

AGREEMENT BETWEEN MULTNOMAH COUNTY AND CITY OF PORTLAND

This is an intergovernmental agreement between Multnomah County, a political subdivision of the State of Oregon, ("COUNTY" herein), and THE CITY OF PORTLAND, an Oregon municipal corporation ("CITY" herein).

RECITALS:

- A. COUNTY owns properties in unincorporated portions of the County and within the CITY's urban services boundary that are dedicated and used for public parks.
- B. COUNTY has agreed to transfer its regional parks, golf courses, natural areas, marine facilities, and other properties to METRO to help create a regional park and recreation system. The County's neighborhood parks within the CITY's urban services boundary will not be transferred to METRO.
- C. The CITY and COUNTY deem it to be in the public interest to transfer ownership of those COUNTY neighborhood parks to the CITY that are within the CITY's urban services boundary before annexation into the CITY, providing the CITY continues use of the properties for park purposes and in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, and approved by Multnomah County, the City of Portland, and the City of Gresham.

THEREFORE, THE PARTIES AGREE:

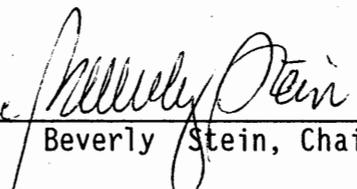
1. COUNTY shall, upon request by CITY, execute and deliver to CITY deed conveying, without warranties of title, Dickenson, East Lynchwood, Gilbert Heights, Gilbert Primary, Holladay, Lincoln, Lynchview, North Powellhurst, Parklane, and Raymond Parks. The transfers shall be without consideration in accordance with ORS 275.330.
2. Except as herein provided, after each park has been conveyed, CITY, shall use, maintain and operate the park properties for parks and open spaces and in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, as approved by COUNTY, CITY, and the City of Gresham. Gilbert Heights, Lynchview, Raymond, Gilbert Primary, and North Powellhurst Parks maybe used for park and open space purposes only.
 - a. If proposals come forward from public or private interests to acquire the property, Grantee shall:
 - (1) determine whether the sale or trade of the park site would result in the acquisition of land better suited for park purposes; and
 - (2) hold a community meeting to include both immediate park residents and appropriate community groups.

Agreement
November 18, 1993
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- b. If Grantee determines that the property should be sold or traded, Grantee shall:
- (1) notify all abutting property owners;
 - (2) give first option to buy or trade to the appropriate school district, if there is an abutting school;
 - (3) assure that the sale or trade of the park site shall not result in a planning area becoming park-deficient (however, if the park title is transferred to a school district resulting in it remaining open space available to the public for recreational purposes, this requirement shall not apply);
 - (4) use money obtained from the sale of park land to acquire a new site or sites; and
 - (5) provide Grantor with documentation showing that all conditions specified in this Agreement have been met.
3. The parties recognize that Lynchwood and Raymond Parks are subject to the terms and conditions of the Federal Land and Water Conservation Fund Act. Any change of use to other than outdoor recreation may result in penalties in accordance with the above Federal Act. The CITY assumes full responsibility for compliance with all terms and conditions of the Federal Land and Water Conservation Fund Act upon approval of this agreement.

Dated this 30th day of December, 1993.

MULTNOMAH COUNTY

BY 
Beverly Stein, Chair

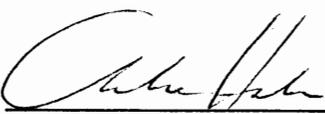
REVIEWED:

Laurence Kressel
County Counsel

By 
John L. DuBay
NCVH0954.AGR

APPROVED MULTNOMAH COUNTY
BOARD OF COMMISSIONERS
AGENDA # R-1 DATE 12/30/93
DEB BOGSTAD
BOARD CLERK

CITY OF PORTLAND

By: 
Comm. of Public Safety

APPROVED AS TO FORM

Jeffrey L. Rogers
City Attorney

By: 
Deputy City Attorney



MULTNOMAH COUNTY OREGON

CONTRACT APPROVAL FORM

(See Administrative Procedure #2106)

