

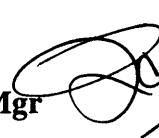


CITY OF PORTLAND  
**ENVIRONMENTAL SERVICES**

174062

Facilities/Admin Svcs Division, 1211 SW Fifth Ave - Rm 800, Portland OR 97204  
(503) 823-7104 FAX (503) 823-5228

MEMORANDUM

DATE: December 17, 1999  
TO: Jan Betz, Deputy City Attorney  
FROM: Scott Turpen, Facilities/Admin Svcs Mgr   
SUBJECT: Abandoned Pump-station at SW 30<sup>th</sup> & Dolph Ct

You asked me to address the three conditions for reversion outlined in the Warranty Deed that conveyed this property (parcel number 1S1E29AB 300) to the City.

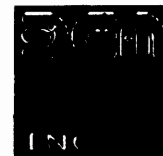
1. **"sewage pumping and equipment is removed by the grantee"**  
The pump-station was abandoned in 1966 with the completion of the new Taylors Ferry Sanitary Sewer System #5. However, our records are inconclusive as to how it was abandoned; we cannot say with certainty that the facility and equipment was physically removed.
2. **"the property ceases to be used for such purposes"**  
As mentioned above, the pump-station was abandoned in 1966 and is no longer used for sewer system activities.
3. **"and it is determined by the grantee herein that said property will no longer be needed for such purposes"**  
We have completed a review by the bureau's programs to confirm that this property is no longer necessary to our operations. We are willing to declare this property as surplus and allow it to revert to the appropriate parties.

I hope this covers your need. Please call me at 823-7104 if you need anything else.

EX B

DEC 20 1999

NO. 066  
174062



DAVID EVANS AND ASSOCIATES, INC.

TELECOPY TRANSMITTAL

2828 SW Corbett Avenue

TO: Mr. Jim Winkler

FAX NO: 273-8591

Portland, Oregon 97201

FIRM: Winkler Development Corp.

PHONE NO:

# OF PAGES: 1

Tel: 503.223.6663

FROM: Lee Cronmiller

PROJ. #: DEAX0010-004

Fax: 503.223.2701

DATE: December 13, 1999

REGARDING: Eagles Site - Abandoned Pump Station

COPIES:

FAX NO:

ORIGINAL TO FOLLOW:  REGULAR MAIL  OVERNIGHT MAIL  COURIER  N/A

COMMENTS:

As requested, I have scoured the pump station site with a metal detector and did not find any indication of buried piping or equipment. It appears that the City of Portland has removed the pump station in its entirety.



EX C



CITY OF


# PORTLAND, OREGON

BUREAU OF GENERAL SERVICES  
FACILITIES SERVICES DIVISION

Jim Francesconi, Commissioner  
David O. Kish, Director  
1120 SW Fifth Ave., Room 1204  
Portland, Oregon 97204-1985  
(503) 823-5252  
FAX (503) 823-5342  
TDD: (503) 823-6868

## MEMORANDUM

174062

**DATE:** December 16, 1999  
**TO:** Jan Betz, Deputy City Attorney 131/430  
**FROM:** Diana Lee Holuka, Property Manager   
**SUBJECT:** Property at SW 30<sup>th</sup> & Dolph Court - Section 29, 1 South, 1 East, (old) Tax Lot  
100 State I.D. #1S1E29AB

At the request of the Bureau of Environmental Services, I surveyed all appropriate City bureaus and inquired if any bureau had a use for the subject property. I inquired of the Bureaus of Maintenance, Transportation Planning, Transportation Engineering, Traffic Management, and Arterial Engineering, Street Lighting, and Development Review. The Bureau of Environmental Services stated it had no current or future need for the site and wished to determine if the property could be declared surplus and sold.

No bureaus or divisions in the City had an interest or a need for this 870 square foot property.

