

## **ORDINANCE No. 189134**

\*Designate and assign the Carey Boulevard Property from the Portland Water Bureau to the Portland Housing Bureau for development as affordable housing (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Water Bureau ("Water Bureau") has owned and maintained 2.97 acres of real property near Carey Boulevard in North Portland, commonly known as the Carey Boulevard property and which is more particularly described in the Legal Description of Real Property, Exhibit A to this Ordinance, located in the City of Portland, and County of Multnomah, Oregon, (the "Property").
2. Pursuant to the City's real property disposition policy ADM-13.02, in 2016 the City declared the Property as surplus property and offered the Property to other City bureaus. The Portland Housing Bureau ("PHB") subsequently expressed an interest in obtaining the Property with a plan to develop affordable housing.
3. The Water Bureau and PHB have agreed on the terms of the transfer of the Property to PHB, including the transfer of all asset management obligations to PHB as of the Recording Date. PHB will provide consideration to Water Bureau for the Property, as established by the appraisal by R.P. Herman and & Associates, LLC dated January 25, 2017 in the amount of three million, three hundred fifty thousand dollars (\$3,350,000) (the "Transfer Price").
4. In consideration of its transfer of the Property, PHB will encumber future funds for its payment of the Transfer Price to the Water Bureau and shall make such payment not later than three years following the Recording Date.

NOW, THEREFORE, The Council Directs:

- a. The Carey Blvd property is declared surplus.
- b. All portions of ADM-13.02 Disposition of City Real Property have been followed. The Portland Housing Bureau has expressed interest in acquiring this property.
- c. The Administrator of Portland Water Bureau shall designate and assign the Property to PHB, and the Director of PHB shall accept the same, and is directed to pay the Transfer Price to Water Bureau within three years of the Recording Date, with Council approval.
- d. The Auditor shall return a certified copy of this Ordinance to the Water Bureau to be recorded in the official Deed Records of Multnomah County, Oregon after which the Water Bureau will return the recorded Ordinance to the office of the Auditor, and

send a copy of the recorded Ordinance to the PHB. The date the Ordinance is recorded shall be the "Recording Date."

- e. The Administrator for the Portland Water Bureau is authorized to take all actions necessary to close the transaction. Any documents necessary to consummate this transfer will be approved as to form by the City Attorney prior to execution.
- f. As of the Recording Date, the Parties agree that the Property shall be deemed transferred from the PWB to the PHB and PHB shall assume all obligations and benefits with respect to dominion and control of the Property, including, without limitation, the right to use the Property for PHB housing purposes and the obligation to perform all maintenance and security functions.

Section 2. The Council declares that an emergency exists because a delay in designating and assigning the Property to PHB would adversely impact the public interest by delaying the development of the Property for affordable housing in Portland; therefore, this Ordinance shall be in force and effect from and after its passage by City Council.

Passed by the Council, AUG 22 2018

Commissioner Nick Fish  
Prepared by: Thomas S. Klutz, Jr.  
July 25, 2018

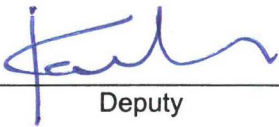
**Mary Hull Caballero**  
Auditor of the City of Portland

By 

Deputy

Agenda No.  
**ORDINANCE NO. 189134**  
 Title

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<p><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Commissioner Nick Fish</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance &amp; Administration - Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Water          Bureau Head: Michael Stuhr, P.E.,          Administrator</p> <p>Prepared by: Thomas S. Klutz, Jr.          Date Prepared: July 25, 2018</p> <p><b>Impact Statement</b>          Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p><b>Portland Policy Document</b>          If "Yes" requires City Policy paragraph stated in document.          Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p><b>City Auditor Office Approval:</b>          required for Code Ordinances</p> <p><b>City Attorney Approval:</b>          required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date <b>August 22, 2018</b></p>	<p style="text-align: right; color: blue;">AUG 14 2018</p> <p>CLERK USE: DATE FILED _____</p> <p style="text-align: center;">Mary Hull Caballero          Auditor of the City of Portland</p> <p>By:  Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<p style="text-align: center;"><b>AGENDA</b></p> <p><b>TIME CERTAIN</b> <input type="checkbox"/>          Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p> <p><b>CONSENT</b> <input type="checkbox"/></p> <p><b>REGULAR</b> <input checked="" type="checkbox"/>  <b>Total amount of time needed: 10 minutes</b>          (for presentation, testimony and discussion)</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 30%;">FOUR-FIFTHS AGENDA</th> <th colspan="2">COMMISSIONERS VOTED AS FOLLOWS:</th> </tr> <tr> <th></th> <th style="width: 20%;">YEAS</th> <th style="width: 20%;">NAYS</th> </tr> <tr> <td>1. Fritz</td> <td>1. Fritz <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>2. Fish</td> <td>2. Fish <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>3. Saltzman</td> <td>3. Saltzman <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>4. Eudaly</td> <td>4. Eudaly <input checked="" type="checkbox"/></td> <td></td> </tr> <tr> <td>Wheeler</td> <td>Wheeler <input checked="" type="checkbox"/></td> <td></td> </tr> </table>	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"/>	
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