167380

Rev. 5/92

Contract # 301154

Amendment #

<p>CLASS I</p> <input type="checkbox"/> Professional Services under \$25,000	<p>CLASS II</p> <input type="checkbox"/> Professional Services over \$25,000 (RFP, Exemption) <input type="checkbox"/> PCRB Contract <input type="checkbox"/> Maintenance Agreement <input type="checkbox"/> Licensing Agreement <input type="checkbox"/> Construction <input type="checkbox"/> Grant <input type="checkbox"/> Revenue	<p>CLASS III</p> <input checked="" type="checkbox"/> Intergovernmental Agreement <p>APPROVED MULTNOMAH COUNTY BOARD OF COMMISSIONERS</p> <p>AGENDA # R-1 DATE 12/30/93</p> <p>DEB BOGSTAD</p> <p>BOARD CLERK</p>
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Department Environmental Services Division Park Services Date 11/23/93

Contract Originator Nancy Chase Phone 5050 Bldg/Room 425

Administrative Contact Charles Ciecko Phone 5050 Bldg/Room 425

Description of Contract Intergovernmental Agreement with City of Portland regarding the transfer of 10 neighborhood parks to the City of Portland.

RFP/BID # _____ Date of RFP/BID _____ Exemption Exp. Date _____

ORS/AR # _____ Contractor is MBE WBE QRF

Contractor Name Portland Parks & Recreation
 Mailing Address Attn: Charles Jordan
1120 SW Fifth, Suite 1320
Portland OR 97204-1933
 Phone (503) 823-2223
 Employer ID# or SS# _____
 Effective Date Upon Signature
 Termination Date _____
 Original Contract Amount \$ N/A
 Total Amount of Previous Amendments \$ _____
 Amount of Amendment \$ _____
 Total Amount of Agreement \$ _____

Remittance Address _____ (If Different)

Payment Schedule _____ Terms _____

Lump Sum \$ _____ Due on receipt
 Monthly \$ _____ Net 30
 Other \$ _____ Other _____
 Requirements contract - Requisition required.
 Purchase Order No. _____
 Requirements Not to Exceed \$ _____

REQUIRED SIGNATURES:

Department Manager cko Betty H. Wallia
 Purchasing Director _____
 (Class II Contracts Only)
 County Counsel John A. D. Bay
 County Chair / Sheriff Therese Dean
 Contract Administration _____
 (Class I, Class II Contracts Only)

Encumber: Yes No
 Date 12/14/93
 Date _____
 Date 12/21/93
 Date December 30, 1993
 Date _____

VENDOR CODE			VENDOR NAME						TOTAL AMOUNT	\$	
LINE NO.	FUND	AGENCY	ORGANIZATION	SUB ORG	ACTIVITY	OBJECT/REV SRC	SUB OBJ	REPT CATEG	LGFS DESCRIPTION	AMOUNT	INC/DEC IND
01.	330	030	5312								
02.											
03.											

INSTRUCTIONS ON REVERSE SIDE

WHITE - CONTRACT ADMINISTRATION CANARY - INITIATOR PINK - FINANCE

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the Matter of Conveying the County Park known as Raymond Park, Park Site No. 55 to the City of Portland)))))	O R D E R 93-398
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WHEREAS, by agreement dated December 30, 1993, between Multnomah County and the City of Portland, the County has agreed to convey certain County Parks within the City's urban services boundary to the City of Portland upon request, without payment of consideration; and

WHEREAS, the City of Portland requests transfer of Raymond Park, Park Site, No. 55 in accordance with the terms of the agreement described above and the provisions of ORS 275.330.

NOW, THEREFORE, THE BOARD ORDERS:

1. The Board finds the transfer of Raymond Park, Park Site No. 55 to the City of Portland for park purposes is in the best interest of the public and is hereby approved.
2. The Chair is authorized to execute and deliver to the City of Portland a deed conveying without warranties the following described real property;

A parcel of land situated in the northeast one-quarter of Section 15, T1S, R2E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at the northwest corner of the 10 acre tract of land conveyed by C.H. Chambreau and wife to Victor Coiteaux, by deed recorded in Book 361, Page 440, Deed Records of Multnomah County, Oregon, said corner also being the northwest corner of the Hugh Fury Homestead Claim; thence S 00°48' W, a distance of 265 feet to the northwest corner of that tract deeded to James Ellis Fox and Frances Arlene Fox, by deed recorded December 21, 1948, in Book 1311, Page 42, Multnomah County Deed Records; thence N 89°16' E, a distance of 243.62 feet to a point on the west right-of-way line of SE 118th Avenue, 25.00 feet westerly, when measured at right angles, of the centerline thereof; thence N 01°22' E along said west right-of-way line, a distance of 100.00 feet to a point on the westerly extension of the centerline of SE Raymond Street; thence easterly along said extension, a distance of 14.40 feet; thence northerly a distance of 165.00 feet to a point on the north line of said Hugh Fury Homestead Claim; thence westerly along said north line, a distance of 261.38 feet to the point of beginning.

