

## ORDINANCE No. 186813

\*Authorize the acquisition, at a cost of \$400,000, of property adjacent to Leach Botanical Garden for park purposes. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 180626, passed by City Council on November 22, 2006, authorized purchase and sale agreements and deposit of Park System Development Charge (“SDC”) funds in escrow accounts to secure opportunities to purchase certain real properties.
2. Portland Parks & Recreation (“Parks”) wishes to purchase a 1.36 acre parcel of property adjacent to Leach Botanical Garden in Southeast Portland. The property consists of two parcels identified as 1S2E23BB 1300 & 1400 and is located at 12323 SE Claybourne Street (the “Property”).
3. The owner of the Property has agreed to sell the Property to Portland Parks & Recreation (“Parks”) for \$400,000 in accordance with a Purchase and Sale Agreement (Agreement) authorized by Ordinance 180626.
4. This purchase is consistent with the 2010 Leach Botanical Garden Master Plan that recommends purchasing and developing properties that would provide access to Leach Botanical Garden from SE Claybourne Street. The Master Plan recommends a new entrance and parking in this area.
5. The Director of Parks reports that the Property meets the Parks’ SDC acquisition guidelines and that there is adequate revenue from the Park SDC to fund the acquisition of the Property.

NOW, THEREFORE, The Council Directs:

- a. The Director of Parks is authorized to execute all closing documents and take all other actions necessary to close the transaction in accordance with the Agreement and any amendments thereto. All documents will be approved as to form by the City Attorney prior to execution;
- b. The Director of Parks is directed to deposit from Park SDC acquisition revenue, the purchase price and closing costs into an escrow account established for the purpose of the acquisition of the Property;
- c. The Director of Parks is directed to add the Property to the City’s Park inventory upon closing.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the acquiring the Property; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: **OCT 01 2014**  
Commissioner Fritz  
Prepared by: Zalane Nunn

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

By   
Deputy

Agenda No. **186813**  
**ORDINANCE NO.**  
 Title

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INTRODUCED BY Commissioner/Auditor: <b>Fritz</b>	CLERK USE: DATE FILED <b>SEP 26 2014</b>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz <i>Amundson</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland  By: <i>[Signature]</i> Deputy  ACTION TAKEN:
BUREAU APPROVAL Bureau: Parks Bureau Head: Mike Abbate <i>[Signature]</i>  Prepared by: Zalane Nunn Date Prepared: September 15, 2014  Financial Impact & Public Involvement Statement Completed <input checked="" 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"/>  Council Meeting Date <b>October 1, 2014</b>	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i>	

<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 checked="" type="checkbox"/>
<b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	✓	
4. Novick	✓	
Hales	✓	