

EXHIBIT A

AGREEMENT

PARTIES:

HOUSING AUTHORITY OF PORTLAND, 1605 N.E. 45th Avenue,
Portland, Oregon 97213, (HAP),

CITY OF PORTLAND, OREGON, 1220 S.W. Fifth Avenue,
Portland, Oregon 97204 (City).

RECITALS:

The City, through its Office of Planning and Development (OPD), is undertaking a comprehensive neighborhood improvement program in the Concordia Neighborhood of Northeast Portland utilizing Community Development Block Grant (HCD) funds provided by the Department of Housing and Urban Development (HUD).

The City, in cooperation with the Concordia Neighborhood, the tenants of Dekum Court and HAP, has acquired Lots 1 thru 5, Block 3, Dekum Court, in the City of Portland, Oregon, Multnomah County; together with an undivided 1/54th interest in and to Tract "A". This agreement only affects Lots 1 thru 5, Block 3, Dekum Court which property is to be principally used by Dekum Court tenants and residents of the neighborhood for Community recreational open space.

Representatives of Dekum Court and Concordia Neighborhood with assistance from HAP, the City and the Community Design Center have prepared a plan and cost estimates for improving the subject property that will meet recreational and open space needs of nearby residents and tenants.

The City intends to transfer ownership of the land and improvements to the HAP, at no cost, upon satisfactory completion of the improvement program.

AGREED:

- (1) The HAP, in cooperation with Dekum Court tenants, Concordia Neighborhood and the City, will prepare any required construction drawings, bid and contract documents and will obtain necessary approvals, plan review, permits as well as oversee the installation and construction of these improvements as set forth in the plan.

- (2) The City shall make payment to the HAP based on billings received for equipment, installation and related construction costs in an amount not to exceed \$27,495.
- (3) The City will transfer title of the property to HAP, including the improvements made thereto, upon completion of the improvements program to the mutual satisfaction of HAP and the City. Covenants running with the property shall declare that the land shall remain as recreational open space for the life of the Dekum Court HAP housing project subject to change in such use and/or ownership only upon agreement by the City.
- (4) The HAP, upon transfer of ownership of land and improvements, shall assume full responsibility for the maintenance, repair and replacement of the open space and recreational equipment in accordance with appropriate standards.
- (5) HAP shall allow access to and use of the open space and recreational facilities by both Dekum Court tenants and neighborhood residents. Any restriction of access or use by HAP either through use of physical barriers or exercise of legal property rights, for other than temporary or emergency reasons, shall first be approved by the City.

DATED this _____ day of _____, 1980.

CITY OF PORTLAND

Approved as to form

By _____
City Attorney

By _____
Mayor

Approved as to form

By _____
Legal Counsel for Housing
Authority of Portland

By _____
Chairman

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That CITY OF PORTLAND

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HOUSING AUTHORITY OF PORTLAND

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Multnomah, State of Oregon, described as follows, to-wit:

Lot 1, 2, 3, 4, and 5, Block 3, DEKUM COURT, in the City of Portland, County of Multnomah and State of Oregon;

Restriction: Subject land shall remain as recreational open space for the life of the Dekum Court housing project. Any change in ownership or use thereof is subject to written approval by the City of Portland.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). The sentence between the symbols @, if not applicable, should be deleted. See ORS 93-020.

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this July day of 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

CITY OF PORTLAND

By:

(If executed by a corporation, affix corporate seal)

Notary Public for Oregon, State of Oregon. Includes notary signature lines and official seal area.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That CITY OF PORTLAND

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HOUSING AUTHORITY OF PORTLAND

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Multnomah, State of Oregon, described as follows, to-wit:

Lot 1, 2, 3, 4, and 5, Block 3, DEKUM COURT, in the City of Portland, County of Multnomah and State of Oregon;

Restriction: Subject land shall remain as recreational open space for the life of the Dekum Court housing project. Any change in ownership or use thereof is subject to written approval by the City of Portland.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.020.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this July day of July, 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

CITY OF PORTLAND

By:

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,) County of) ss.

Personally appeared the above named

and acknowledged the foregoing instrument to be voluntary act and deed.

(OFFICIAL SEAL)

Notary Public for Oregon My commission expires:

STATE OF OREGON, County of) ss.

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of

a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Notary Public for Oregon My commission expires: (SEAL)

CITY OF PORTLAND

GRANTOR'S NAME AND ADDRESS

HOUSING AUTHORITY OF PORTLAND

GRANTEE'S NAME AND ADDRESS

After recording return to:

City Auditor City Hall, Portland, Oregon

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

NAME, ADDRESS, ZIP

STATE OF OREGON,)

County of) ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book on page or as file/reel number Record of Deeds of said county.

Witness my hand and seal of County affixed.

