

PPS CONTRACT No. MSTR 55321-G

ORIGINAL

RECEIVED

OCT 09 2008

City Attorneys Office

After recording return to:

71012-8-08
City of Portland
Parks and Recreation Bureau
1120 SW Fifth Avenue, Room 1302
Portland, OR 97204

Tax Statement:

City of Portland
Parks and Recreation Bureau
1120 SW Fifth Avenue, Room 1302
Portland, OR 97204
Attn: Property Manager

Multnomah County Official Records
C Swick, Deputy Clerk

2008-164810



\$36.00

00419285200801648100040045

12/08/2008 10:45:07 AM

1R-DEED
\$20.00 \$11.00 \$5.00

Cnt=1 Stn=10 RECCASH1

Deed

Portland Public Schools, Multnomah County School District 1J, Grantor, conveys to **City of Portland, acting through its Parks and Recreation Bureau**, Grantee, a tract of land situated in Section 18, T. 1N, R. 2E, Willamette Meridian, Multnomah County, Oregon, more particularly described as "Tract A" of Partition Plat No. 2008-143, a recorded plat in Multnomah County, approved pursuant to City of Portland, File No. LU 07-154106 LDP and depicted in the attached Exhibit A. L

The true consideration for this conveyance is \$ 1.00.

Grantor specifically reserves a blanket easement over Tract A of Partition Plat No. 2008-143 for the sole purpose of operating and maintaining the existing stormwater sewer system. Grantor shall not replace or make any significant repairs or modifications to the stormwater sewer system without the express written consent of Grantee, which shall not be unreasonably withheld. This easement is intended to run with the land for the benefit of the adjacent property described as Parcel 1 of Partition Plat No. 2008-143 ("Parcel 1"). The owner of Parcel 1 will maintain the easement in accordance with that Declaration of Private Storm Sewer Easement Maintenance Agreement, executed on 10/2/08, pursuant to LU 07-154106. If at any time the stormwater sewer system is removed or no longer used, this reservation of an easement shall terminate.

Grantor understands and agrees that the Grantee, by accepting the conveyance of Tract A, is not accepting any obligation or liability for the stormwater sewer system, and that Grantor is not delegating any such liability, including obligations and liabilities of Grantor, as the current owner of Parcel 1, under that certain Declaration of Private Storm Sewer Easement Maintenance Agreement between Grantor and the City of Portland, dated 10/2, 2008. Furthermore, the owner of Parcel 1 shall defend, indemnify, and hold harmless the City, its officers, agents, and employees against all liabilities, damages, losses, claims, demands, actions, and suits (including attorney fees and costs) resulting from the presence or release of hazardous substances from the stormwater sewer system. This provision shall not apply to a release of hazardous substances caused by the officers, agents or employees of the City. Any action taken pursuant to this provision shall not constitute an admission of liability or waiver of any defenses to liability. Notwithstanding the foregoing, so long as Grantor is the owner of Parcel 1, its liability under this deed shall not exceed the limitation or liability prescribed by the Oregon Tort Claims Act and the Oregon Constitution.

4

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

Dated this Second day of October, 2008.

GRANTOR:

MULTNOMAH COUNTY SCHOOL DISTRICT
NO. II

By: _____

Gregory C. MacCrone
Title: Deputy Clerk

GRANTEE:

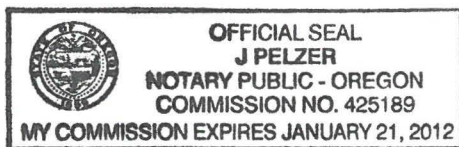
CITY OF PORTLAND, acting through its
PARKS & RECREATION BUREAU

By: _____

Dan Saltzman
Title: City Commissioner

STATE OF OREGON County of Multnomah) ss

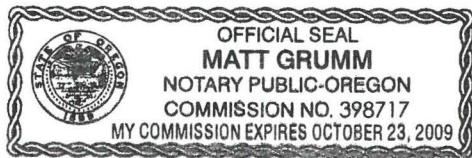
This instrument was acknowledged before me on the 2 day of October, 2008 by
Gregory MacCrone, Deputy Clerk.



