

ORDINANCE No. 190259

* Declare the Forest Park NW 31st Ave Shed property surplus real property and authorize the Bureau of Parks and Recreation 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 Parks and Recreation (“PP&R”) has owned the Forest Park NW 31st Ave. Shed property, Tax Lot Property Number R307805, since 1918. The property was acquired by the City after the previous owner failed to pay a delinquent assessment. A legal description of the property is attached as Exhibit A, and a site map depiction of the property is attached as Exhibit B.
2. The property has been vacant since the City acquired the property. The only structure on-site was a shed that was recently deconstructed due to its dilapidated state. Abutting neighbors on either side of the property have encroached upon the lot and used it for various purposes throughout the years. The property does not have any cultural or heritage significance. The property does not appear to suffer any liens or encumbrances.
3. No current, previous or future use of the property by PP&R has been identified, thus it has little or no value to PP&R. The property would not be convenient for park users, provides no connectivity to existing parks in the area, and would not create demand for a park use, either now or in the future. Therefore, for PP&R’s purposes and needs, it is considered excess property.
4. In February of 2019, Parks first notified all City Bureaus about the availability of this specific property and no bureau or agency has expressed interest in purchasing or acquiring the property. Parks has also completed the external notification process by posting notice of the lot’s availability online and at the property site.
5. Though PP&R has invested very few resources in this property, it may provide value if the property was sold on the open market. Its best use may be as a residential home site, or as a means to expand an adjacent lot.
6. Several private citizens, including the adjacent property owners, have become aware of the property’s potential availability and they have contacted PP&R to indicate an interest in purchasing the property
7. PP&R has moved the property through the City’s Category 3 surplus property process and that process has included the following: a declaration that the property was excess real property; the notice provided to other City Bureaus; notice to external parties by declaring its availability online at Parks’ website and at the property site; and, the presentation of this Ordinance before Council.
8. In accordance with ADM 13.02, Disposition of City Real Property, PP&R determined that the

property is a Category 3 real property, and accordingly followed the internal notification process for excess real property by offering the property to other City bureaus. No bureau expressed interest in putting the property to use.

9. Thereafter, PP&R followed the external notification process pursuant to ADM 13.02 and initiated and complied with the Public Comment Period by providing notice to the public for 60 days of public comment. The City through the City Real Property Coordinator also notified requisite local, regional and state jurisdictions of the anticipated availability of the property for disposition. No interest was expressed by the public or any governmental entity.
10. Upon declaration of the property as surplus, PP&R will be authorized to dispose the property by sale on the open market.

NOW, THEREFORE, The Council directs:

- a. The Forest Park NW 31st Ave. Shed property, near Forest Park at NW 31st Ave and Vaughn, Tax Lot Property Number R307805, is declared to be surplus real property, and the Bureau of Parks and Recreation is authorized to take all steps necessary to dispose of the property by sale on the open market. PP&R is authorized to contract with a qualified commercial real estate broker, as may be necessary, whether under existing on-call services or in a separate procurement to assist with the sale of the property.
- b. PP&R, through its Director or designee, is authorized to execute on behalf of the City any and all documents approved by the City Attorney as required for disposition and conveyance of title to the property. All documents shall be subject to approval as to form by the City Attorney.

Section 2. The Council declares that an emergency exists because a delay in disposing the property would unreasonably impact the sale of the property and liquidation of this real asset for reinvestment within the City's park system; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: January 13, 2021

Commissioner Carmen Rubio
Prepared by: F. Dennis James
Date Prepared: December 9, 2020

Mary Hull Caballero
Auditor of the City of Portland

By *Keelan McClymont*
Deputy

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Agenda No.
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Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Commissioner Rubio</p>	<p>CLERK USE: DATE FILED <u>January 5, 2021</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Keelan McClymont</i></u> Deputy</p> <p>ACTION TAKEN:</p>
Mayor—Finance & Administration - Wheeler	
Position 1/Utilities - Rubio <i>Carmen Rubio</i>	
Position 2/Works - Ryan	
Position 3/Affairs - Hardesty	
Position 4/Safety - Mapps	
BUREAU APPROVAL	
Bureau: Parks Bureau Head: Adena Long <small><i>Digitally signed by Adena Long Date: 2020.12.29 08:19:46 -08'00'</i></small>	
Prepared by: F. Dennis James Date Prepared: 12/21/2020	
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: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <small><i>Digitally signed by L. Law Date: 2020.12.22 08:31:04 -08'00'</i></small>	
Council Meeting Date January 13, 2021	

<p style="text-align: center;">AGENDA</p> <p>TIME CERTAIN <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p> <p>CONSENT <input type="checkbox"/></p> <p>REGULAR <input checked="" type="checkbox"/> Total amount of time needed: <u>5</u> (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>YEAS</th> <th>NAYS</th> </tr> <tr> <td>1. Rubio</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>2. Ryan</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>3. Hardesty</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>4. Mapps</td> <td style="text-align: center;">✓</td> <td></td> </tr> <tr> <td>Wheeler</td> <td style="text-align: center;">✓</td> <td></td> </tr> </table>	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:			YEAS	NAYS	1. Rubio	✓		2. Ryan	✓		3. Hardesty	✓		4. Mapps	✓		Wheeler	✓	
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