

**Agenda No. 289**

**ORDINANCE NO.**

\*Declare the Gateway Green Park “Sliver Parcel” property surplus real property and authorize the Bureau of Parks and Recreation to dispose of the property by transferring it to TriMet for its Redline Max Line project (Ordinance)

The City of Portland ordains:

**Introduced by**  
Commissioner Rubio

Section 1. The Council finds:

**Bureau**  
Parks & Recreation

1. The Bureau of Parks and Recreation (“PP&R”) has owned the Gateway Green Park property since 2014. The Gateway Green Park property was purchased from the Oregon Department of Transportation (ODOT) in 2014 for \$19,300.00, pursuant to authority granted by Ordinance #186779. It has not been recognized as a separate tax lot, but had been previously listed as right-of-way. The “Sliver Parcel” is a tiny portion of the Gateway Green Park property, in its far southern section. A legal description of the property is attached as Exhibit A, and a site map depiction of the property is attached as Exhibit B.
2. Portland Parks and Recreation (PP&R) is constructing Gateway Green Park, at the intersection of I-205 and I-84. TriMet is planning a spur of its Redline Max Line, routing elevated trains through an area at the border of Gateway Green Park.
3. No current, previous or future use of the “Sliver Parcel” property by PP&R has been identified. The “Sliver Parcel” property does

**Prepared by**  
F. Dennis James

**Date Prepared**  
March 24, 2021

**Requested Council Date**  
April 28, 2021

**Requested Agenda Type**  
Regular

**Date Filed with Clerk**  
April 20, 2021

not have any cultural or heritage significance. Therefore, for PP&R's purposes and needs, it is considered excess property.

4. The "Sliver Parcel" property is essential to the completion of the TriMet Redline project. The property will be acquired by Trimet, a public agency, for a capital improvement project that will not be owned by the City of Portland, consistent with an Intergovernmental Agreement ("Intergovernmental Agreement for the Construction of Red Line Improvements at Gateway Green", contract #3007325) executed under the authorization of Council's Ordinance #190052. In relevant part, the Intergovernmental Agreement states in Section 3.2.1:

*"Subsequent to a City Council Ordinance declaring the Transferred Property to be surplus and available for disposition, and satisfaction of the Conditions Precedent to Closing described in Section 3.2.2, the City shall convey by Deed to TriMet fee simple title to about 0.7 acres of real property within the API (the "Transferred Property")... In consideration of the public interest furthered by TriMet's construction of the Red Line MUP to provide pedestrian, bicycle, emergency, and Park Ranger access between the Gateway neighborhood and Gateway Green, and subject to the requirements of the Uniform Act, PP&R shall convey the Transferred Property at no cost to TriMet..."*

5. In January of 2021, PP&R notified all City Bureaus about the availability of the "Sliver Parcel" property, and no bureau or agency has expressed interest in purchasing or acquiring the "Sliver Parcel" property.
6. On or about January 15, 2021, PP&R has the notice provided to other City Bureaus with the assistance of the City Real Property Coordinator. No City Bureaus have expressed an interest for inter-bureau transfer of the "Sliver Parcel" property.
7. In accordance with ADM 13.02, Disposition of City Real Property, PP&R determined that the "Sliver Parcel" property is a Category 1 real property subject to surplus property declaration and disposition. Parks Commissioner Rubio concurs with the conclusion that the "Sliver Parcel" property is excess to PP&R.
8. Upon declaration of the property as surplus, and consistent with Ordinance #190052 and the Intergovernmental Agreement for the Construction of Red Line Improvements at Gateway Green the "Sliver Parcel" property should be

transferred to TriMet for the completion of the capital improvement project by that public entity.

NOW, THEREFORE, The Council directs:

- A. The Gateway Green Park "Sliver Parcel" property, is declared to be surplus real property, and the Bureau of Parks and Recreation is authorized to take all steps necessary to transfer the "Sliver Parcel" to TriMet, consistent with Ordinance #190052 and the Intergovernmental Agreement for the Construction of Red Line Improvements at Gateway Green for its use in TriMet's Redline Max Line capital improvement project and in consideration of the benefits from TriMet.
- B. PP&R, through its Director or designee, is authorized to execute on behalf of the City any and all documents required for disposition and conveyance of title to the "Sliver Parcel" property. All documents shall be subject to approval as to form by the City Attorney.