Recording Officer

By Deputy

SPACE RESERVED FOR RECORDER'S USE

ORDINANCE NO. 150106

An Ordinance authorizing an agreement in the amount of \$27,495 between the City of Portland and the Housing Authority of Portland (HAP) for property improvements at Dekum Court, executing a quitclaim deed transferring ownership of the land and improvements to the Housing Authority of Portland, providing title insurance, transferring \$27,721 within the Housing and Community Development fund for said improvements, authorizing the drawing and delivery of warrants, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds,

1. In the 1978-79 HCD budget, \$80,000 was approved by Council for acquisition and improvement of five lots adjacent to Dekum Court for recreation and open space.
2. Ordinance 148159, passed by the Council July 25, 1979 authorized purchase of property described as Lots 1 - 5, Block 3, Dekum Court in the City of Portland, Oregon, Multnomah County; together with an undivided 1/54th interest in and to Tract "A". The property was purchased by the City at a cost of \$52,279 and a Warranty deed was accepted.
3. Representatives of the Dekum Court Tenant Association and Concordia Community Association, with assistance from HAP, the City's Office of Planning and Development, and the Community Design Center have prepared a plan and cost estimates for improving the property that will meet recreational and open space needs of nearby residents and tenants. Included in the plan is lighting, play equipment, a lawn area and playfield.
4. HAP will be responsible for making the improvements. The cost to implement the plan is \$27,495. This amount represents the remainder of the \$80,000 project budget less the title insurance fee of \$226 and should be appropriated from the Housing and Community Development 1980-81 contingency.

ORDINANCE NO.

5. The City will transfer ownership of the land and improvements to HAP upon completion and acceptance of the improvements by the City and HAP. The costs associated with transferring ownership (\$226) should be appropriated from the Housing and Community Development 1980-81 contingency.

NOW, THEREFORE, the Council directs:

- a. The Mayor and Auditor are authorized to execute an agreement with the Housing Authority of Portland (HAP) for property improvements at Dekum Court, such agreement to be in substantial conformance with the form of agreement attached as Exhibit A and by this reference made a part hereof.
- b. After completion and acceptance of the improvements by the City and HAP, the Mayor and Auditor are authorized to execute a quitclaim deed conveying the above described property to HAP at no cost. Such deed shall be in substantial conformance to the deed attached as Exhibit B and by this reference made a part hereof.
- c. The 1980-81 City Budget is amended as follows:

Housing and Community Development Fund

<u>Transfer</u>	<u>From</u>	<u>To</u>
General Operating Contingency BUC 53000011/710	\$27,721	
Housing and Community Development (AU532) BUC 53400353 /3025/260		\$27,495
BUC 53400353 /3025/490		226
	\$27,721	\$27,721

- d. The Mayor and Auditor are hereby authorized to draw and deliver warrants on the HCD fund for payments pursuant to this agreement, not to exceed \$27,495.
- e. The Mayor and Auditor are hereby authorized to draw and deliver a warrant in the amount of \$226 to First American Title Insurance Company of Oregon, Head Office, 314 S.W. Fourth, Portland, Oregon, 97204, Attention: Ron Hinsley.

ORDINANCE No.

Section 2. The Council declares an emergency exists because a delay in construction will unnecessarily deprive the residents of recreation space in the summer months; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

ORDINANCE NO. 30106

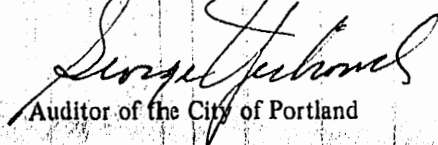
1116

and declaring an emergency exists because a delay in construction will unnecessarily deprive the residents of recreation space in the summer months; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

JUL 2 1980

CITY OF PORTLAND

Passed by the Council, **JUL 30 1980**
 Mayor Connie McCreedy
 July 17, 1980
 Connie Lively-Trudeau:cs

Attest:

 Auditor of the City of Portland

Calendar No. 2723

ORDINANCE No. 150106

Title

An Ordinance authorizing an agreement in the amount of \$27,495 between the City of Portland and the Housing Authority of Portland (HAP) for property improvements at Dekum Court, executing a quitclaim deed transferring ownership of the land improvements to the Housing Authority of Portland, providing title insurance, transferring \$27,721 within the Housing and Community Development fund for said improvemtns, authorizing the drawing and delivery of warrants, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan		1
Lindberg	1	
Schwab	1	
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JUL 25 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Jordan Crall
Deputy

INTRODUCED BY
Mayor Connie McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>CM</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: HCD/OPD
Prepared By: Connie Lively:cs Date: 7/17/80
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>CE</i> <i>Alan</i> <i>7/22/80</i>

NOTED BY
City Attorney
City Auditor
City Engineer

Calendar No. 2723

ORDINANCE No. 150106

Title

An Ordinance authorizing an agreement in the amount of \$27,495 between the City of Portland and the Housing Authority of Portland (HAP) for property improvements at Dekum Court, executing a quitclaim deed transferring ownership of the land improvements to the Housing Authority of Portland, providing title insurance, transferring \$27,721 within the Housing and Community Development fund for said improvements, authorizing the drawing and delivery of warrants, and declaring an emergency.

INTRODUCED BY

Mayor Connie McCready

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration *CM*

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

HCD/OPD

Prepared By:

Date:

Connie Lively:cs 7/17/80

Budget Impact Review:

Completed

Not required

Bureau Head:

CE *7/22/80*

NOTED BY

City Attorney

City Auditor

City Engineer

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie	1	
Jordan		
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed JUL 25 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerkovich*

Deputy