

ORDINANCE No. 184154

*Revise to include indemnification to the Permanent Slope Easement and Temporary Construction Easement for WMR, LLC in connection with the Burgard Road Bridge Replacement Project (Ordinance; amend Ordinance No. 182824)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Transportation has designed a Bridge fill/Street Improvement Project. The project will be constructing street improvements, including an engineered fill. Off-street improvements will include curbs, sidewalk and drainage improvements.
2. WMR, LLC has agreed to convey the needed Permanent Slope Easement and Temporary Construction Easement to the City, subject to the indemnification from the City.
3. The Office of the City Attorney has reviewed and approved the indemnification language added to the Permanent Slope Easement and Temporary Construction Easement.

NOW, THEREFORE, the Council directs:

- a. The City Engineer is hereby authorized to execute the easements with WMR, LLC, in substantially the same form as the easements attached as Exhibit A and B.
- b. All remaining portions of Ordinance No. 182824 shall remain unchanged and all conditions thereof shall remain in full force and effect.

Section 2. The Council declares that an emergency exists because delay in property acquisition at this location will result in a construction delay of the Burgard Road Bridge Replacement Project and overall project completion; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

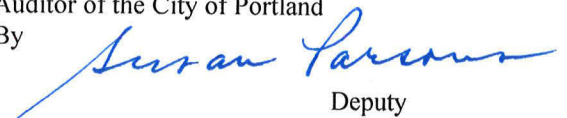
Passed by the Council, OCT 13 2010

Mayor Sam Adams
Prepared by: Marty Maloney
Date Prepared: September 17, 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By



Deputy

Agenda No. **ORDINANCE NO. 184154**
Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: MAYOR SAM ADAMS</p> <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Transportation Group Manager: Greg Jones Development & Capital Program Other: <i>Greg Jones</i></p> <p>Prepared by: Marty Maloney Date Prepared: September 17, 2010</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date October 13, 2010</p> <p>City Attorney Approval <i>Heath</i></p>	<p style="text-align: right;">CLERK USE: DATE FILED <u>OCT 08 2010</u></p> <p style="text-align: center;"><i>on behalf of Mayor Adams</i> LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA

TIME CERTAIN
Start time: _____

Total amount of time needed: _____
(for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
(for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	_____	
Adams	Adams	✓	