

THE CITY OF
PORTLAND



OREGON

DEPARTMENT OF
PUBLIC WORKS
MIKE LINDBERG
COMMISSIONER

OFFICE OF
PUBLIC WORKS
ADMINISTRATOR

621 S.W. ALDER
PORTLAND, OR 97205

149419

April 2, 1980

MR JB BOYD
RIGHT OF WAY SECTION
TRANSPORTATION BLDG
SALEM OR 97310

RE: Right-of-Way Acquisition Agreements
NE Union Avenue from Columbia Boulevard to Weidler Street
N Greeley Avenue Connections to I-5
SW Macadam Avenue from Bancroft Street to the Sellwood Bridge

Dear Mr. Boyd:

This is a letter of agreement to amend the condemnation provisions under Item D, Page 4, of the City of Portland/Oregon State Highway Division Right-of-Way Agreements for NE Union Avenue from Columbia Boulevard to Weidler Street, SW Macadam Avenue from Bancroft Street to the Sellwood Bridge, and the N Greeley Avenue connects to I-5.

It is State policy that all property acquired for a State highway be acquired in the name of the State of Oregon. The subject agreements provide for condemnation to be performed by the City under Item D, Page 4.

In order to provide for State condemnation of right-of-way, if required, the agreements are amended by replacing the existing language under "D" condemnation so that it reads D. Condemnation: State will handle entire condemnation.

Your signature on this letter will signify your acceptance for the State of the terms of this letter of understanding.

Sincerely,

L. David Hill
Program Management

LDH:hmc

Approved as to form:

Approved as to form:

City Attorney
City of Portland Oregon

Assistant Attorney General

By _____
Commissioner of Public Works
Approved

STATE OF OREGON, by and through its
DEPARTMENT OF TRANSPORTATION
Highway Division

By _____
Auditor

By _____

ORDINANCE NO. **149419**

An Ordinance authorizing a letter of agreement amending right-of-way agreements with the State for the Union Avenue, Macadam Avenue and Greeley to I-5 projects to provide for State rather than City condemnation, if required, and declaring an emergency.

City of Portland ordains:

Section 1. The Council finds:

1. Ordinance 148062 passed by Council July 6, 1979 authorized an agreement, No. 18098, with the Oregon State Highway Department (OSHD) providing for right-of-way acquisition for the Columbia Boulevard to Weidler Street section of Union Avenue, a State highway.
2. Ordinance 148596 passed by Council September 12, 1979 authorized an agreement No. 18230, with OSHD providing for right-of-way acquisition for Macadam Avenue from Bancroft Street to the Sellwood Bridge, a State highway.
3. Ordinance 148672 passed by Council October 24, 1979 authorized an agreement, No. 18301, with OSHD providing for right-of-way acquisition for the Greeley Avenue connection with I-5, which will be a State highway when completed.
4. It is OSHD policy that all property acquired for State highways be acquired in the name of the State of Oregon.
5. Agreements No. 18098, 18230 and 18301 are in conflict with this policy within their respective condemnation sections, Item "D," Page 4, which place responsibility for any necessary condemnation with the City.
6. A letter of agreement has been prepared regarding these agreements amending the existing "D" on Page 4 to read
D. Condemnation: State will handle entire condemnation.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner of Public Works and the Auditor are authorized to execute on behalf of the City a letter of agreement with the Oregon State Highway Division, said letter of agreement to provide for the State of Oregon, rather than the City, to handle the condemnation for the Union Avenue, Macadam Avenue and Greeley to I-5 projects, and to be substantially in accordance with the form of letter of agreement marked exhibit "A" attached to the original of this Ordinance and by this reference made a part hereof.

ORDINANCE No.

Section 2. The Council declares that an emergency exists in order to avoid involving the City in any condemnation actions which may be determined to be required during the next two months; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Mayor of the City of Portland
GEORGE AERVOACH

Filed
APR 4 1980

and declaring an emergency,
than City condemnation, it required,
projects to provide for State rather,
Macadam Avenue and Grevel to I-5
with the State for the Union Avenue,
ment amending right-of-way agreements,
An Ordinance authorizing a letter of agree-

Title

ORDINANCE No. 1521

Calendar No. 1521

Passed by the Council, **APR 9 1980**

Commissioner Mike Lindberg
Steve T. Riddell:hmc
4/2/80

Attest:

Steve T. Riddell
Mayor of the City of Portland

Serg. Gelman
Auditor of the City of Portland

Calendar No. 1251

ORDINANCE No. 149419

Title

An Ordinance authorizing a letter of agreement amending right-of-way agreements with the State for the Union Avenue, Macadam Avenue and Greeley to I-5 projects to provide for State rather than City condemnation, if required, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:	
Yeas	Nays
Ivancie	/
Jordan	/
Lindberg	/
Schwab	/
McCreedy	/

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCreedy	

Filed APR 4 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By John M. Lang
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Steve T. Riddell:hmc
Date: 4/2/80
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer
John M. Lang, P.E. Acting Public Engineer
By John M. Lang