Trillium Park Drive have been experiencing a slow moving landslide since its construction in 1999. In 2017, during a period of intense precipitation the area experienced a landslide. This caused impacts to the utility infrastructure as well as required closure of the roadway. The city has repaired the utilities, and is working to abandon the roadway. Acquisition of these properties will further the plan to mitigate future landslide concerns.

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Telephone Number: 503-657-0891

Date Submitted: OCT 13 2022

Signature: *Anthony J. Konkol, III*

**APPENDIX "B"**

**REQUEST OF INTENT FOR SALE AND TRANSFER OF COUNTY SURPLUS REAL PROPERTY**

(A Separate Form Must Be Submitted For Each Parcel of Property Requested).

This form is submitted pursuant to ORS 271.330, by a representative of the following governmental agency: City of Oregon City. This agency requests an intent of transfer of title to the following parcel of surplus property: 22E 22AC 05900\* (Map Number).

Please provide a brief state of the intended public benefit use or need associated with the acquisition of this parcel.

Portions of Trillium Park Drive have been experiencing a slow moving landslide since its construction in 1999. In 2017, during a period of intense precipitation the area experienced a landslide. This caused impacts to the utility infrastructure as well as required closure of the roadway. The city has repaired the utilities, and is working to abandon the roadway. Acquisition of these properties will further the plan to mitigate future landslide concerns.

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A Representative of: City of Oregon City  
Mailing Address: PO Box 3040  
Oregon City, OR 97045  
Telephone Number: 503-657-0891

**OCT 13 2022**

Date Submitted: \_\_\_\_\_

Signature: *Anthony J. Konkol III*

\* Edited from 22E 22AC 05800

APPENDIX "C"

REQUEST FOR SALE AND TRANSFER OF COUNTY SURPLUS REAL PROPERTY

(A Separate Form Must Be Submitted For Each Parcel of Property Requested).

This form is submitted pursuant to ORS 271.330, by a representative of the following governmental agency: City of Oregon City. This agency requests transfer of title to the following parcel of surplus property: 22E 32AC 05800 (Map Number).

Transfer of title to this property is necessary to help this agency pursue an adopted comprehensive, strategic or operational plan and serve a public benefit in the following manner (please attach formal documentation of the property use plan if available as well as list out any additional agency owned parcels that will benefit from the acquisition of this parcel).

Portions of Trillium Park Drive have been experiencing a slow moving landslide since its construction in 1999. In 2017, during a period of intense precipitation the area experienced a landslide. This caused impacts to the utility infrastructure as well as required closure of the roadway. The city has repaired the utilities, and is working to abandon the roadway. Acquisition of these properties will further the plan to mitigate future landslide concerns.

Upon approval of the Request for Transfer by the Board of County Commissioners, this agency is prepared to pay a consideration for the parcel at the time of transfer. It is understood that:

- 1) If the request parcel was obtained by the County through a tax foreclosure proceeding, the consideration will be equal to the amount of the actual back taxes owing, plus accrued interest and any direct/indirect costs associated with the parcel as detailed by Property Disposition Division for costs totaling \$ \$6,927.60

The source for these funds will be: Transportation Fund (already approved grant funds, reserve, general fund, etc.).

PLEASE PRINT OR TYPE:

Submitted by: Anthony J. Konkol, III  
 A Representative of: City of Oregon City  
 Mailing Address: PO Box 3040  
Oregon City, OR 97045  
 Telephone Number: 503-657-0891

Date Submitted: OCT 13 2022

Signature: *Anthony J. Konkol III*

APPENDIX "C"

REQUEST FOR SALE AND TRANSFER OF COUNTY SURPLUS REAL PROPERTY

(A Separate Form Must Be Submitted For Each Parcel of Property Requested).

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**OCT 13 2022**

Date Submitted: \_\_\_\_\_

Signature: *Anthony J. Konkol III*