J. Pelzer
Notary Public

STATE OF OREGON County of Multnomah) ss

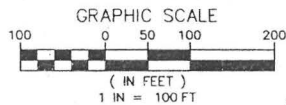
This instrument was acknowledged before me on the 15 day of October, 2008 by Dan
Saltzman, Commissioner.



Matt Grumm
Notary Public

APPROVED AS TO FORM

Paula Nguyen
CITY ATTORNEY



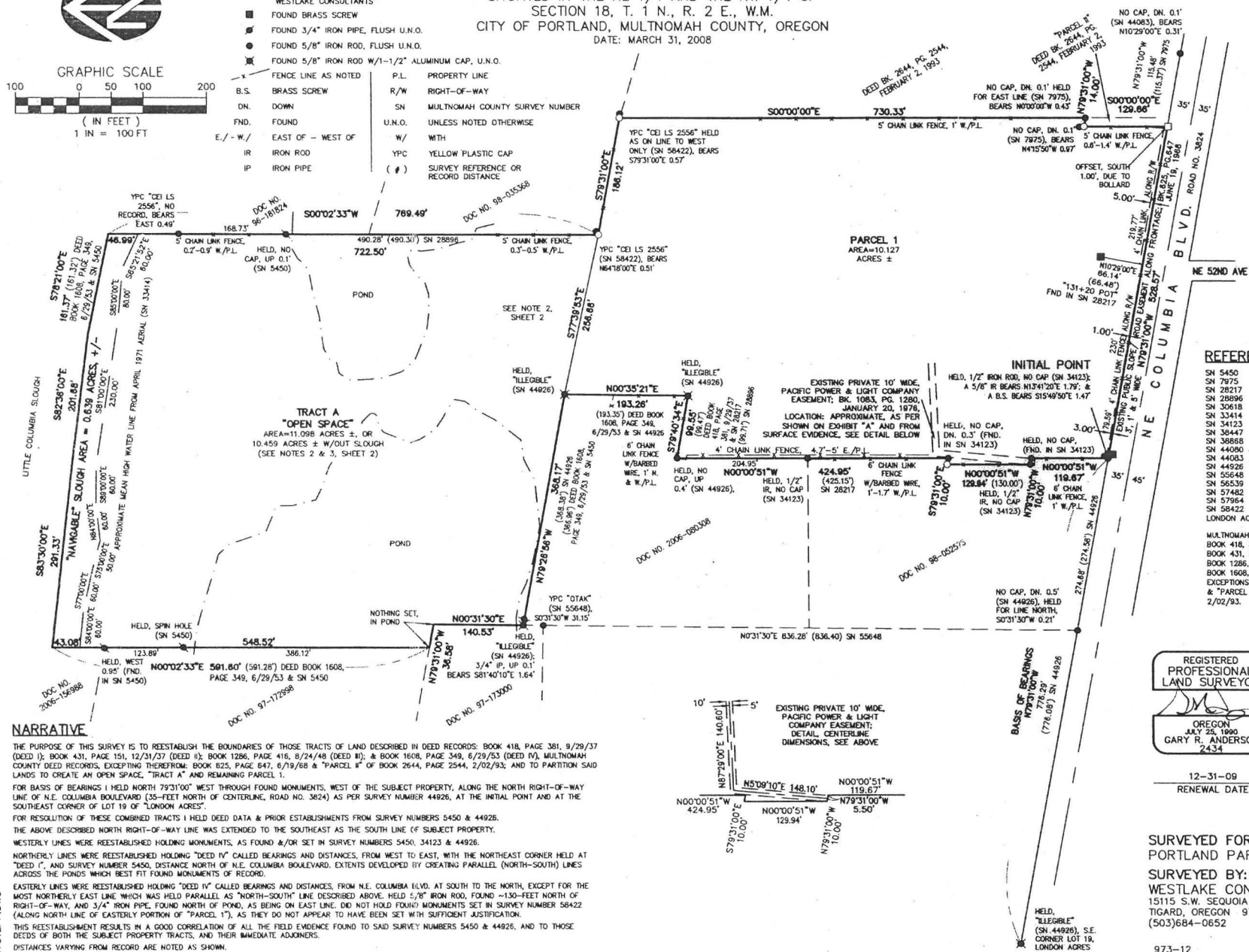
LEGEND

- | | |
|---|---|
| ○ SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS" | P.L. PROPERTY LINE |
| □ SET 1-1/8" COPPER DISK MARKED "WESTLAKE CONSULTANTS" | R/W RIGHT-OF-WAY |
| ■ FOUND BRASS SCREW | SN MULTNOMAH COUNTY SURVEY NUMBER |
| ● FOUND 3/4" IRON PIPE, FLUSH U.N.O. | U.N.O. UNLESS NOTED OTHERWISE |
| ● FOUND 5/8" IRON ROD, FLUSH U.N.O. | W/ WITH |
| ● FOUND 5/8" IRON ROD W/1-1/2" ALUMINUM CAP, U.N.O. | YPC YELLOW PLASTIC CAP |
| — FENCE LINE AS NOTED | (#) SURVEY REFERENCE OR RECORD DISTANCE |
| B.S. BRASS SCREW | |
| DN. DOWN | |
| FND. FOUND | |
| E./-W. EAST OF - WEST OF | |
| IR IRON ROD | |
| IP IRON PIPE | |

PARTITION PLAT

SITUATED IN THE NE 1/4 AND THE NW 1/4 OF SECTION 18, T. 1 N., R. 2 E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
DATE: MARCH 31, 2008

PARTITION PLAT NO. _____



REFERENCES

- SN 5450
SN 7975
SN 28217
SN 28996
SN 30618
SN 33414
SN 34123
SN 38447
SN 38868
SN 44080
SN 44083
SN 44926
SN 55648
SN 55539
SN 57482
SN 57964
SN 58422
LONDON ACRES (PLAT BK. 921, PG. 28)
MULTNOMAH COUNTY DEED RECORDS:
BOOK 418, PAGE 381, 8/29/37 (DEED I);
BOOK 431, PAGE 151, 12/31/37 (DEED II);
BOOK 1286, PAGE 416, 8/24/48 (DEED III);
BOOK 1608, PAGE 349, 6/29/53 (DEED IV);
EXCEPTIONS: BOOK 625, PAGE 647, 6/19/68
& "PARCEL I" OF BOOK 2644, PAGE 2544,
2/02/93.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO REESTABLISH THE BOUNDARIES OF THOSE TRACTS OF LAND DESCRIBED IN DEED RECORDS: BOOK 418, PAGE 381, 8/29/37 (DEED I); BOOK 431, PAGE 151, 12/31/37 (DEED II); BOOK 1286, PAGE 416, 8/24/48 (DEED III); & BOOK 1608, PAGE 349, 6/29/53 (DEED IV), MULTNOMAH COUNTY DEED RECORDS, EXCEPTING THEREFROM: BOOK 625, PAGE 647, 6/19/68 & "PARCEL I" OF BOOK 2644, PAGE 2544, 2/02/93, AND TO PARTITION SAID LANDS TO CREATE AN OPEN SPACE, "TRACT A" AND REMAINING PARCEL 1.

FOR BASIS OF BEARINGS I HELD NORTH 79°31'00" WEST THROUGH FOUND MONUMENTS, WEST OF THE SUBJECT PROPERTY, ALONG THE NORTH RIGHT-OF-WAY LINE OF N.E. COLUMBIA BOULEVARD (35-FOOT NORTH OF CENTERLINE, ROAD NO. 3824) AS PER SURVEY NUMBER 44926, AT THE INITIAL POINT AND AT THE SOUTHEAST CORNER OF LOT 19 OF "LONDON ACRES".

