

Exhibit A

City of Portland

Interagency Agreement

Portland Parks and Recreation (PP&R) & Environmental Services (BES)

A. Recitals:

- BES manages three parcels comprising 10.5 acres at the west intersection of N. Emerson St. and N. Basin Ave. These parcels are a 7.2-acre industrial site, a 2.8-acre river recreation lot (which includes the Swan Island Boat Ramp), and a 0.5-acre community tract currently described as N. Emerson St.
- BES received the boat ramp portion of this property without any initial monetary consideration. Instead BES took over contractual requirements with the Oregon State Marine Board and Oregon Fish and Wildlife to continue operating the boat ramp through June 30, 2010. As of July 1, 2010, BES no longer has any contractual requirements to keep the boat ramp operational.
- BES acquired these parcels as one lot in 1996, with the intention of building a wet weather facility for the CSO project. In 2001, it was determined that the location did not fit the needs for the CSO project and the site was declared surplus via Ordinance 177333 in 2003. The surplus process was delayed as BES split this site into the three current lots to accommodate the recreational use on an industrial zoned lot.
- BES has restarted the surplus property process to accommodate new procedures as required by Council Resolution 37143. The Commissioner-in-Charge of BES declared the sites excess to the needs of BES on March 16, 2015. BES, through the City Real Property Coordinator, conducted an internal notification to other City agencies/bureaus of the potential availability of this property on March 19, 2015. PP&R expressed interest in the property, and requested BES delay the surplus process while PP&R investigated potential uses at this site.
- PP&R has interest in recreation facilities, and currently operates two boat ramps on the Willamette River. The Swan Island Boat ramp is the third public use boat ramp accessing the Willamette within City limits, and is filled to capacity during summer months and fishing seasons.
- PP&R is currently in need of an industrial zoned location to conduct wood chipper operations, which is currently being conducted at the East Pad of the Columbia Boulevard Waste Water Treatment Plant (CBWTP).
- Expansion of operation at the Columbia Boulevard Wastewater Treatment Plant (CBWTP) by BES requires full access to the East Pad by June 30th, 2016.
- A Property Line Adjustment (PLA) is needed to reconfigure the BES property to create a new lot consisting of the boat ramp and approximately two acres of industrial land that BES will transfer to PP&R.

- The process of transferring the Premises will be a two step process.
 - i.* PP&R will take over interim management of the boat ramp and the two acres once BES has successfully terminated a lease with UPS on the two acres and retaken possession.
 - ii.* Once City Council has approved the transfer and the PLA has been fully approved, Parks will pay the purchase price and the Premises will be formally transferred to PP&R's portfolio.

B. Premises

The Premises is those portions of the BES property commonly referred to as the 'Swan Island Boat Ramp' and 'Swan Island Lagoon' shown as "Tract 2" on Exhibit A and more particularly described in Exhibit B.

C. Term

This Agreement shall be effective when executed by the Commissioner-in-Charge of each bureau (Effective Date) and shall terminate on one of the following two conditions.

- The date upon which both the PLA has been recorded and City Council, by ordinance, has transferred the Premises to the portfolio of PP&R.
- 90 days after the date of the ordinance purporting to transfer management of the Premises to PP&R, if that ordinance is not approved by Council.

D. Interim Use of Property

Upon 15 days notice that BES has terminated or modified its lease with UPS and has full possession of the Premises, PP&R will take full management and maintenance responsibilities of the Premises. It is expected that PPR will take possession on June 1, 2016.

E. Final Disposition of Property

Subject to approval by City Council and final approval of the Property Line Adjustment, BES agrees to transfer the Premises to PP&R, and PP&R agrees to pay BES \$970,757 within the latter of the following two dates.

1. Two weeks after the approved ordinance authorizing this transfer.
2. Two weeks after the final approval of the Property Line Adjustment creating the tract to be transferred.

F. Responsibilities of PP&R

- Apply and pay for a PLA to create the new taxlot as shown on Exhibit A.
- Take over all maintenance and management responsibilities and costs of the Swan Island Boat Ramp.
- Apply and pay for a PLA to revert the property back to its original lot configuration (or as near as possible under current zoning regulations) if PP&R chooses not to pursue the transfer of the Premises.
- Vacate all operations from the Columbia Boulevard Wastewater Treatment Plant (CBWTP) by June 24th, 2016.

