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**ORDINANCE No. 184356**

\*Authorize a non-exclusive natural gas facility easement with Northwest Natural Gas Company (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) owns and manages a tract of land situated along North Columbia Boulevard. A portion of this area is needed by Northwest Natural Gas Company for a new district gas regulator.
2. The installation of the gas facility and the adoption of the easement acknowledges the paramount use of the land is for the public's use and enjoyment as park property and all activities under the easement will be in strict accordance with the administrative rules adopted by Portland Parks & Recreation, as those rules change over time.
3. Portland Parks & Recreation intends to issue an easement for the construction, operation and maintenance of the utility tunnel facility, with said easement substantially similar to the attached hereto as Exhibit A.
4. Policies and procedures governing non-park uses and this easement are consistent with Portland Parks & Recreation's adopted policies and procedures.

NOW, THEREFORE, The Council Directs:

- a. The Commissioner in Charge of the Parks and Recreation Bureau is hereby directed to execute an easement substantially similar to the attached Exhibit A to Northwest Natural Gas Company.
- b. The Auditor is hereby directed to file a copy of the executed right of way easement with Multnomah County for recording in the appropriate County records.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the execution of a easement agreement so that construction of the permitted improvements are not delayed; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: **JAN 12 2011**  
Commissioner Fish  
Prepared by: Todd Lofgren  
January 5, 2011

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By   
Deputy

Agenda No.  
**ORDINANCE NO. 184356**  
 Title

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INTRODUCED BY Commissioner/Auditor: <b>Nick Fish</b>	CLERK USE: DATE FILED <u>JAN 07 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>Nick Fish</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland  By: <u><i>[Signature]</i></u> Deputy
BUREAU APPROVAL Bureau: Portland Parks & Recreation Bureau Head: <i>Zari Santner</i>  Prepared by: Todd Lofgren Date Prepared: January 5, 2011  Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/>  Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  Council Meeting Date <b>January 12, 2011</b>	ACTION TAKEN:
City Attorney Approval	

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	1. Fritz ✓	
2. Fish	2. Fish ✓	
3. Saltzman	3. Saltzman ✓	
4. Leonard	4. Leonard ✓	
Adams	Adams ✓	