Section 2. The Council declares that an emergency exists because a delay in disposing of the property would unreasonably impact the Redline Max Line project; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by Council:

**MARY HULL CABALLERO**

Auditor of the City of Portland

Action Taken:

By

Deputy

Commissioners voted as follows (Yea or Nay)

Rubio -

Ryan -

Hardesty -

Mapps -

Wheeler -

## EXHIBIT A

### PORTLAND PARKS & RECREATION PERMANENT ACQUISITION

BEING A PORTION OF THE LANDS CONVEYED TO THE CITY OF PORTLAND, BY AND THROUGH ITS BUREAU OF PARKS AND RECREATION FROM THE STATE OF OREGON PER AUDITORS FILE NUMBER 2014-102936 MULTNOMAH COUNTY RECORDS, LOCATED IN THE SE 1/4 OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M.;

**BEGINNING** AT A POINT OPPOSITE OF ENGINEER'S STATION "MP" 4+50.00 AND 14.00 FEET EASTERLY THEREFROM OF THE CENTER LINE OF THE EAST PORTLAND FREEWAY (I-205) MULTI PATH, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID PORTLAND PARKS PROPERTY AND A POINT ON THE EAST RIGHT OF WAY LINE OF THE EAST PORTLAND FREEWAY (I-205);

THENCE EASTERLY ALONG THE SOUTH LINE OF SAID PORTLAND PARKS PROPERTY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 4+50.00 AND 84.28' EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 5+01.51 AND 77.39 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 5+24.72 AND 77.54 FEET EASTERLY THEREFROM;

THENCE WESTERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 5+30.43 AND 55.94 FEET EASTERLY THEREFROM;

THENCE ALONG A 1588.49 FOOT RADIUS CURVE TO THE RIGHT (THE CHORD OF WHICH BEARS NORTH 12°47'56" EAST, 150.19 FEET) A DISTANCE OF 150.25 FEET TO A POINT OPPOSITE ENGINEER'S STATION "MP" 6+82.70 AND 51.37 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 8+34.58 AND 46.47 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 9+34.99 AND 58.11 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION 10+25.00 AND 45.00 FEET EASTERLY THEREFROM TO THE WESTERLY BOUNDARY OF SAID PARKS PROPERTY AND EASTERLY RIGHT OF WAY LINE OF THE EAST PORTLAND FREEWAY (I-205);

THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT OPPOSITE ENGINEER'S STATION 10+15.00 AND 14.00 FEET EASTERLY THEREFROM;

THENCE SOUTHERLY ALONG A CURVE TO THE LEFT AND ALONG SAID RIGHT OF WAY LINE, PARALLEL WITH AND 14.00 FEET EASTERLY OF THE "MP" CENTERLINE TO ENGINEER'S STATION "MP" 4+50.00 AND 14.00 FEET EASTERLY THEREFROM AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION;

#### **TOGETHER WITH:**

**BEGINNING** AT A POINT OPPOSITE ENGINEER'S STATION "MP" 11+00.00 AND 12.00 FEET EASTERLY THEREFROM OF THE CENTER LINE OF THE EAST PORTLAND FREEWAY (I-205) MULTI PATH, SAID POINT BEING ON THE WEST LINE OF SAID PORTLAND PARKS PROPERTY AND A POINT ON THE EAST RIGHT OF WAY LINE OF THE EAST PORTLAND FREEWAY (I-205);

THENCE EASTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT OPPOSITE ENGINEER'S STATION "MP" 11+00.00 AND 24.66 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 11+29.78 AND 24.66 FEET EASTERLY THEREFROM;

THENCE NORTHERLY TO A POINT OPPOSITE ENGINEER'S STATION "MP" 11+94.50 AND 12.00 FEET EASTERLY THEREFROM, SAID POINT BEING ON THE WEST LINE OF SAID PORTLAND PARKS PROPERTY AND A POINT ON THE EAST RIGHT OF WAY LINE OF THE EAST PORTLAND FREEWAY (I-205);

