

# ORDINANCE No. 185035

Designate a portion of City property controlled by the Bureau of Environmental Services and Portland Parks and Recreation located at 6916 NE 47th Ave as public right-of-way and assign it to the Bureau of Transportation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. In March 2004, Portland Parks and Recreation purchased three properties in fee from a private property owner along NE 47<sup>th</sup> Avenue, known as Whitaker Ponds Nature Park. The three properties are located at 6850 through 6916 NE 47<sup>th</sup> Avenue, north of Columbia Boulevard; also referenced as 1N2E18BD Tax Lots 900, 800 and 700.
2. Ordinance No. 178684, passed by City Council on August 19, 2004, designated and assigned an easement over TL 700 to the Bureau of Environmental Services for a pump station, water quality and sewer purposes, including access rights for construction, inspection, maintenance or other sewerage system activities.
3. Ordinance No. 178684 also approved a Memorandum of Understanding between Parks and BES, dated October 23, 2003, defining “the level of participation by each Bureau in cost of acquisition, the rights of each Bureau to the property, and the administrative roles and responsibilities of the respective Bureaus and Bureau personnel during and after the acquisition process.”
4. Design and construction plans for the NE 47<sup>th</sup> Avenue Pump Station are being finalized. As a condition of the permit, street frontage improvements are required. An additional 4 feet of right-of-way along NE 47<sup>th</sup> Avenue is necessary for the proposed improvements. The improvements are in the public's best interest and are consistent with the City's policies, and therefore the area should be designated as public right-of-way. BES shall be responsible for all costs of construction and maintenance of the improvements.
5. There is minimal cost for staff time for the transfer of the property rights, likely not exceeding \$1,000.

NOW, THEREFORE, the Council directs:

- a. The following described City property is hereby designated as public right-of-way and assigned to the Bureau of Transportation:

A 4 foot strip of land over and across a parcel of property situated in the northwest quarter of Section 18, T1N, R2E, W.M, in the City of Portland, County of Multnomah, State of Oregon, said strip being the west 4.00 feet of Lot 30, except the south 30 feet thereof, in the duly recorded plat of London Acres, as depicted on Exhibit A attached hereto and by this reference made a part hereof.

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- b. The Auditor shall return a certified copy of this Ordinance to the Right-of-Way Acquisition Section, Bureau of Transportation, for recording in the Multnomah County Deed Records; Right-of-Way Acquisition shall return the original recorded Ordinance to the Auditor and retain a copy in R/W File #5451.

DEC 07 2011

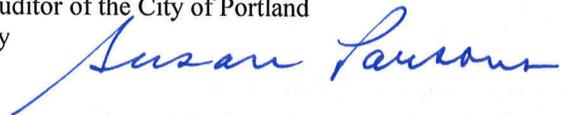
Passed by the Council,

Mayor Sam Adams  
Prepared by: Linda Birth  
Date Prepared: August 24, 2011  
R/W # 5451

**LaVonne Griffin-Valade**

Auditor of the City of Portland

By



Deputy

182035

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Agenda No.  
**ORDINANCE NO. 185035**  
Title

Designate a portion of City property controlled by the Bureau of Environmental Services and Portland Parks and Recreation located at 6926 NE 47<sup>th</sup> Ave as public right-of-way and assign it to the Bureau of Transportation (Ordinance)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>MAYOR SAM ADAMS</b></p> <p><i>LaVonne Griffin-Valade on behalf of Mayor Adams</i> <b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Bureau of Transportation Group Manager: Greg Jones Development &amp; Capital Program</p> <p>Other: <i>Greg Jones</i></p> <p>Prepared by: Linda Birth:slg <i>LS DM</i> Date Prepared: 08/24/2011</p> <p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date November 30, 2011</p> <p><b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>NOV 22 2011</u></p> <p><i>LaVonne Griffin-Valade</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>Susan Parsons</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p>NOV 30 2011 PASSED TO SECOND READING DEC 07 2011 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

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