

# ORDINANCE No. 184642

\*Amend Lease Agreement with Macadam Bay Homeowners Association to reduce the size of the leased premises (Ordinance; amend Contract No. 21004)

The City of Portland ordains:

Section 1. The Council finds:

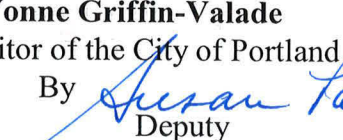
1. The City of Portland (City) through its Bureau of Parks & Recreation (Parks) owns property between the Willamette River and Macadam Avenue that includes Butterfly Park.
2. Pursuant to Ordinance No. 154833 and a Lease Agreement (Contract No 21004), dated November 8, 1983, Macadam Bay Homeowners Association (Macadam Bay), or its predecessors, has leased from the City 1.85 acres of real property consisting of 1S1E22AC 4800 (TL 4800) and 1S1E22DB 100, in addition to subleasing from the City 4.46 acres of state waterway (collectively, Leased Premises), which it uses as a residential moorage and parking area.
3. In the 1990's TL 4800 was developed into Butterfly Park by Parks and this property continues to be managed by Parks.
4. Although Macadam Bay originally planned to use TL 4800 as part of its moorage, it does not make any use of this parcel and would like it removed from the Leased Premises so that it will no longer have any responsibility or liability for it.
5. This amendment will remove TL 4800 from the Leasehold.

NOW, THEREFORE, The Council Directs:

- a. The Director of Portland Parks & Recreation is authorized to execute a Lease Amendment in a form substantially similar to the attached and as approved as to form by the City Attorney.

Section 2. The Council declares that an emergency exists in order to prevent Macadam Bay from further exposure to liabilities associated with TL 4800; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: JUN 08 2011  
Commissioner Fish  
Prepared by: Zalane Nunn  
May 17, 2011

LaVonne Griffin-Valade  
Auditor of the City of Portland  
By  Deputy

Agenda No. 184642  
**ORDINANCE NO.**  
 Title

\*Amend Lease Agreement with Macadam Bay Homeowners Association to reduce the size of the leased premises. (Ordinance); amend Contract No. 21004)

<p align="center"><b>INTRODUCED BY</b>          Commissioner/Auditor:  <b>Commissioner Fish</b></p> <hr/> <p align="center"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>N. Fish</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <hr/> <p align="center"><b>BUREAU APPROVAL</b></p> <p>Bureau: Portland Parks &amp; Recreation          Bureau Head: Zari Santner <i>Zari Santner</i></p> <p>Prepared by: Zalane Nunn          Date Prepared: May 13, 2011</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  <b>June 1, 2011</b></p> <p><input checked="" type="checkbox"/> <b>City Attorney Approval</b></p>	<p>CLERK USE: DATE FILED <u>JUN 03 2011</u></p> <hr/> <p align="center">LaVonne Griffin-Valade          Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/></p> <p><b>Total amount of time needed:</b> _____          (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Leonard	4. Leonard	<input checked="" type="checkbox"/>	
Adams	Adams	<input checked="" type="checkbox"/>	