

ORDINANCE No. 187541

Accept an interest in title to a parcel of land inadvertently omitted from the original conveyance of the Headwaters Apartments to the City of Portland (Ordinance)

The City of Portland ordains:

Section 1. The Council finds that:

1. The Headwaters Development (the “Headwaters Development”) is a 2.88 acre, master-planned, multi-phase, 170-unit, residential development located off Barbur Boulevard at SW 30th Avenue and SW Dolph Court in southwest Portland master planned, and originally owned, by Dolph Creek, LLC, an Oregon limited liability company and affiliate of Winkler Development Corporation.
2. The Headwaters Development is comprised of three parcels (collectively, the “Parcels”).
3. In 2004/2005, Dolph Creek LLC conveyed the Parcels for the Headwaters Development to be constructed and operated as three distinct residential projects including a 100-unit, rental housing development owned by the City of Portland (the “Headwaters Apartments”); a 14-unit attached townhome development owned by individual homeowners organized as the Dolph Creek Homeowners Association (the “Dolph Creek Town Homes”); and an apartment complex designed for occupancy by seniors owned by the Village at the Headwaters Limited Partnership (the “Village at Headwaters”). The foregoing owners of the Headwaters Development are collectively referred to as the “Parties”.
4. In addition to the Parcels, a 6, 717 square foot parcel (“Tract A”), shown on the attached site plan, was intended to be conveyed as common space to be owned collectively by the Parties but was inadvertently omitted from the conveyance.
5. Dolph Creek, LLC, intends to correct the omission by conveying an undivided one-third interest in Tract A to each of the Parties.
6. The Portland Housing Bureau (“PHB”) is prepared to accept the undivided one-third interest in Tract A on behalf of the City of Portland.

NOW, THEREFORE, the Council directs:

- a. PHB is hereby authorized to accept an undivided one-third interest in Tract A, as more particularly described in the deed substantially in the form attached hereto as Exhibit A (the “Deed”).

- b. The Director of PHB is authorized to execute documents as necessary to accomplish the transaction including the acceptance of the Deed.

Passed by the Council, JAN 13 2016

Commissioner Dan Saltzman
Prepared by: Barbara Shaw
Date Prepared: December 18, 2015

MARY HULL CABALLERO
Auditor of the City of Portland

By


Deputy

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Agenda No.
ORDINANCE NO. 187541
Title

Authority to accept an interest in title to a parcel of land inadvertently omitted from the original conveyance of the Headwaters Apartments to the City of Portland (Ordinance)

INTRODUCED BY Commissioner/Auditor: Dan Saltzman	CLERK USE: DATE FILED <u>DEC 29 2015</u>
COMMISSIONER APPROVAL	Mary Hull Caballero Auditor of the City of Portland
Mayor—Finance and Administration - Hales	
Position 1/Utilities - Fritz	
Position 2/Works - Fish	
Position 3/Affairs - Saltzman <i>Bisc</i>	By: <u><i>[Signature]</i></u> Deputy
Position 4/Safety - Novick	ACTION TAKEN:
BUREAU APPROVAL	JAN 13 2016 9:30 A.M.
Bureau: Portland Housing Bureau Bureau Head: Kurt Creager <i>[Signature]</i>	JAN 06 2016 PASSED TO SECOND READING
Prepared by: Barbara Shaw Date Prepared: December 18, 2015	
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"/>	
City Auditor Office Approval: required for Code Ordinances	
<input checked="" type="checkbox"/> City Attorney Approval: <i>6/</i>	
Council Meeting Date January 6, 2016	

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