

RESOLUTION NO. 1989-90-4
(Declaration of Intent to Acquire Property)

WHEREAS, under and by virtue of the laws of the State of Oregon, the Port of Hood River ("Port") is authorized to acquire property and interests in property when necessary or convenient in carrying out its powers; and,

WHEREAS, in furtherance of planned development of Port property, in the public's interest, the Port intends to alter an existing bay and utilize Port property, as authorized under Chapter 777 of Oregon Revised Statutes, now,

THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Port of Hood River does hereby find and declare that it is necessary that the Port acquire the real property and the interests therein described in Exhibit "A" attached hereto and incorporated herein, in order to change wharf lines and make improvements to an existing bay, and so that Port property together with the property described in Exhibit "A" can be utilized in accordance with a comprehensive plan, in a manner consistent with the Port's commercial interests and the public's convenience.

2. The use and improvement of Port property for which the real property and interests therein described in Exhibit "A" is required and is being taken, as necessary in the public interest, is most compatible with the greatest public benefit compared to private damage.

3. The Port and its attorneys are hereby authorized to attempt to agree with the owners and other persons in interest in the real property and interests therein described in Exhibit "A" as to the compensation to be paid for the appropriation of the property, and, in the event that no satisfactory agreement can be reached, then the attorneys for the Port are directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the real property and interests therein and upon the filing of such proceeding, possession of the real property and interests therein may be taken immediately.

4. Upon the trial or any action instituted to acquire the real property or any interests therein, the attorneys acting on behalf of the Port are hereby authorized to make such stipulation, agreement or admission as in their judgment may be in the best interests of the Port.

5. In order to protect the health, safety and welfare of the public, an emergency exists and it is necessary that no undue delay be encountered in obtaining access to and possession of the real property and interests therein described in Exhibit "A", in order for the Port to receive fill material from the U.S. Army Corps of Engineers Bonneville Dam locks project, and therefore this resolution shall be in force and effect from and after its passage by the Port Commission.

6. This Resolution is passed and adopted by the Commissioners of the Port of Hood River, on this 29th day of January 1990.

PORT OF HOOD RIVER

By:

By:

All the Lessee's rights and interests in the following described property:

COMMENCING at a point on the North line of the Nathaniel Coe Donation Land Claim No. 37, in Section 25, Township 3 North, Range 10 East of the Willamette Meridian, that is North 89°40'25" West 461.13 feet, more or less, from the point of intersection of the division line between the E½ and the W½ of said Coe Donation Land Claim with the North line thereof and South 89°40'25" East 1,403.82 feet, more or less, from the Northwest corner of said Coe Donation Land Claim, being at the Northwest corner of that tract of land conveyed to the Port of Hood River by deed recorded April 19, 1967, Film No. 670498, Deed Records of Hood River County, Oregon; thence following the Northerly extension of the West line of said Port of Hood River tract North 1°39'16" East 247.05 feet; thence South 88°20'44" East 1,974.93 feet; thence South 1°39'16" West 427.70 feet to the true point of beginning; thence South 1°39'16" West along the East right of way line of the street known as the Esplanade 417.10 feet to an iron rod; thence South 74°06'38" East 69.96 feet to a railroad spike that is along the centerline of the northerly extension of First Street; thence South 88°20'44" East 20 feet, more or less, to the 82.4 foot mean sea level contour line of that body of water known as the Port of Hood River Industrial Boat Basin; thence following the 82.4 foot contour line northerly to a point that bears South 88°20'44" East approximately 90 feet from the true point of beginning; thence North 88°20'44" West approximately 90 feet to the true point of beginning. Containing 0.09 acre of land, more or less.

AND

All the owner's rights, title and interest in that real property located in Hood River County, Oregon, described by the Hood River County Tax Assessor as:

Tax Account Nos. 3N-10-25DC-102, Reference No. 5249 and 3N-10-25DD-101, Reference No. 5250.

PORT OF HOOD RIVER RESOLUTION NO. 1989-90-4 - EXHIBIT "A"