



February 29, 2024

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

**Stephen L. Madkour**  
County Counsel

**Scott C. Ciecko**  
**Amanda Keller**  
**Shawn Lillegren**  
**Jeffrey D. Munns**  
**Andrew R. Naylor**  
**Andrew Narus**  
**Sarah Foreman**  
**Hong Huynh**  
**Caleb Huegel**  
Assistants

Board of County Commissioners  
Sitting as Board of Directors of the  
North Clackamas Parks and Recreation District

**Approval of a Quitclaim Deed with the Highland Summit Owner’s  
Association to convey interest in property. No Fiscal Impact.  
No County General Funds are involved.**

<b>Previous Board Action/Review</b>	Briefed in Executive Session on January 30, 2024 Briefed at Issues – February 27, 2024		
<b>Performance Clackamas</b>	1. Which indicator of success does this item affect? Build public trust through good government.		
<b>Counsel Review</b>	Initials: JM	<b>Procurement Review</b>	N/A
<b>Contact Person</b>	Jeffrey D. Munns	<b>Contact Phone</b>	503-742-5984

**EXECUTIVE SUMMARY:** The Highland Summit Owners’ Association (“Association”) owns a property known as “Tract E” located north of SE Highland Loop. The Association was conveyed, and has maintained, this land since 1999. However, there was an earlier attempted conveyance to the “North Clackamas Regional Parks & Recreation District.”

This attempted conveyance was never accepted by the North Clackamas Parks and Recreation District. The property is approximately 3.5 acres of steeply sloped terrain. Staff have evaluated the property and have determined that there are no reasonably developed park uses for this property.

**RECOMMENDATION:** Staff recommends the Board approve and execute the Quitclaim Deed and delegate authority to Counsel’s Office to complete any necessary actions to complete this transaction.

Respectfully submitted,

Jeffrey D. Munns  
Assistant County Counsel

For Filing Use Only

**After recording return to:**

Patrick T. Foran  
Wyse Kadish LLP  
900 SW Fifth Avenue, Suite 2000  
Portland, OR 97204

**Send Tax Statements to:**

Highland Summit Owners' Association  
c/o Shamrock Community Management  
4905 SW Griffith Drive, Suite 202  
Beaverton, OR 97005

---

**QUITCLAIM DEED**

Schnitzer Investment Corp., an Oregon Corporation, transferred title to Tract "E" of Highland Summit Subdivision Phase II to "North Clackamas Regional Parks and Recreation District" aka NORTH CLACKAMAS PARKS & RECREATION DISTRICT under a Bargain and Sale Deed, recorded on March 17, 1994, in the Clackamas County Official Records as Instrument No. 94-22593.

Schnitzer Investment Corp., an Oregon Corporation, transferred title to Tract "E" of Highland Summit Subdivision Phase II to HIGHLAND SUMMIT OWNERS' ASSOCIATION under a Quitclaim Deed recorded on January 22, 1999, in the Clackamas County Official Records as Instrument No. 99-06686.

HIGHLAND SUMMIT OWNERS' ASSOCIATION has held, controlled, owned, and maintained Tract "E" since at least 1999. NORTH CLACKAMAS PARKS & RECREATION DISTRICT has never exercised any interest in or control of Tract "E" and wishes to convey any interest it might have to HIGHLAND SUMMIT OWNERS' OWNERS ASSOCIATION to avoid any legal responsibility for Tract "E."

For good and valuable consideration, the receipt of which is hereby acknowledged, NORTH CLACKAMAS PARKS & RECREATION DISTRICT, Grantor, releases and quitclaims to HIGHLAND SUMMIT OWNERS' ASSOCIATION, Grantee, all right, title, and interest in and to the following described real property legally described as:

**TRACT "E" HIGHLAND SUMMIT SUBDIVISION - PHASE II, in the County of Clackamas and State of Oregon.**

Tract "E" is also depicted on Map No. 32E27 00300 with an Alternative Property No. of 22E03CD00163.

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, 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

