

# ORDINANCE No. 185097

Authorize the Bureau of Environmental Services to convey a parcel of City property owned in fee title to Tualatin Hills Park and Recreation District (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland owns fee title to a parcel of land assigned to the Bureau of Environmental Services (BES) and located in Washington County and referenced as 1S113DC Tax Lot 03728 (the Property).
2. BES and Tualatin Hills Park and Recreation District (THPRD) executed permanent and temporary easements in connection with the Fanno Pump Station Pressure Line – Garden Home Section Replacement Project No. E08293 (the Project) as authorized in Ordinance No. 183685, passed by City Council on April 14, 2010. These easements were necessary to permit the construction and ongoing maintenance of facilities vital to the City's sewer infrastructure.
3. As part of the agreement to execute the easements that benefit the City, THPRD requested to acquire the Property or appropriate easements from the City for the purpose of providing a trail connection from the surrounding neighborhood to Bauman Park. Therefore, conveyance of the Property to THPRD is considered part of the compensation for the easements granted to the City with respect to the above noted project.
4. BES owns and maintains sewer facilities on the property but has determined that fee ownership is not necessary in order to protect its interests in the existing facilities. Therefore, a sewer easement will be reserved over the Property for this purpose.
5. There will be no proceeds from this conveyance. The advantage of conveying the Property to THPRD is threefold: 1) potential liability as the fee owner of the Property will be reduced; 2) with the reservation of a sewer easement over the Property, the facilities which are owned and maintained by BES will continue to be protected; 3) easements necessary for the Project will be secured.
6. The cost for the conveyance of the Property is \$1,000. Funds are available in the Sewer System Operating Fund, FY 2011-2012 Budget, Bureau of Environmental Services, Project E08293, WBS code E08293.L65, Account No. 563300.

NOW, THEREFORE, the council directs:

- a. The Director of the Bureau of Environmental Services or designee is hereby directed to arrange for conveyance of the Property to Tualatin Hills Park and Recreation District.
- b. The Director of the Bureau of Environmental Services or designee is hereby authorized to execute on behalf of the City any and all documents required for the conveyance of the title to the Property, once said documents have been approved by the City Attorney.

- c. The Property is described as follows:

A parcel of land situated in the southeast one-quarter of Section 13, T1S R1W, W.M., in the County of Washington, State of Oregon, as described on Exhibit A and depicted on Exhibit B attached hereto.

- d. The cost incurred in connection with conveyance of the Property shall be charged to the Fanno Pump Station Pressure Line – Garden Home Section Replacement Project No. E08293, WBS code E08293.L65, Account No. 563300.

Passed by the Council,  
Dan Saltzman  
Commissioner of Public Affairs

JAN 11 2012

**LaVonne Griffin-Valade**

AUDITOR OF THE CITY OF PORTLAND

By



Deputy

Scott Turpen  
12-16-2011  
E08464 – ord  
R/W #6963-1, 10

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<p><b>INTRODUCED BY</b> Commissioner/Auditor: <i>Saltzman</i></p> <p><b>COMMISSIONER APPROVAL</b></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 <i>Don Saltzman</i></p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: BES Bureau Head: Dean Marriott <i>Dean Marriott</i></p> <p>Prepared by: Scott Turpen Date Prepared: 12/16/11</p> <p><i>EM</i> Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 January 4, 2012</p> <p>City Attorney Approval <i>CF</i></p>	<p>CLERK USE: DATE FILED <i>DEC 29 2011</i></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p> <p><b>ACTION TAKEN:</b></p> <p>JAN 04 2012 PASSED TO SECOND READING JAN 11 2012 9:30 A.M.</p>
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<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 0 (for presentation, testimony and discussion)</p>

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	✓	