

## ORDINANCE No. 186408

\*Return ownership and control of a parcel of real property located at SW McDonnell Terrace and SW Council Crest Drive to the Bureau of Environmental Services (Ordinance; repeal Ordinance No. 183123)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 183123, passed by City Council on August 19, 2009, designated and assigned a parcel of real property located at SW McDonnell Terrace and SW Council Crest Drive to the Bureau of Planning and Sustainability for use in the Diggable Cities Program.
2. This assignment was made in error. The intent of the ordinance was to designate and assign a parcel of property at SE Sherrett & 34<sup>th</sup>, not the property described in the ordinance.
3. The Bureau of Environmental Services acquired the property legally described below as a result of a legal settlement with George & Marietta Spada in July 2006, and has managed and maintained said property since acquiring ownership rights.
4. The Bureau of Planning and Sustainability acknowledges that the property was assigned in error and without any transfer of funds for fair market value.
5. There is no cost to either the Bureau of Environmental Services or the Bureau of Planning and Sustainability for this action.

NOW, THEREFORE, the Council directs:

- a. That Ordinance No. 183123 is repealed in its entirety and the following described property is hereby returned to the ownership and control of the Bureau of Environmental Services.

Lot 9, Block 9, Replat of Healy Heights, in the City of Portland, County of Multnomah and State of Oregon, as depicted on the attached Exhibit A.  
(1S1E09CD 1400; R178250)

- b. That the Auditor shall return a certified copy of this Ordinance to the Facilities/Administrative Services Manager in the Bureau of Environmental Services for recording in the Multnomah County Deed Records. The original recorded Ordinance shall be returned to the Auditor and the Bureau of Environmental Services shall keep a copy for their records and send a copy of the recorded Ordinance to the Bureau of Planning and Sustainability.

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Section 2. The Council declares that an emergency exists because a delay in clarifying the ownership and control of the property might cause confusion in the public record and prevent the Bureau of Environmental Services from actively managing this site. Therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,  
Commissioner Nick Fish

JAN 08 2014

Scott Turpen / lb  
November 25, 2013

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**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

~~\*Repeal Ordinance No. 183123 in its entirety and return ownership and control of a parcel of real property located at SW McDonnell Terrace and SW Council Crest Drive to the Bureau of Environmental Services (Ordinance); repeal Ordinance No. 183123)~~

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <i>FISH</i></p>	<p>CLERK USE: DATE FILED <u>JAN 03 2014</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz <i>[Signature]</i></p> <p>Position 2/Works - Fish <i>[Signature]</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott <i>[Signature]</i></p> <p>Prepared by: Scott Turpen / lb Date Prepared: November 18, 2013</p>	<p><b>ACTION TAKEN:</b></p>
<p><b>Financial Impact &amp; Public Involvement Statement</b> Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p><b>Portland Policy Document</b> If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date 1/8/14</p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (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. Novick	4. Novick	✓	
Hales	Hales	✓	