

Exhibit 1

To Board of County Commissioners for Multnomah County Resolution
Ratifying the purchase and Sale Agreement Between Alan and Karen Mela and
Multnomah County and Authorizing the County Chair to Execute Documents Necessary
for the Acquisition of Certain Real Property for the New Sellwood Bridge Project

After recording return to:
Patrick Hinds
Land Use & Transportation Division, Bldg. #425

Until a change is requested,
tax statements shall be sent to:
Multnomah County Transportation Division
1600 SE 190th Ave
Portland, Oregon 97233

WARRANTY DEED

Alan Birchard Mela and Karen Elizabeth Mela, Trustees of the Mela Family Revocable Trust "Grantors", conveys and warrants to **MULTNOMAH COUNTY**, a Political Subdivision of the State of Oregon, "Grantee", the real property described in Exhibit A free of encumbrances except as specifically set forth in Exhibit B

Grantors represent and warrant that they have the authority to grant this conveyance and that this conveyance is granted pursuant to the exercise of the eminent domain power and authority of Grantee, with the consideration paid by Grantee accepted as just compensation for the property or property rights conveyed, which includes damage to the property remainder, if any, resulting from the acquisition or use of said property or property rights

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. 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.

The true consideration paid for this transfer stated in terms of dollars is \$2,340,394.00.

Dated this 16 day of Feb, 2011

Alan Birchard Mela
Alan Mela
Karen Elizabeth Mela
Karen E Mela

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on February 16, 2011, by Alan Birchard Mela and Karen Elizabeth Mela, authorized to execute the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Kari Lowe
Notary Public for Oregon
My Commission Expires: Sept. 12, 2011

REVIEWED:

By Henry H. Lazenby Jr, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney

The described property is accepted for use in conjunction with the Sellwood Bridge on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this _____ day of _____, 2011

By _____
Brian S. Vincent, P.E., County Engineer
for Multnomah County, Oregon

EXHIBIT "A"

PARCEL I:

A portion of Blocks C and D in the duly recorded plat of SELLWOOD, TOGETHER WITH a portion of the right of way for viaduct and Sellwood Bridge, the center line of which is the center line of SE Tacoma Street projected Westerly, all located in the Southeast one-quarter of Section 22, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at a point in the South line of SE Spokane Street (and the North line of said Block C) from which the Northeast corner of said Block C bears South $88^{\circ}25'07''$ East a distance of 226.60 feet; thence South $1^{\circ}34'53''$ West a distance of 288.24 feet to a point; thence North $89^{\circ}10'08''$ East a distance of 151 feet, more or less, to a point on non-tangent curve in the Westerly line of the Portland General Electric Company right of way; thence Northwesterly along said Westerly line, a distance of 303 feet, more or less, to a point in the South line of said SE Spokane Street; thence North $88^{\circ}25'07''$ West along said South line, a distance of 38.84 feet to the point of beginning.

TOGETHER WITH a 25 foot wide non-exclusive easement for ingress and egress as set forth in a Deed, recorded December 14, 1978 in Book 1316, Page 14.

PARCEL II:

A tract of land situated in Block C, SELLWOOD, and vacated portion of SE Tacoma Street as vacated by City Ordinance No. 13848, in the City of Portland, County of Multnomah and State of Oregon, more particularly described as follows:

Beginning at a point of intersection of the North line of Block C, SELLWOOD, with the Southwesterly line of the Portland Railway Light and Power Company right of way, said beginning point also located on the South line of SE Spokane Street and bears North $88^{\circ}25'07''$ West 187.76 feet from the Northeast corner of said Block C, SELLWOOD; thence from said beginning point South $88^{\circ}25'07''$ East along said North block line, 36.70 feet to the Northeast corner of that tract of land described in Deed to Community First Federal Savings and Loan, recorded January 29, 1988 in Book 2076, Page 1569; thence South $17^{\circ}04'27''$ East along the Easterly line of said Community First Federal tract 175.51 feet; thence South $2^{\circ}48'37''$ West along the Easterly line of said Community First Federal tract 71.90 feet; thence North $89^{\circ}43'41''$ West 0.59 feet to a point on the said Southwesterly line of the Portland Railway Light and Power Company right of way; thence Northwesterly along said right of way line on a 3119.55 foot radius curve to the right which chord bears North $20^{\circ}34'41''$ West, 254.86 and arc length of 254.93 feet to the said point of beginning.

