

ORDINANCE No. 176142

***Amend Abandonment and Retention Agreement for the jurisdictional transfer of portions of SW Market Street, SW Clay Street, and SW Front Avenue with the State of Oregon, Department of Transportation (Ordinance; amend Ordinance No. 175715)**

The City of Portland ordains:

Section 1. The Council finds:

1. Portions of SW Market Street, SW Clay Street, and SW Front Avenue are under the jurisdiction of ODOT;
2. ODOT and City staff agree that a jurisdictional transfer of the portions of SW Market Street, SW Clay Street, and SW Front Avenue under ODOT jurisdiction to the City is consistent with both State and City policy objectives;
3. Ordinance No. 175715, passed by Council on June 27, 2001, authorized the Mayor and Auditor to sign an Abandonment and Retention Agreement transferring portions of SW Market Street, SW Clay Street, SW 12th Avenue, SW 13th Avenue, and SW Front Avenue from the Oregon Department of Transportation to the City of Portland;
4. Subsequent to the City signing the Abandonment and Retention Agreement, and prior to the State executing the agreement, the State discovered errors in the descriptions of the streets to be transferred by the agreement;
5. The state has now corrected the agreement.

NOW, THEREFORE, the Council directs:

- a. That the Mayor and Auditor are authorized to sign a corrected Abandonment and Retention Agreement, substantially in accordance with the attached agreement, Exhibit "A", transferring portions of SW Market Street, SW Clay Street, and SW Front Avenue from the Oregon Department of Transportation to the City of Portland.
- b. That the City Auditor is authorized to accept and record the subsequent Resolution from the State which will eliminate Unit A (Exhibit "A") as a portion of State Routes Highway 26 and 99W and the State highway system.
- c. That the City Auditor shall forward all 5 signed copies of this Ordinance to the Region One Engineer, ODOT.
- d. That the City Auditor shall record a certified copy of the Ordinance along with the Abandonment and Retention Agreement in the Multnomah County Deed Records, and return one copy of the recorded Ordinance to the Right-of-Way Acquisition Section, Bureau of Transportation Engineering and Development.

Section 2. The Council declares that an emergency exists because delaying the transfer of State routes to

the city will result in unnecessary hardships to the traveling public due to continued street deterioration; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, DEC 19 2001

Commissioner Charlie Hales
DG:bw
December 7, 2001
Market clay ord.doc

GARY BLACKMER
Auditor of the City of Portland
BY /S/ Terry Reisz
DEPUTY

BACKING SHEET INFORMATION

AGENDA NO. 1448-2001

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176142

COMMISSIONERS VOTED AS FOLLOWS:

	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	