Containing 1.55 acres, more or less.

RAYMOND PARK
 Park Site No. 55
 Item 93-201
 November 17, 1993
 Page 2

3. The conveyance shall be subject to the following:
- a) Raymond Park, Park Site No. 55, shall be used for park and open space purposes only unless the Grantor approves another use in accordance with the procedures in the Intergovernmental Agreement between Grantor and Grantee dated December 30, 1993.
 - b) The property is subject to the terms and conditions of the Federal Land and Water Conservation Fund Act. Any change of use to other than outdoor recreation may result in penalties in accordance with the above Federal Act.
 - c) The property shall be used, maintained and operated in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, as approved by Multnomah County, the City of Portland and the City of Gresham.

Adopted this 30th day of December, 1993.



BOARD OF COUNTY COMMISSIONERS
 FOR MULTNOMAH COUNTY, OREGON

By: *Beverly Stein*
 BEVERLY STEIN, Chair

REVIEWED:

LAURENCE KRESSEL
 COUNTY COUNSEL
 for Multnomah County, Oregon

By: *John L. DuBay*
 JOHN L. DuBAY
 Chief Asst. County Counsel

RAYMOND PARK
Park Site No. 55
Item 93-201
November 17, 1993

BARGAIN AND SALE DEED

MULTNOMAH COUNTY, a political subdivision of the State of Oregon, Grantor, conveys to the CITY OF PORTLAND, a municipal corporation of the State of Oregon, GRANTEE, the real property described as follows:

A parcel of land situated in the northeast one-quarter of Section 15, T1S, R2E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at the northwest corner of the 10 acre tract of land conveyed by C.H. Chambreau and wife to Victor Coiteaux, by deed recorded in Book 361, Page 440, Deed Records of Multnomah County, Oregon, said corner also being the northwest corner of the Hugh Fury Homestead Claim; thence S 00°48' W, a distance of 265 feet to the northwest corner of that tract deeded to James Ellis Fox and Frances Arlene Fox, by deed recorded December 21, 1948, in Book 1311, Page 42, Multnomah County Deed Records; thence N 89°16' E, a distance of 243.62 feet to a point on the west right-of-way line of SE 118th Avenue, 25.00 feet westerly, when measured at right angles, of the centerline thereof; thence N 01°22' E along said west right-of-way line, a distance of 100.00 feet to a point on the westerly extension of the centerline of SE Raymond Street; thence easterly along said extension, a distance of 14.40 feet; thence northerly a distance of 165.00 feet to a point on the north line of said Hugh Fury Homestead Claim; thence westerly along said north line, a distance of 261.38 feet to the point of beginning.

Containing 1.55 acres, more or less.

As shown on the attached map marked Exhibit A and hereby made a part of this document.

SUBJECT TO:

1. Raymond Park, Park Site No. 55, shall be used for park and open space purposes only unless the Grantor approves another use in accordance with the procedures in the Intergovernmental Agreement between Grantor and Grantee dated December 30, 1993.
2. The property shall be used, maintained and operated in accordance with the Neighborhood Parks Master Plan, Mid-Multnomah County, dated 1984, as approved by Multnomah County, the City of Portland and the City of Gresham.

RAYMOND PARK
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3. The property is subject to the terms and conditions of the Federal Land and Water Conservation Fund Act. Any change of use to other than outdoor recreation may result in penalties in accordance with the Federal Act.

This transfer is without monetary consideration

Dated this 30th day of December, 1993.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

By: Beverly Stein
BEVERLY STEIN, Chair
Board of Commissioners

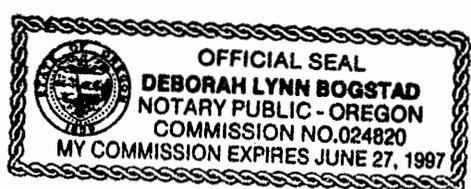
LAURENCE KRESSEL
County Counsel
for Multnomah County, Oregon

By: John E. DuBay
John E. DuBay

STATE OF OREGON)
County of Multnomah) ss.

On this 30th day of December, 1993, A.D., before me, a Notary Public in and for the County and State, personally appeared Beverly Stein, to me personally known, Chair of the Board of County Commissioners of Multnomah County, Oregon, to sign official County documents and that the seal affixed to said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, and Beverly Stein acknowledged said instrument to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand, affixed my official seal, the day and year first in this, my certificate, written.



Deborah Lynn Bogstad
Notary Public for Oregon
My Commission Expires: 6/27/97

ORDINANCE 167380

*Agreement with and acceptance of bargain and sale deeds from Multnomah County for ten neighborhood parks. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland (City) has or will annex unincorporated Multnomah County land which includes ten neighborhood parks within the City's urban services boundary.
2. Multnomah County has offered Dickinson, East Holladay, East Lynchwood, Gilbert Heights, Gilbert Primary, Lincoln, Lynchview, North Powellhurst, Parklane, and Raymond Parks to the City in fee simple.
3. Transferring these parks to the City is consistent with the City's Urban Services Policy since it will further the transition of urban services from the County to the City.
4. Transfer is contingent upon the City entering into an intergovernmental agreement with the County indicating the City's understanding of the findings and policies of the Multnomah County Parks Master Plan, which is part of Multnomah County's Comprehensive Plan.
5. Pursuant to ORS 190, the City has the authority to enter into such an agreement.
6. Portland Parks and Recreation has estimated the cost of accepting these parks as follows: \$130,000 one-time during FY 1993-94 for immediate fix up, hazard removal, and park maintenance for the remainder of 1993-94; \$221,160 one-time during 1994-95 for remaining fix up and hazard removal; and \$222,720 ongoing for park maintenance and sewer assessments beginning in 1994-95. Of the \$130,000 needed during FY 1993-94, \$75,000 has already been budgeted as a one-time allotment in Portland Parks and Recreation's budget, so only \$55,000 more is needed at this time.

NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Safety and Auditor to execute an Agreement with Multnomah County in a form substantially similar to the attached.
- b. The Commissioner of Public Safety to accept ten bargain and sale deeds in conformance with those attached, and the Auditor to file these deeds with Multnomah County Assessment and Taxation.
- c. That priority consideration be given in the 1994-95 budget for the following add: \$221,160 for the remaining one-time fix up costs, and \$227,720 for ongoing parks maintenance costs. The former should be considered for funding from either the capital set aside or one-time funds. The operating funds should be considered along with any City urban source requirements.

- d. The FY 1993-94 budget is hereby amended as follows:

GENERAL FUND (101)

Requirements

General Operating Contingency (\$55,000)
2971001/571000

Requirements

Portland Parks and
Recreation, AU 130 \$55,000
13019075/529000

- Section 2. The Council declares an emergency exists because of the need to initiate and complete transfer of these parks for the benefit and enjoyment of the public; therefore, this ordinance will become effective immediately following its approval by Council.

Adopted by Council, FEB 16 1994

Commissioner Hales
John Sewell
January 6, 1994

Barbara Clark
Auditor of the City of Portland

By *Britta Olson*

Deputy

255

Agenda No.
ORDINANCE NO. 167380
 Title

*Agreement with and acceptance of bargain and sale deeds from Multnomah County for ten neighborhood parks. (Ordinance)

INTRODUCED BY	Filed: February 4, 1994 FEB 10 1994
Commissioner Hales	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	By: <u><i>Cay Kershner</i></u> Deputy
Affairs	For Meeting of: <u>February 16, 1994</u> ACTION TAKEN:
Finance and Administration	
Safety <u><i>Ch H</i></u>	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Parks & Recreation	
Prepared by Date John Sewell 2/1/94	
Budget Impact Review: <u> x </u> Completed Not <u>Required</u>	
<u>Bureau Head:</u> <u><i>[Signature]</i></u>	

<u>AGENDA</u>		<u>FOUR-FIFTHS AGENDA</u>	<u>COMMISSIONERS VOTED AS FOLLOWS:</u>	
<u>Consent</u>	<u>RegularX</u>		<u>YEAS</u>	<u>NAYS</u>
		<u>Blumenauer</u>	<u>Blumenauer</u>	✓
<u>NOTED BY</u>		<u>Hales</u>	<u>Hales</u>	✓
<u>City Attorney</u>		<u>Kafoury</u>	<u>Kafoury</u>	✓
<u>City Auditor</u>		<u>Lindberg</u>	<u>Lindberg</u>	✓
<u>City Engineer</u>		<u>Katz</u>	<u>Katz</u>	✓