

ORDINANCE No. 176194

* Authorize settlement of condemnation claim. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. By Ordinance No. 175027 passed by City Council on November 1, 2000, the City was authorized to acquire an easement for public right of way and street purposes and a temporary construction easement on real property owned by Wayne B. Van Raden, Rebecca A. Van Raden and Van Raden Industries, Inc., as part of the Lower Albina Overcrossing Project.
2. The services of a mediator were employed and the parties reached an agreement for full settlement of the case without trial.
3. The Settlement Agreement attached hereto as Exhibit 1 represents the agreement of the parties. The cost of the settlement is within the budget of the Lower Albina Overcrossing Project.

NOW, THEREFORE, the Council directs:

- a. The City is authorized to settle this case according to the settlement terms agreed to by the parties, and the City Attorney's Office is authorized to enter into a Settlement Agreement in a form substantially similar to the Settlement Agreement attached hereto as Exhibit 1.
- b. The Bureau of Transportation Engineering and Development is authorized to issue a check in the amount of \$158,000 payable to Wayne B. Van Raden, Rebecca A. Van Raden, Van Raden Industries, Inc., and Kelly Clark, attorney for the Van Radens.

Section 2. The Council declares that an emergency exists because delay will compromise the ability of the City to settle this case without trial; therefore this Ordinance shall be in force and effect from and after its passage by the Council.

Mayor Vera Katz

Nancy E. Ayres

January 10, 2002

Passed by the Council: JAN 16 2002

Gary Blackmer

Auditor of the City of Portland

By: /S/ Susan Parsons

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 57-2002

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176194

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	===	=====
SALTZMAN	X	
STEN	X	
KATZ	X	