

ORDINANCE No. 188290

* Declare the Frank L. Knight Property surplus property and authorize the Bureau of Parks & Recreation to take all actions necessary to dispose of the property by sale on the open market. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Portland Parks and Recreation ("PP&R") owns the Frank L. Knight property, which consists of .53 acres, in 3 separate parcels of unimproved, Open Space-zoned land on SW Montgomery Drive. Two of the Knight parcels were donated to the City of Portland by Frank L. Knight on April 28, 1941, and accepted by City of Portland Council Ordinance #76414 on December 24, 1941. The third parcel was transferred to the Bureau of Parks, from the City's Assessment Collection Fund, by way of Ordinance #101193, on October 21, 1954. (See Exhibits A and B for a map and legal descriptions.)
2. The property is not currently deemed active by PP&R, no future use of the property has been identified, and the property has little or no value to PP&R. It does not fit into any existing plans. Therefore, the property is considered surplus by PP&R.
3. A deed restriction on the Knight-donated parcels states that the property is to be used for park purposes only, and preserves the right for Knight or his heirs to revoke the deed and recover the property if that provision is not followed.
4. Pursuant to the City's real property disposition policy, in 2016, PP&R declared the Knight property as excess and offered the property to other City bureaus. No interest in obtaining the property has been expressed by a City bureau.
5. PP&R has moved the property through the City's surplus property process and those steps have included the excess property declaration, the notice provided to other City Bureaus in 2016, notice provided to the public for 60 days of public comment and now the presentation of this Ordinance before Council.
6. As a result of the public notice cited above, several citizens, including two adjacent property owners, have become aware of the property's availability and have contacted PP&R to indicate interest in purchasing the property. PP&R has received one comment from a neighbor who indicated a desire for the City to make the substantial investment necessary to stabilize and improve the property, so that it could remain in public sector hands and provide a benefit to the public.
7. PP&R is now before Council to request that Council declare the property surplus and authorize PP&R to sell the property on the open market.
8. However, prior to any such sale, the deed restriction issue should be resolved. Consequently, PP&R requests that Council authorize PP&R to take all actions necessary to

eliminate the deed's restriction.

NOW, THEREFORE, The Council Directs:

- a. The Frank L. Knight Property, depicted and described in Exhibits A and B, respectively, and attached hereto, is hereby declared surplus property and PP&R is authorized to dispose of the property by sale on the open market. The subject property consists of 3 separate parcels of unimproved land on SW Montgomery Drive, in Portland, Multnomah County, Oregon, 97201, and are also known as Multnomah County Tax Lots R128282, R128285 and R213490.
- b. PP&R and the City Attorney's Office may take all actions necessary, including an action to quiet title, in order to eliminate the deed's restriction, which now allows use for park purposes only.

Section 2. The Council declares that an emergency exists because a delay in disposing of the property would unreasonably impact the development of a property, therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: MAR 22 2017
Commissioner Fritz

Prepared by: F. Dennis James

Mary Hull Caballero
Auditor of the City of Portland

By 
Deputy

* Declare the Frank L. Knight Property surplus property and authorize the Bureau of Parks & Recreation to take all actions necessary to dispose of the property by sale on the open market.
(Ordinance)

INTRODUCED BY Commissioner/Auditor: Fritz	CLERK USE: DATE FILED <u>MAR 14 2017</u>
COMMISSIONER APPROVAL Mayor—Finance & Administration - Wheeler Position 1/Utilities - Fritz <i>Amel Fritz</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Eudaly	Mary Hull Caballero Auditor of the City of Portland By: <i>Susan Parsons</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Parks & Recreation Bureau Head: Mike Abbate <i>Mike Abbate</i>	
Prepared by: F. Dennis James Date Prepared: February 28, 2017	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City Auditor Office Approval: N/A required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	
Council Meeting Date: March 22, 2017	

AGENDA TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 15 Minutes (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Eudaly	4. Eudaly	<input checked="" type="checkbox"/>	
Wheeler	Wheeler	<input checked="" type="checkbox"/>	