G. Responsibilities of BES

- Support and respond to 'owner requirements' of the PLA as requested by permit review staff.
- Terminate or modify the current lease with UPS on the Premises and allow PP&R to access all portions of the Premises by June 1, 2016.
- Deliver the site in a reasonably clean condition without significant debris or abandoned vehicles.
- Allow PP&R interim access to Parcel B (9363 N Columbia Blvd) to facilitate the move from the Waste Water Treatment Plant to the Premises.

H. Project Managers

- PP&R's project manager is Zalane Nunn Petersen, who can be reached at 503-823-2555.
- BES's project manager is Eli Callison, who can be reached at 503-823-5756.

I. Miscellaneous

- **Risk Management.** Liability claims filed against the City in association with this agreement will be apportioned between bureaus in accordance with the policies and procedures of the City's Risk Manager.

Vacating the Columbia Boulevard Waste Water Treatment Plant. In the event, for any reason, that PP&R is unable to move wood chipping operations to the Premises, PP&R will still vacate the location of operations at the Waste Water Treatment Plant by June 24th, 2016. PP&R will be able to use Parcel B (9363 N Columbia Blvd) as a short term center of operations in return for in kind services to BES. BES and PP&R staff will enter into discussions to determine leasing arrangements.

Signatures:

Portland Parks & Recreation

Amanda Fritz

Amanda Fritz, Commissioner

Date: 5/16/16

Environmental Services

Nick Fish

Nick Fish, Commissioner

Date: 5/9/16

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Exhibit B

A tract of land situated in the northeast one-quarter of Section 20, Township 1North, Range 1East, Willamette Meridian, City of Portland, Multnomah County, Oregon, and being described as follows:

Parcel 2, Partition Plat No. 2006-193, Multnomah County Plat Records;

AND INCLUDING the following described tract of land:

Beginning at the most easterly corner of Parcel 1, said Partition Plat No. 2006-193, said point being on the northwesterly line of Tract 'A' (N. Emerson Street, a Private Street), said Partition Plat No. 2006-193; thence tracing the boundary of said Parcel 1 along the following courses: North $52^{\circ}15'59''$ West, a distance of 372.77 feet; thence South $72^{\circ}27'22''$ West, a distance of 229.97 feet; thence South $31^{\circ}08'05''$ West, a distance of 7.03 feet; thence leaving said Parcel 1 boundary South $52^{\circ}15'59''$ East, a distance of 430.39 feet to a 5/8-inch iron rod; thence North $87^{\circ}18'58''$ East, a distance of 47.60 feet to a 5/8-inch iron rod on the southwesterly line of Tract 'A', said Partition Plat No. 2006-193 and a point of non-tangent curvature; thence northeasterly along said southwesterly line on the arc of a 55.00 foot radius curve right (the radius point of which bears North $87^{\circ}18'58''$ East) through a central angle of $104^{\circ}50'52''$, a distance of 100.65 feet (chord bears North $49^{\circ}44'24''$ East, a distance of 87.18 feet) to the northwesterly line of said Tract 'A' and the point of curve left of a 32.00 foot radius curve; thence along said northwesterly line on the arc of said curve right through a central angle of $64^{\circ}25'49''$, a distance of 35.98 feet (chord bears North $69^{\circ}56'55''$ East, a distance of 34.12 feet); thence continuing along said northwesterly line North $37^{\circ}44'01''$ East, a distance of 51.00 feet to the Point of Beginning.

AND EXCEPTING the following described tract of land:

Beginning at the westerly southwest corner of Parcel 2, said Partition Plat No. 2006-193, said point also being the most westerly corner of Parcel 1, said Partition Plat No. 2006-193; thence North $52^{\circ}33'30''$ West along the southwesterly line of said Parcel 2, a distance of 105.30 feet to the most westerly corner of said Parcel 2; thence North $37^{\circ}27'36''$ East along the northwesterly line of said Parcel 2, a distance of 428.86 feet to a 5/8-inch iron rod; thence leaving said northwesterly line South $52^{\circ}15'59''$ East, a distance of 57.80 feet to the southeasterly line of said Parcel 2; thence South $31^{\circ}08'05''$ West along said southeasterly line, a distance of 431.18 feet to the Point of Beginning;

Contains 168,759 square feet, more or less.