

ORDINANCE No. 185239

*Authorize acceptance of a conservation easement adjacent to Forest Park (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:


1. Stone Water, Inc. owns a 2.75 acre property adjacent to Forest Park. Stone Water Inc. would like to grant a conservation easement over a .88 acre portion of the property (Easement Area) to Portland Parks & Recreation.
2. The Easement Area is an undeveloped natural area that contains a mature conifer forest that will extend and buffer the interior forest habitat of Forest Park.
3. The Easement Area contains scenic areas, open space and aesthetic values of great importance to the City.
4. The purpose of the Easement Agreement is to ensure that the Easement Area will be retained in perpetuity in substantially its current natural, scenic, and open space condition.
5. Stone Water, Inc. wishes to convey, at no cost to the City, a perpetual Conservation Easement which Parks is willing to accept in accordance with the terms and conditions of the Easement Agreement.
6. The Easement Agreement provides the City with an option to purchase the property for one dollar in the event that the larger property is ever partitioned to make the Easement Area a legally transferable lot.

NOW, THEREFORE, The Council Directs:

- a. The Director of Portland Parks & Recreation is authorized to execute a Conservation Easement on behalf of the City, substantially in the form of the agreement attached hereto and as approved as to form by the City Attorney.
- b. The Director of Parks is authorized to execute any other documents related to the grant of the Conservation Easement, and to execute all documents related to the purchase of the Easement Area in the event that the City ever exercises its option to purchase in accordance with the terms of the Easement Agreement.
- c. In accepting responsibility for the Conservation Easement, Council acknowledges the need to fund the ongoing Operations and Maintenance costs, and directs the Office of Management and Finance to allocate \$1600 from the General Fund to the Parks & Recreation budget beginning in FY 2012-13.

Section 2. The Council declares that an emergency exists in order to avoid losing the opportunity to acquire management rights to this important property; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: MAR 28 2012
Commissioner Fish
Prepared by: Zalane Nunn
March 15, 2012

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

008281

Agenda No.
ORDINANCE NO. 185239
 Title

*Authorize acceptance of a Conservation Easement adjacent to Forest Park. (Ordinance)

INTRODUCED BY
 Commissioner/Auditor:
Nick Fish

CLERK USE: DATE FILED MAR 23 2012

COMMISSIONER APPROVAL

Mayor—Finance and Administration - Adams

Position 1/Utilities - Fritz

Position 2/Works - Fish

Position 3/Affairs - Saltzman

Position 4/Safety - Leonard

BUREAU APPROVAL

Bureau: Portland Parks & Recreation

Bureau Head: Mike Abbate

Prepared by: Zalane Nunn

Date Prepared: March 15, 2012

Financial Impact & Public
 Involvement Statement

Completed ☒ Amends Budget ☐

Portland Policy Document

If "Yes" requires City Policy paragraph stated
 in document.

Yes ☐ No ☒

Council Meeting Date
March 28, 2012

City Attorney Approval

LaVonne Griffin-Valade
 Auditor of the City of Portland

By: 

Deputy

ACTION TAKEN:

AGENDA

TIME CERTAIN ☐

Start time: _____

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

CONSENT ☐

REGULAR ☒

Total amount of time needed: 0
 (for presentation, testimony and discussion)

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"/>	