

## ORDINANCE No. 18 67 78

Declare as surplus City-owned property located at NW Nicolai St & NW 22<sup>nd</sup> Ave and authorize the Director of the Bureau of Environmental Services to proceed with a public sale of the property (Ordinance)

The City of Portland ordains:

### Section 1. The Council finds:

1. The property located at 2439 NW 22<sup>nd</sup> Avenue, inclusive of the tax lot to the north, and legally described below, was acquired by the City and assigned to the Bureau of Environmental Services (BES) in August 2010 to facilitate construction of the Combined Sewer Overflow (CSO) Project.
2. Construction of the CSO Project was completed in 2011.
3. The property is no longer required for City use, except to retain easements for subsurface sewer facilities.
4. No interest in current or future use for this property was expressed by other City Bureaus, Metro, Multnomah County or the State of Oregon.
5. Neighbors West/Northwest Coalition, Northwest Industrial Neighborhood Association, and the Northwest District Association were notified of this pending action on May 7, 2014.
6. This pending action was included on the City's website, and posted at the site, as well as a notice in the Oregonian and DJC on May 7, 2014.
7. Needing only easement rights and having no continuing operational need for the entire property, and receiving no interest from other City Bureaus, BES hereby requests that the property be declared surplus and offered for sale on the open market for the best terms, price and conditions available.
8. The 2013 market value for both parcels, as identified by Multnomah County Tax Assessment Records, is \$788,750.
9. Net proceeds from the sale of the property will be returned to the Sewer System Construction Fund.

NOW, THEREFORE, the Council directs:

- a. That the following described property is hereby declared surplus:

Two parcels of land located in the southwest one-quarter of Section 28, T1N, R1E, W.M., in the City of Portland, County of Multnomah, State of Oregon, as described in Warranty Deed, recorded in Volume 2010-096715, on August 5, 2010, Multnomah County Deed Records. Said parcels contain a combined total of 31,459 square feet, more or less, as depicted on the attached Exhibit A and Exhibit B, and by this reference made a part hereof. (R269756 & R269755; SID# 1N1E28CA 3700 & 3900).

Said property will be conveyed subject to an easement for access and maintenance of sewer facilities.

- b. That the Director of the Bureau of Environmental Services, or his designee, is hereby instructed to dispose of the above described property through sale of the property for the best price, terms and conditions available; and is hereby authorized to execute on behalf of the City any and all documents approved by the City Attorney required for the conveyance of the title to the property.
- c. That the net proceeds from the sale of the property will be returned to the Sewer System Construction Fund.

Passed by the Council, AUG 27 2014

Commissioner Nick Fish

Scott Turpen:lb  
July 28, 2014

ESBS000004 - ord

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

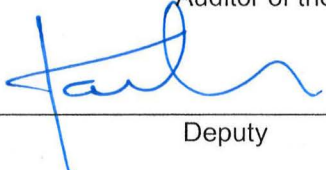
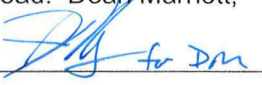
By



Deputy

- 855 - 900 -  
 Agenda No.  
**ORDINANCE NO. 18 67 78**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <u>FISH</u>	CLERK USE: DATE FILED <u>AUG 08 2014</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland  By:  Deputy
<b>BUREAU APPROVAL</b> Bureau: BES Bureau Head: Dean Marriott, Director   Prepared by: Scott Turpen (LB) Date Prepared: July 28, 2014  Financial Impact & Public Involvement Statement Completed <input type="checkbox"/> Amends Budget <input type="checkbox"/>  Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>  <b>City Auditor Office Approval:</b> required for Code Ordinances  <b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter  Council Meeting Date <b>August 13,          2014</b>	<b>ACTION TAKEN:</b>  <b>AUG 13 2014 PASSED TO SECOND READING AUG 27 2014 9:30 A.M</b>

<b>AGENDA</b>
<b>TIME CERTAIN</b> <input type="checkbox"/> Start time: _____  Total amount of time needed: _____ (for presentation, testimony and discussion)
<b>CONSENT</b> <input type="checkbox"/>
<b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <b>20 min</b> (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. Novick	4. Novick	✓	
Hales	Hales	✓	