

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 11-04

A RESOLUTION APPROVING A QUITCLAIM DEED TO THE OREGON DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ON HALL BOULEVARD PREVIOUSLY DEDICATED TO THE CITY OF TIGARD FOR RIGHT-OF-WAY PURPOSES.

WHEREAS, the land use approval for the Knoll at Tigard project, a 48-unit affordable, senior housing complex located at the northeast corner of the SW Hall Boulevard/SW Hunziker Street intersection, required dedication of right-of-way along SW Hall Boulevard; and

WHEREAS, the transfer of right-of-way needs to be made to the Oregon Department of Transportation (ODOT), the agency with jurisdiction over Hall Boulevard; and

WHEREAS, to allow for timely issuance of permits so that project funding could be secured, both ODOT and the City agreed that dedication of the necessary frontage along Hall Boulevard to the City followed by subsequent transfer of that property to ODOT would be sufficient for ODOT permit issuance; and

WHEREAS, the standard dedication documents executed by the City and the Knoll at Tigard, LLC, do not transfer fee title to the City; and

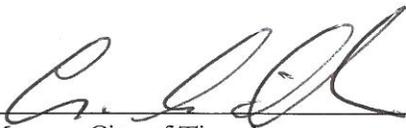
WHEREAS, approval of a quitclaim deed from the City to ODOT for the dedicated right-of-way followed by execution of a Donation Deed from the property owner transferring fee title to ODOT is acceptable to that agency.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby approves the Quitclaim Deed attached as Exhibit A and authorizes the Mayor to execute the agreement documents.

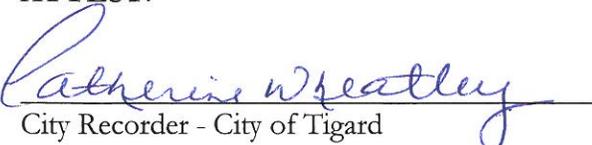
SECTION 2: This resolution is effective immediately upon passage.

PASSED: This 25th day of January 2011.



Mayor - City of Tigard

ATTEST:



Catherine Wheatley
City Recorder - City of Tigard

Exhibit A

QUITCLAIM DEED

CITY OF TIGARD, a municipal corporation, Grantor, being the holder of an interest in the hereinafter described property as evidenced by that certain Dedication Deed recorded April 13, 2010, in Document No. 2010-028168, Records of Washington County, Oregon, for no monetary consideration does relinquish and forever quitclaim unto the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, all of Grantor's right, title, and interest in and to the property described on **Legal Description dated March 6, 2010**, attached hereto and by this reference made a part hereof.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

SEND TAX STATEMENT TO: NO CHANGE

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2
SALEM OR 97302-1142

Map and Tax Lot #:

Property Address:

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this _____ day of _____, 20_____.

APPROVED AS TO FORM:

CITY OF TIGARD, a municipal corporation

By _____
City Attorney

By _____
Mayor

By _____
City Recorder

STATE OF OREGON, County of _____

Dated _____, 20_____. Personally appeared _____
and _____, who, being sworn, stated that they are the Mayor and City Recorder of the
City of Tigard, Oregon, a municipal corporation, and that this instrument was voluntarily signed on behalf of said municipal
corporation by authority of its Resolution No. _____, passed by the Council of said City on
this _____ day of _____, 20_____.

Notary Public for Oregon
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

MARCH, 6, 2010
LEGAL DESCRIPTION
HALL BOULEVARD DEDICATION

W.B. WELLS & ASSOC., INC. – JOB NO. 08-180

A PORTION OF LOTS 3, 4, AND 5 OF THE DULY RECORDED PLAT OF "KNOLL ACRES", WASHINGTON COUNTY PLAT RECORDS, SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, IN THE CITY OF TIGARD, WASHINGTON COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 3, ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SW KNOLL DRIVE AS PRESENTLY LOCATED (BEING 25.00 FEET SOUTH OF CENTERLINE WHEN MEASURED AT RIGHT ANGLES);

THENCE NORTH 83°26'05" WEST, PARALLEL WITH AND 25.00 FEET SOUTH OF THE CENTERLINE OF SW KNOLL DRIVE, A DISTANCE OF 136.78 FEET TO A POINT THAT IS 50.00 FEET EAST OF THE CENTERLINE OF SW HALL BOULEVARD WHEN MEASURED AT RIGHT ANGLES, AND THE TRUE POINT OF BEGINNING:

THENCE SOUTH 00°45'00" EAST, PARALLEL WITH AND 50.00 FEET EAST OF SAID CENTERLINE OF SW HALL BOULEVARD, A DISTANCE OF 310.54 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SW HUNZIKER STREET AS PRESENTLY LOCATED (BEING 30.00 FEET NORTHEAST OF CENTERLINE WHEN MEASURED AT RIGHT ANGLES);

THENCE NORTH 61°01'39" WEST, PARALLEL WITH AND 30.00 FEET NORTHEAST OF THE CENTERLINE OF SW HUNZIKER STREET, A DISTANCE 17.27 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SW HALL BOULEVARD AS PRESENTLY LOCATED (BEING 35.00 FEET EASTERLY OF THE CENTERLINE OF SW HALL BOULEVARD WHEN MEASURED AT RIGHT ANGLES);

THENCE NORTH 00°45'00" WEST, PARALLEL WITH AND 35.00 FEET EAST OF THE CENTERLINE OF SW HALL BOULEVARD, A DISTANCE OF 303.90 FEET TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF SW KNOLL DRIVE;

THENCE SOUTH 83°26'05" EAST, PARALLEL WITH AND 25.00 FEET SOUTH OF THE CENTERLINE OF SW KNOLL DRIVE, A DISTANCE OF 15.12 FEET TO THE TRUE POINT OF BEGINNING;

CONTAINING 4,608 SQUARE FEET

RETURN RECORDED DOCUMENT TO:
CITY HALL RECORDS DEPARTMENT,
CITY OF TIGARD
13125 SW Hall Blvd.
Tigard, OR 97223

Washington County, Oregon 2010-028168
04/13/2010 04:38:16 PM
D-DD Cnt=1 Stn=21 RECORDS1
\$15.00 \$5.00 \$11.00 \$15.00 - Total = \$46.00



01472347201000281680030037

i, Richard Hobernicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
instrument of writing was received and recorded in the
book of records of said county.

Richard Hobernicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



CORPORATION

File No. SDR2009-00005

DEDICATION DEED

FOR ROAD OR STREET PURPOSES

Space above reserved for Washington County Recording information

The Knoll at Tigard LLC

does hereby dedicate to the City of

Tigard a perpetual right-of-way for street, road, and utility purposes on, over, across, under, along, and within the following described real properties in Washington County, Oregon:

Attached Exhibit "A"

The grantors hereby covenant that they are the owner in fee simple and the property is free of all liens and encumbrances, they have good and legal right to grant their right above-described, and they will pay all taxes and assessments due and owing on the property.

The true consideration for this conveyance is \$0.00. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

IN WITNESS WHEREOF, I hereunto set my hand on this 12th day of April, 2010.

The Knoll at Tigard LLC

Name of Corporation

Address

6380 SW Capitol Highway #151

Portland, OR 97239

Tax Statement Mailing Address (if different from above)

The Knoll at Tigard LLC

**By: Community Partners for Affordable Housing
Its: Sole Member**

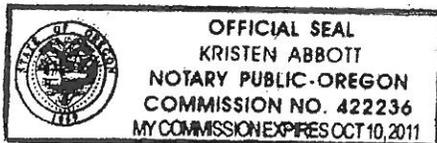
Signature

Sheila Greenlaw-Fink
Sheila Greenlaw-Fink, its Executive Director

Title

STATE OF OREGON)
County of Multnomah) ss.
County of Washington)

This instrument was acknowledged before me on April 12, 2010 (date) by Sheila Greenlaw-Fink
(name(s) of person (s)) as Executive Director (type of authority, e.g., officer, trustee, etc.) of
The Knoll at Tigard LLC (name of party on behalf of whom instrument was executed).



Notary's Signature

My Commission Expires: Oct. 10, 2011

Accepted on behalf of the City of Tigard this 13 day of April, 2010.