EXHIBIT "B"

1. **Conditions, Reservations and the Dedication of Street and Avenues, contained in the Dedication of the Town of Sellwood**
Recorded: July 14, 1882
Plat Book: 2 Page: 44, and in Deed Book 57, Page 123.
Records of Multnomah County, Oregon.
2. **Agreement, between East Side Mill and Lumber Company, an Oregon corporation, et al and Multnomah County**

Recorded: February 19, 1924
Book: 958 Page: 165
Records of Multnomah County, Oregon.
For: Viaduct, bridge, approaches, etc., over part of S.E. Tacoma Street and other property also over 44 foot strip, the center line of which is the Westerly extension of the center line of SE Tacoma Street
Affects: Parcel I
3. **Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:**

Entitled: Easement, including the terms and provisions thereof,
In favor of: Portland Gas & Coke Company
Purpose: gas line and main
Recording Date: January 15, 1928
Recording No: Book 1039, page 74
Affects: Parcel II
4. **Easement disclosed in Deed, from Pacific Northwest Public Service Company
To: Portland General Electric Company, an Oregon corporation**
Recorded: September 23, 1930
Book: 96 Page: 1, Fee 28289
Records of Multnomah County, Oregon.

As supplemented by Agreement recorded November 15, 1933 in Book 231, Page 25.
(describes a right of way over portions of Blocks C and D, SELLWOOD, and other property, subject to reservations contained therein)

Affects: Parcel II
5. **Conditions and restrictions as established by the City of Portland:**

Ordinance No/File No: 146224
Recording Date: August 2, 1978
Recording No: Book 1284, page 903
Affects: Parcel I
6. **Conditional Use No. CU 67-77, including the terms and provisions thereof,**

Recorded: August 9, 1978
Book: 1285, page: 2668
Records of Multnomah County, Oregon.
Affects: Parcel I
7. **Ordinance No. 146019, including the terms and provisions thereof,**

Recorded: August 22, 1978
Book: 1289, page: 738
Records of Multnomah County, Oregon.
Affects: Parcel I

EXHIBIT "B"

8. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Entitled: Easement agreement, including the terms and provisions thereof,
Between: F&L Development and Sellwood Harbor Condominiums, Jt Venture
Purpose: Access, roadways, walkways and utilities
Recording Date: August 23, 1979
Recording No: Book 1377, page 430
Affects: Parcel I
9. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Entitled: Easement disclosed in Deed, including the terms and provisions thereof,
In favor of: office building under Bridge
Purpose: Parking
Recording Date: February 13, 1980
Recording No: Book 1419, page 1284, Fee 80-010828
10. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Entitled: Easement disclosed in Deed, including the terms and provisions thereof,
In favor of: Sellwood Harbor Condominiums
Purpose: Utility easement
Recording Date: January 25, 1979
Recording No: Book 1326, page 624, corrected for clarification, recorded February 25, 1980, in Book 1421, page 2124, Fee 80-013483 corrected by Deed, recorded October 24, 1980, in Book 1479, page 413, Fee 80-083080
Affects: Strip across Blocks C&D together with portion of viaduct and bridge (see description) over Parcel I
11. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Entitled: Easement disclosed by instrument, including the terms and provisions thereof,
Purpose: Access to SE Spokane Street
Recording Date: December 14, 1978
Recording No: Book 1316, page 14
Affects: appurtenant to Parcel 1
12. Easement(s) for the purpose(s) shown below and rights incidental thereto as set forth in a document:
Entitled: Easement, including the terms and provisions thereof,
In favor of: Portland General Electric Company
Purpose: Electric power line
Recording Date: January 29, 1988
Recording No: Fee 88-007142, Book 2076, page 1570
Affects: Parcel II