FOR RESOLUTION OF THESE COMBINED TRACTS I HELD DEED DATA & PRIOR ESTABLISHMENTS FROM SURVEY NUMBERS 5450 & 44926.

THE ABOVE DESCRIBED NORTH RIGHT-OF-WAY LINE WAS EXTENDED TO THE SOUTHEAST AS THE SOUTH LINE OF SUBJECT PROPERTY.

WESTERLY LINES WERE REESTABLISHED HOLDING MONUMENTS, AS FOUND &/OR SET IN SURVEY NUMBERS 5450, 34123 & 44926.

NORTHERLY LINES WERE REESTABLISHED HOLDING "DEED II" CALLED BEARINGS AND DISTANCES, FROM WEST TO EAST, WITH THE NORTHEAST CORNER HELD AT "DEED I", AND SURVEY NUMBER 5450, DISTANCE NORTH OF N.E. COLUMBIA BOULEVARD, EXTENTS DEVELOPED BY CREATING PARALLEL (NORTH-SOUTH) LINES ACROSS THE PONDS WHICH BEST FIT FOUND MONUMENTS OF RECORD.

EASTERLY LINES WERE REESTABLISHED HOLDING "DEED IV" CALLED BEARINGS AND DISTANCES, FROM N.E. COLUMBIA BLVD. AT SOUTH TO THE NORTH, EXCEPT FOR THE MOST NORTHERLY EAST LINE WHICH WAS HELD PARALLEL AS "NORTH-SOUTH" LINE DESCRIBED ABOVE. HELD 5/8" IRON ROD, FOUND ~130-FOOT NORTH OF RIGHT-OF-WAY, AND 3/4" IRON PIPE, FOUND NORTH OF POND, AS BEING ON EAST LINE. DID NOT HOLD FOUND MONUMENTS SET IN SURVEY NUMBER 56422 (ALONG NORTH LINE OF EASTERLY PORTION OF "PARCEL 1"), AS THEY DO NOT APPEAR TO HAVE BEEN SET WITH SUFFICIENT JUSTIFICATION.

THIS REESTABLISHMENT RESULTS IN A GOOD CORRELATION OF ALL THE FIELD EVIDENCE FOUND TO SAID SURVEY NUMBERS 5450 & 44926, AND TO THOSE DEEDS OF BOTH THE SUBJECT PROPERTY TRACTS, AND THEIR IMMEDIATE ADJOINERS.

DISTANCES VARYING FROM RECORD ARE NOTED AS SHOWN.



12-31-09
RENEWAL DATE

SURVEYED FOR:
PORTLAND PARKS & RECREATION
SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503)684-0652

SHEET 1 OF 2

Exhibit A

PARTITION PLAT

SITUATED IN THE NE 1/4 AND THE NW 1/4 OF
SECTION 18, T. 1 N., R. 2 E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
DATE: MARCH 31, 2008

PARTITION PLAT NO. _____

APPROVALS

APPROVED THIS 24th DAY OF November, 2008

BY: [Signature]
CITY OF PORTLAND PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 21st DAY OF November, 2008

BY: [Signature]
CITY OF PORTLAND CITY ENGINEER'S DELEGATE

APPROVED THIS _____ DAY OF _____, 20____
COUNTY SURVEYOR, MULTNOMAH COUNTY, OREGON

BY: _____

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES
AS PROVIDED FOR BY O.R.S. 92.095 HAVE BEEN PAID
AS OF _____, 20____
DIRECTOR, DIVISION OF ASSESSMENT AND TAXATION,
MULTNOMAH COUNTY, OREGON

BY: _____
DEPUTY

STATE OF OREGON }
MULTNOMAH COUNTY } SS

I DO HEREBY CERTIFY THAT THIS PARTITION PLAT WAS RECEIVED FOR
RECORD AND RECORDED ON THIS _____ DAY OF _____
_____, 20____, AT _____ O'CLOCK, _____ M., AS
PARTITION PLAT NO. _____
COUNTY RECORDING OFFICE