[Signature]
City Engineer

MARCH 6, 2010
LEGAL DESCRIPTION
HALL BOULEVARD DEDICATION

W.B. WELLS & ASSOC., INC. - JOB NO. 08-180

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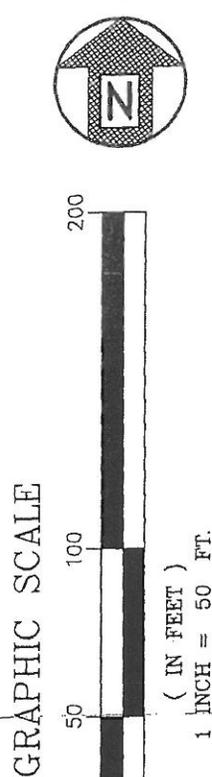
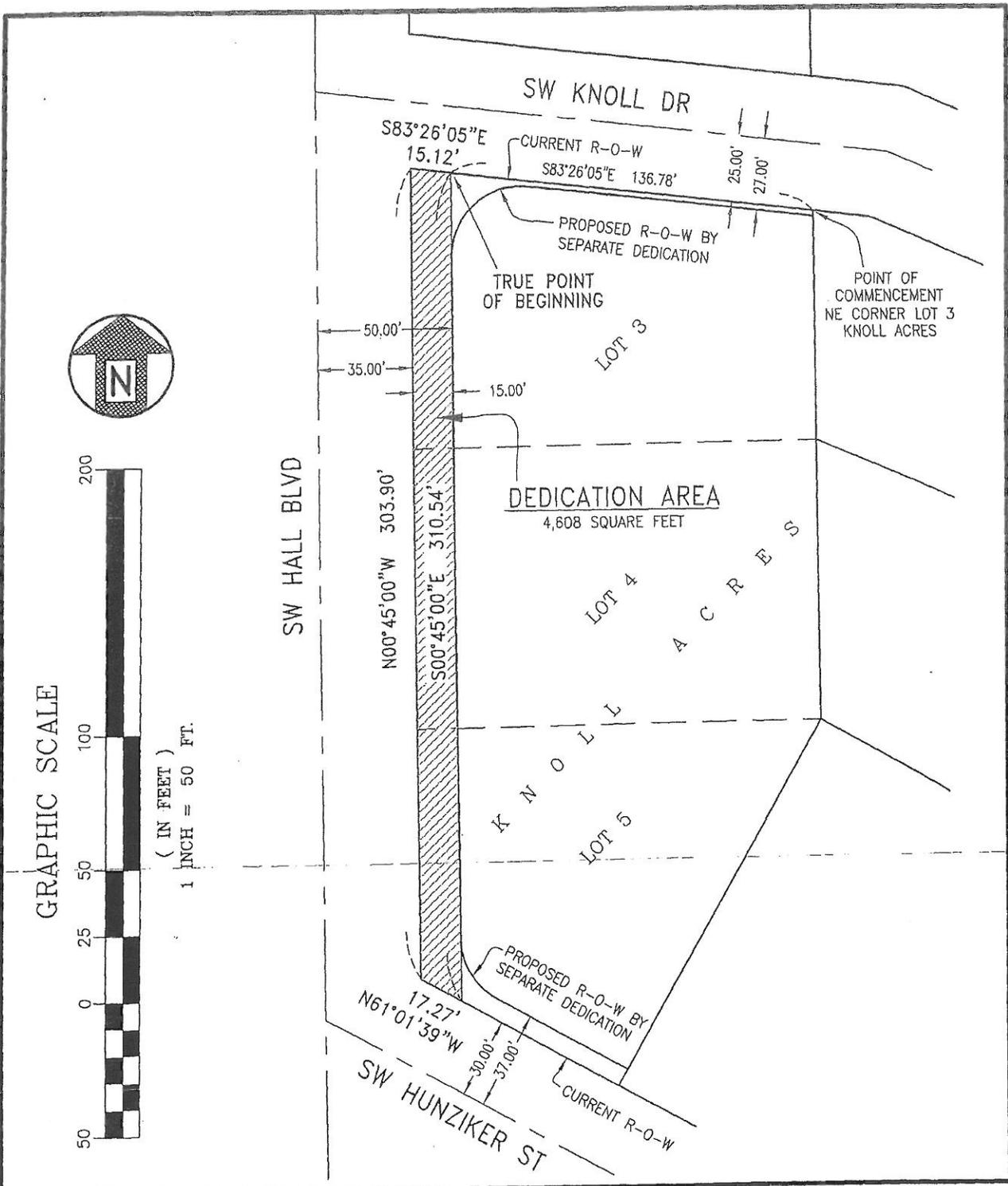
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W.B. WELLS
and associates, inc.
ENGINEERS-SURVEYORS-PLANNERS
4230 NE FREMONT STREET
PORTLAND, OREGON 97213
PHONE:(503) 284-5896 FAX:(503) 284-8530
e-mail address: info@wbwells.com

HALL BLVD DEDICATION
FOR
THE KNOLL AT TIGARD APARTMENTS, LP
A PORTION OF LOTS 3-5, "KNOLL ACRES", SITUATED IN
THE NORTHEAST 1/4 OF SECTION 2, T2S, R1W, W.M., CITY
OF TIGARD, WASHINGTON COUNTY, OREGON

DRAWN BY: BB	
SCALE: 1"=50'	DATE: 4-6-10
JOB NO: 08-180	
FILE: P:\08-180\08180	
dedications.DWG	