THENCE SOUTHERLY ALONG A CURVE TO THE LEFT AND ALONG SAID RIGHT OF WAY LINE PARALLEL WITH AND 12.00 FEET EASTERLY OF THE "MP" CENTERLINE TO ENGINEER'S STATION "MP" 11+00.00 AND 12.00 FEET EASTERLY THEREFROM AND THE **POINT OF BEGINNING** OF THIS DESCRIPTION AND THERE TERMINATING;

THE CENTER LINE OF THE EAST PORTLAND FREEWAY (I-205) MULTI-PATH ("MP") BEING DESCRIBED BELOW;

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M., FROM WHICH POINT THE SOUTHEAST CORNER OF SECTION 28 BEARS SOUTH 89°12'48" EAST, 2689.80 FEET;

THENCE ALONG THE SOUTH LINE OF SECTION 28 SOUTH 89°12'48" EAST, 1140.82 FEET TO THE EAST PORTLAND FREEWAY (I-205) MULTI PATH ("MP") ENGINEER'S CENTER LINE STATION "MP" 1+71.42 AND THE TRUE **POINT OF BEGINNING** OF THIS CENTER LINE DESCRIPTION;

THENCE NORTH 12°30'34" EAST 299.68 FEET TO ENGINEER'S STATION "MP" 4+71.10

THENCE ON A 3819.72 FOOT RADIUS CURVE TO THE RIGHT, THE LONG CHORD OF WHICH BEARS NORTH 15°07'10" EAST 347.88 FEET, A DISTANCE OF 348.00 FEET TO ENGINEER'S STATION "MP" 8+19.10;

THENCE NORTH 17°43'46" EAST 438.10 FEET TO ENGINEER'S STATION "MP" 12+57.20 AND THE END OF THIS CENTERLINE DESCRIPTION;

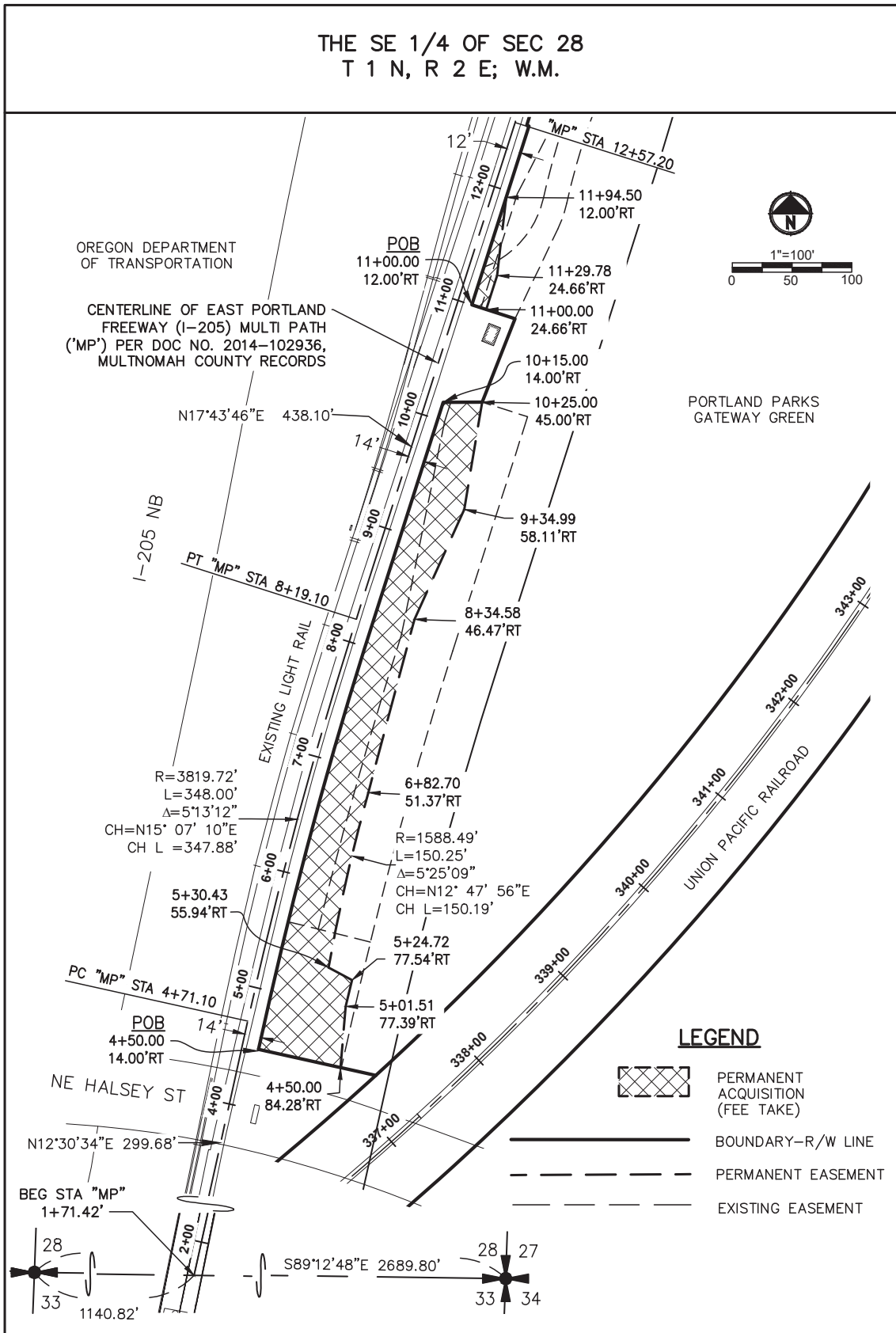
BEARINGS BASED ON LOCAL DATUM PLANE (LDP) COORDINATES FOR THE TRI-MET PORTLAND AIRPORT MAX EXTENSION PER SURVEY NUMBER 56115, MULTNOMAH COUNTY SURVEY RECORDS.

