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191687

Ordinance

Declare property located near the intersection of SE Morrison St and SE 51st Ave as surplus property and authorize the Bureau of Transportation to dispose of the property for fair market value

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In 1948, The City of Portland acquired a parcel of land from Multnomah County ("MC"), however a clause within the deed restricted the parcel for only public benefit and use. This parcel was a remnant of a larger parcel which was used to create a segment of SE Morrison St. In 2022, MC relinquished the reversionary restriction to the City. The 3,093 square foot parcel, identified as tax lot number R233579, is located at the northeast corner of the intersection of SE Morrison St and SE 51st Ave (the "Property"). A legal description of the Property is attached as Exhibit A, and a site map description is attached as Exhibit B, and by this reference incorporated herein.
2. The Portland Bureau of Transportation ("PBOT") currently maintains the vacant Property, which no longer has any transportation related use or benefit.
3. Beginning in October of 2023, PBOT worked with the Office of Management and Finance's City Real Property Coordinator to move the Property through the City's Category 3 surplus property process. Under the Category 3 process, PBOT solicited comments from the bureau and declared it to be excess to its needs. The City Real Property Coordinator then notified other City bureaus of the intent to dispose of the Property. With no City bureaus expressing a need to control or place easements on the Property, PBOT and City Real Property Coordinator solicited external notification, which includes posting signage, listing on City website, notifying neighborhood associations, mailing to surrounding properties, and notifying other government agencies. A summary of public comments received are attached in Exhibit C. The Property is now presented to Council to be declared as surplus property for disposition.

NOW, THEREFORE, the Council directs:

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

Contact

Kevin Balak

Right of Way Agent III

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Requested Agenda Type

Regular



Date and Time Information

Requested Council Date

April 17, 2024

- A. The Property is declared to be surplus real property and that PBOT is authorized to dispose of the Property by sale on the open market.
- B. PBOT, through its Director or designee, is authorized to execute on behalf of the City any and all documents required for disposition and conveyance of title to the Property. All documents shall be subject to approval as to form by the City Attorney.

Documents and Exhibits

-  [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-legal-description.docx\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-a-legal-description.docx) 14.61 KB
-  [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-site-map.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-b-site-map.pdf) 195.56 KB
-  [Exhibit C \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-c-summary-of-comments.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit-c-summary-of-comments.pdf) 125.97 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
April 17, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

Declare the property at SE Morrison St and SE 51st Ave surplus real property and authorize the Bureau of Transportation to dispose of the property for fair market value. This parcel was a remnant of a larger parcel which was used to create a segment of SE Morrison St. In 1948, The City of Portland acquired a 3,093 square foot parcel of land from Multnomah County, however a clause within the deed restricted the parcel for only public benefit and use. In 2022, Multnomah County relinquished this reversionary restriction to the City.

Financial and Budgetary Impacts

Upon council action, PBOT would secure an independent appraisal of the property and sell on the open market.

The anticipated revenue is not in the FY 23-24 budget, however the actual one-time revenue would be applied by the end of the fiscal year in which revenue is received.

This will be a net benefit as the property would be returned to City tax rolls and ongoing maintenance and liability to PBOT would be eliminated.

Community Impacts and Community Involvement

The surrounding Belmont, Mt. Tabor, and Glencoe Elementary School communities provided public comments, a summary of those comments is attached as Exhibit C. Most of these comments are not in favor of PBOT declaring the Property excess.

100% Renewable Goal

N/A

Budget Office Financial Impact Analysis

This action authorizes PBOT to declare surplus and sell property near the intersection of SE Morrison St and SE 51st Ave. Value of the property is contingent on appraisal and buyer offers. The bureau will receive one-time revenue resulting from the property sale and ongoing savings from elimination of property maintenance.

Agenda Items

292 Regular Agenda in [April 10-11, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/10)
(<https://www.portland.gov/council/agenda/2024/4/10>)

Passed to second reading

Passed to second reading April 17, 2024 at 9:30 a.m.

316 Regular Agenda in [April 17-18, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/4/17)
(<https://www.portland.gov/council/agenda/2024/4/17>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea