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# 191489

Emergency Ordinance

## \*Accept donation of 5000 square feet of real property adjacent to Marquam Nature Park to be used for park purposes

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. In accordance with the terms and conditions of a Donation Agreement dated August 3, 2023 and authorized by Ordinance 180626, Portland Parks & Recreation (Parks) wishes to accept the donation of 5000 square feet of real property located on SW Gaines Street and identified as 1S1E09CA 4000 or R247154 (Property).
2. The Property is an inholding, surrounded by Parks natural area, and will be managed as part of Marquam Nature Park.
3. As the property is being donated there is no purchase price, but there are due diligence, closing, and stabilization costs that will be paid for with Parks' System Development Charge funds.
4. Operation and Maintenance costs are estimated at \$400 annually and will be requested through the budget process.

NOW, THEREFORE, the Council directs:

- A. The Director of Parks is authorized to execute any amendments to the Donation Agreement, as well as 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 funds for the 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.

Section 2. The Council declares that an emergency exists because the acquisition is required to close by November 1, 2023; therefore, this

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

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Tues-Thurs, 6am-4pm

Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

October 18, 2023

Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
October 18, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

This ordinance will allow Parks to close on the donation of a 5000 square feet property surrounded by Marquam Nature Park. This donation will add natural area and access to a trail, which will increase the capacity of the park system.

### Financial and Budgetary Impacts

The property is being donated free of charge but there are due diligence, closing and stabilization costs. All acquisition and stabilization costs will be paid with Parks' SDC funds. O&M is estimated at \$400 annually and will be requested through the budget process.

### Community Impacts and Community Involvement

The community was not directly involved in this acquisition, but this acquisition will increase the capacity of the park system by adding natural area to Marquam Nature Park.

No opposition is expected.

### 100% Renewable Goal

N/A

### Budget Office Financial Impact Analysis

This ordinance accepts a donation of 5000 square feet of land adjacent to Marquam Nature Park. Due diligence, closing, and other costs will be paid out of the Parks SDC Fund with the bureau having sufficient resource in its current year budget to absorb these costs. Ongoing operations and maintenance costs are expected to total \$400 annually and will be built into the bureau's future budget request.

## Agenda Items

881 Consent Agenda in [October 18, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/10/18)  
(<https://www.portland.gov/council/agenda/2023/10/18>)

Passed

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Mayor Ted Wheeler Yea