AREA CONTAINS 24,249 SQ. FEET (0.56 ACRES) MORE OR LESS



**EXHIBIT B**

THE SE 1/4 OF SEC 28  
T 1 N, R 2 E; W.M.



	<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p>Skye Thomas 2021.02.23 12:21:59-08'00"</p>	<p><b>EXHIBIT B</b> <b>PORTLAND PARKS &amp; RECREATION GATEWAY GREEN</b></p>
	<p>OREGON JAN. 14, 2020 <b>SKYE M. THOMAS</b> #94735</p>	<p>PERMANENT ACQUISITION AREA: 24,249 SF</p>
<p>1" = 100'</p> <p>0 50 100</p> <p>SHEET 1 OF 1</p>	<p>EXPIRES: 6/30/2022</p>	<p>DATE: 2-23-2021</p>

### IMPACT STATEMENT

**Legislation title:** \*Declare the Gateway Green Park “Sliver Parcel” property surplus real property and authorize the Bureau of Parks and Recreation to dispose of the property by transferring it to TriMet for its Redline Max Line project (Ordinance)

**Contact name:** F. Dennis James, PP&R

**Contact phone:** 503-823-5120

**Presenter name:** F. Dennis James, PP&R

**Purpose of proposed legislation and background information:**

To declare the Gateway Green Park “Sliver Parcel” property surplus real property and authorize the Bureau of Parks and Recreation to dispose of the property by transferring it to TriMet for its Redline Max Line project.

**Financial and budgetary impacts:**

PP&R will not receive financial consideration for the transfer of the property but will accrue significant benefits from the completion of the Redline Max Line project, including the construction and use of a road which the City would otherwise need to build with a substantial investment.

**Community impacts and community involvement:**

Community members will experience significantly increased access to this landlocked parcel that currently sits on an island between freeways. The TriMet Redline project will provide new bridge access that will connect the highly utilized Park with multiple transit options.

**100% Renewable Goal:**

This action does not increase or decrease the City’s renewable or total energy use.

#### Budgetary Impact Worksheet

**Does this action change appropriations?**

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

Claudio Campuzano  
Finance Manager PP&R (Claudio Campuzano)

4/7/2021  
Date