BY: _____
DEPUTY

DOCUMENT NO. _____

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT MULTNOMAH SCHOOL DISTRICT NO. 1J (ALSO
KNOWN AS: MULTNOMAH COUNTY SCHOOL DISTRICT NO. 17; WHITAKER SCHOOL DISTRICT NO.
17, MULTNOMAH COUNTY), THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP,
AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, DOES
HEREBY DECLARE THIS MAP TO BE CORRECT, AND HAS CAUSED THIS PARTITION PLAT TO BE
PREPARED AND THE PROPERTY PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF
CHAPTER 92 OF THE OREGON REVISED STATUTES, AND DOES HEREBY GRANT THE EASEMENT
AS SHOWN AND NOTED HEREON.

BY: [Signature]
Gregory C. MacCrone
DEPUTY CLERK OF MULTNOMAH SCHOOL DISTRICT NO. 1J

ACKNOWLEDGEMENT

STATE OF OREGON }
MULTNOMAH COUNTY } SS

ON THE 18th DAY OF November, 2008 BEFORE ME, A NOTARY PUBLIC IN
AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED Gregory C. MacCrone,
WHO BEING FIRST DULY SWORN, DID SAY THAT HE IS DEPUTY CLERK OF MULTNOMAH SCHOOL
DISTRICT NO. 1J, AND THAT SAID INSTRUMENT WAS EXECUTED ON BEHALF OF SAID DISTRICT, AND
HEREBY ACKNOWLEDGED SAID INSTRUMENT TO BE HIS OWN FREE ACT AND DEED.

[Signature]
NOTARY SIGNATURE

Jasmine Aguayo
NOTARY PUBLIC-OREGON

COMMISSION NO: 431759

MY COMMISSION EXPIRES: August 19, 2012

NOTES

1. THIS PLAT IS SUBJECT TO THOSE CONDITIONS IMPOSED BY THE CITY OF
PORTLAND IN CASE FILE NUMBER LU 07-154106 LDP.
2. A PRIVATE STORM SEWER EASEMENT, FOR THE BENEFIT OF PARCEL 1, SHALL
EXIST OVER TRACT A, IN ITS ENTIRETY. A DECLARATION OF PRIVATE STORM
SEWER EASEMENT MAINTENANCE AGREEMENT HAS BEEN RECORDED AS DOCUMENT
NO. _____, MULTNOMAH COUNTY DEED RECORDS.
3. TRACT A SHALL BE OWNED BY THE DECLARANTS, OR THEIR HEIRS OR ASSIGNS, AND
IS SUBJECT TO AN OPEN SPACE TRACT MAINTENANCE AGREEMENT RECORDED AS
DOCUMENT NO. _____, MULTNOMAH COUNTY DEED RECORDS.

SURVEYOR'S CERTIFICATE

I, GARY R. ANDERSON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND
MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED
PARTITION PLAT, SITUATED IN THE NE 1/4 AND THE NW 1/4 OF SECTION 18, TOWNSHIP
1 NORTH, RANGE 2 EAST, WILLAMETTE MERIDIAN, CITY OF PORTLAND, MULTNOMAH
COUNTY, OREGON, SAID LAND BEING DESCRIBED AS FOLLOWS:

THOSE TRACTS OF LAND DESCRIBED IN DEED RECORDS: BOOK 418, PAGE 381,
9/29/37 (DEED I); BOOK 431, PAGE 151, 12/31/37 (DEED II); BOOK 1286, PAGE 416,
8/24/48 (DEED III); & BOOK 1608, PAGE 349, 6/29/53 (DEED IV), MULTNOMAH
COUNTY DEED RECORDS, EXCEPTING THEREFROM: BOOK 625, PAGE 647, 6/19/68 &
"PARCEL II" OF BOOK 2644, PAGE 2544, 2/02/93, BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A 1/2 INCH IRON ROD, NO CAP, FOUND ON THE
NORTH RIGHT-OF-WAY OF N.E. COLUMBIA BLVD. (35.00'-FEET NORTH OF THE
CENTERLINE THEREOF) AND HELD AS BEING ON THE WEST LINE OF SAID "DEED I",
FROM WHICH A 5/8 INCH IRON ROD WITH 1-1/2 INCH ALUMINUM CAP, MARKING
ILLEGIBLE, FOUND AT THE SOUTHEAST CORNER OF LOT 19 OF "LONDON ACRES",
MULTNOMAH COUNTY PLAT RECORDS, BEARS NORTH 79°31'00" WEST, 776.29 FEET;
THENCE ALONG THE WESTERLY LINE OF SAID "DEED I", NORTH 0°00'51" WEST 119.67
FEET TO A FOUND 5/8 INCH IRON ROD, NO CAP, AT THE SOUTHEAST CORNER OF
"DEED III"; THENCE ALONG THE SOUTH LINE OF SAID "DEED III", NORTH 79°31'00" WEST
10.00 FEET TO A FOUND 5/8 INCH IRON ROD, NO CAP, AT THE SOUTHWEST CORNER
THEREOF; THENCE ALONG THE WEST LINE OF SAID "DEED III", NORTH 0°00'51" WEST
129.94 FEET TO A POINT WHICH BEARS NORTH 79°31'00" WEST 10.00 FEET FROM A
FOUND 5/8 INCH IRON ROD, NO CAP, AT THE NORTHEAST CORNER THEREOF; THENCE
SOUTH 79°31'00" EAST 10.00 FEET TO SAID NORTHWEST CORNER, BEING ON THE WEST
LINE OF SAID "DEED I"; THENCE ALONG LAST SAID WEST LINE, NORTH 0°00'51" WEST
424.95 FEET TO A FOUND 5/8 INCH IRON ROD, NO CAP, AT THE NORTHWEST CORNER
THEREOF; THENCE ALONG THE NORTH LINE THEREOF, SOUTH 79°40'34" EAST 99.55
FEET TO A FOUND 5/8 INCH IRON ROD WITH 1-1/2 INCH ALUMINUM CAP, MARKING
ILLEGIBLE, AT THE NORTHEAST CORNER THEREOF ALSO BEING AN ANGLE POINT IN SAID
"DEED IV"; THENCE ALONG THE WESTERLY LINES OF SAID "DEED IV" THE FOLLOWING
FIVE COURSES: NORTH 0°35'21" EAST 193.26 FEET TO A FOUND 5/8 INCH IRON ROD
WITH 1-1/2 INCH ALUMINUM CAP, MARKING ILLEGIBLE; NORTH 79°26'56" WEST 368.17
FEET TO A FOUND 5/8 INCH IRON ROD WITH 1-1/2 INCH ALUMINUM CAP, MARKING
ILLEGIBLE; NORTH 0°31'30" EAST 140.53 FEET; NORTH 79°31'00" WEST 36.58 FEET;
AND, NORTH 0°02'33" EAST 591.60 FEET, TO THE CENTER OF "LITTLE COLUMBIA"
SLOUGH; THENCE ALONG THE NORTHERLY LINES OF SAID "DEED IV" AND SLOUGH
CENTERLINE THE FOLLOWING THREE COURSES: SOUTH 83°30'00" EAST 291.33 FEET;
SOUTH 82°36'00" EAST 201.68 FEET; AND, SOUTH 78°21'00" EAST 161.37 FEET, TO THE
EASTERLY LINE OF SAID "DEED IV"; THENCE ALONG SAID EASTERLY LINE THE
FOLLOWING THREE COURSES: SOUTH 0°02'33" WEST 769.49 FEET; SOUTH 79°31'00"
EAST 186.12 FEET; AND, SOUTH 0°00'00" EAST 730.33 FEET, TO THE NORTHEAST
CORNER OF THAT TRACT OF LAND CONVEYED AS "PARCEL II" IN DEED RECORDED
2/02/93 IN BOOK 2644, PAGE 2544, MULTNOMAH COUNTY DEED RECORDS; THENCE
ALONG THE NORTH AND WEST LINES OF SAID "PARCEL II" THE FOLLOWING TWO
COURSES: NORTH 79°31'00" WEST 14.00 FEET; AND, SOUTH 0°00'00" EAST 129.66 FEET
TO SAID NORTH RIGHT-OF-WAY LINE OF N.E. COLUMBIA BOULEVARD; THENCE ALONG
SAID NORTH RIGHT-OF-WAY LINE, NORTH 79°31'00" WEST, 528.57 FEET TO THE INITIAL
POINT AND THE POINT OF BEGINNING.