VBES\Sec291S1ETL10012-16

RECEIVED

DEC 16 1999

CITY ATTORNEYS OFFICE

BGS --- Working for you...  
Equal Employment Opportunity and Affirmative Action Employer

EX D

**EXHIBIT A**

A portion of Tax Lot 1, Section 29, T. 1 S., R. 1 E., W.M., being a strip of land 15.0 feet in width, 7.5 feet on either side of the following described center line:

Commencing at the northwest corner of the northeast quarter of Section 29, T. 1 S., R. 1 E., W.M.; thence east 20 chains to the west line of County Road No. 408, (now S.W. 30<sup>th</sup> Avenue), as now laid out and established 40.0 feet wide; thence southerly, tracing the west line of S.W. 30<sup>th</sup> Avenue a distance of 47.0 feet to the true point of beginning of the 15.0 foot strip of land herein described; thence southwesterly to a point which is 46.5 feet south of the south line of S.W. Dolph Court as now laid out and established, 45.0 feet wide, and 27.9 feet west of the west line of said S.W. 30<sup>th</sup> Avenue; thence southerly 32.5 feet to a point at the center of a proposed sewage pumping station, which point is 31.5 feet west of the west line of said S.W. 30<sup>th</sup> Avenue; thence east 31.5 feet to the west line of said S.W. 30<sup>th</sup> Avenue.

This property is conveyed for sewage purposes, and at such time as the sewage pumping machinery and equipment is removed by the grantee herein, and said property ceases to be used for such purposes, and it is determined by the grantee herein that said property will no longer be needed for such purposes, said property shall revert to the grantors, their heirs or assigns.

**ORDINANCE No.**

**17 4 0 6 2**

\*Declare surplus and authorize transfer of property located at SW 30<sup>th</sup> & Dolph Court.  
(Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Property located in Southwest Portland, Multnomah County, Oregon, as described in Exhibit A attached hereto, was assigned to the Bureau of Environmental Services, which has no further need or use for it.
2. The 1958 deed granting the parcel to the City provided that it would revert to the grantors or their heirs or assigns if the following conditions were satisfied: The property is no longer used for "sewage purposes"; the pumping equipment is removed; and the City determines that the property will no longer be needed for such purposes.
3. To the best of the City's knowledge, after a review of applicable records, and on the basis of a survey of the property with a metal detector, the pumping equipment has been removed. (See Exhibits B and C, attached hereto.)
4. The property is no longer used as a sewage pump station. (See Exhibit B, attached hereto).
5. The property is not needed by the City for future purposes. (See Exhibit D, attached hereto.)
6. The City Attorney shall approve the final transfer document as to form.

NOW, THEREFORE, the Council directs:

- a. The property is hereby declared surplus.
- b. The Mayor and the City Auditor, or the designee of each, are authorized to execute a quitclaim deed between the City of Portland and Dolph Creek Town Homes, L.L.C. thereby transferring the City's interest in the property described in Exhibit A.

Section 2. The Council declares an emergency exists since a delay by the City in transferring the property will negatively impact the grantee's development of the property; therefore, this ordinance shall be in force and effect from and after its passage by Council.

Commissioner Dan Saltzman  
Jan V.V. Betz:pk  
January 12, 2000  
Passed by the Council:

JAN 12 2000

**Gary Blackmer**  
Auditor of the City of Portland

By: *Britta Olson*

Deputy

ORDINANCE NO.

174062

\* Declare surplus and authorize transfer of property located at SW 30<sup>th</sup> & Dolph Court (Ordinance)

<b>INTRODUCED BY</b>	<b>DATE FILED:</b>
Commissioner Saltzman	JAN 07 2000 Gary Blackmer Auditor of the City of Portland
<b>NOTED BY COMMISSIONER</b>	By: <u>Cay Kenshaw</u> Deputy
Affairs <i>Don Saltzman</i>	
Finance and Administration	
Safety	
Utilities	
Works	
<b>BUREAU APPROVAL</b>	For Meeting of: _____
Bureau: Environmental Services	<b>ACTION TAKEN:</b>
Prepared by JBetz Date 12/27/99 JB:pd	
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not Required	
Bureau Head: <i>Demand</i>	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
		YEAS	NAYS
Consent XX      Regular	Francesconi	}	
<b>NOTED BY</b>	Hales		
City Attorney	Saltzman		
City Auditor	Sten		
City Engineer	Katz		