CONTAINING 21.225 ACRES, MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

12-31-09
RENEWAL DATE

SURVEYED FOR:
PORTLAND PARKS & RECREATION
SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503)684-0652

973-12

SHEET 2 OF 2

ORDINANCE NO: 176414

* Authorize acceptance of a Perpetual Exclusive Easement and Put Option for the Whitaker Middle School Sports Field and a Temporary Easement and Option to Purchase the Whitaker Holdings site from Portland Public School District No. 1J. (Ordinance.)

The City of Portland ordains:

Section 1. The Council finds:

1. The Council appropriated \$188,000 for consideration of a Perpetual Exclusive Easement and Put Option for the Whitaker Middle School Sports Field and a Temporary Easement and Option to Purchase the Whitaker Holdings ("Ponds") site granted from Portland Public School District No. 1J ("School District") to the City of Portland, Parks Department ("Parks").
2. The \$188,000 that has been appropriated as the consideration for the perpetual exclusive easement for the Whitaker Middle School Sports Field and the Temporary Easement and Option to Purchase the Whitaker Holdings ("Ponds") site is funded from the Parks Construction Fund (General Fund CIP).
3. The Whitaker Middle School Sports Field Easement consists of 2.95 acres of property located at 5700 NE 39th Avenue and identified as a portion of Tax Lot 4700, 1N1E13DD and more fully described in Exhibit A of this Ordinance.
4. The School District also agreed to enter into a Temporary Easement and Option to Purchase for the Whitaker Holdings ("Ponds") site located at 5135 NE Columbia Blvd., and further identified as that portion of Section 19, 1N2E WM containing 10.98 acres more or less, and more fully described in Exhibit B of this Ordinance.
5. The Council's intent in acquiring easement(s) for these sites is to secure them in perpetuity for park use by the public.
6. The Director of Parks estimates that the on-going maintenance cost of the Whitaker Middle School Sports Field will be \$16,700 per year. The O & M is not already included in the Parks 2001-02 budget, but ongoing funding capacity is available within the O&M set aside in the General Fund Forecast beginning in FY 2002-03.

NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Utilities is authorized to execute all documents necessary to close the transactions for the acquisition of both

easements and options, once such documents have been approved as to form by the City Attorney;

- b. The City Auditor is authorized to draw a warrant for \$188,000, payable to Portland School District No. 1J, to be exchanged for the easements and purchase options to the Properties described above;
- c. Upon delivery of the easement documents from the School District, Parks staff is directed to record the easements in the official deed records of Multnomah County. The easements shall be in a form approved by the City Attorney;
- d. The Director of Parks is directed to add the Property to the City's park inventory.
- e. In accepting responsibility for these Properties, the Council acknowledges the need to fund ongoing maintenance costs for the Whitaker Middle School Sports Field as estimated to be \$16,700 per year, and directs the Bureau of Financial Planning to transfer this funding allocation from the General Fund O & M set aside to the Parks ongoing budget starting in FY 2002-03.

Section 2. The Council declares that an emergency exists in order to avoid delay in acquiring the easements and providing the School District with needed cash; therefore, this Ordinance shall be in effect from and after its passage by the Council.

Passed by the Council, APR 24 2002

GARY BLACKMER
Auditor of the City of Portland
By /S/ Susan Parsons
Deputy

Commissioner Francesconi
Janet Wright
April 17, 2002

BACKING SHEET INFORMATION

AGENDA NO. 401-2002

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 176414

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
HALES	X	
SALTZMAN	X	
STEN	X	
KATZ	X	