

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 19-4962
CHIEF OPERATING OFFICER TO TRANSFER	)	
AN INTEREST IN REAL PROPERTY TO D.J.	)	Introduced by Chief Operating Officer
RICHARDSON PROPERTIES LIMITED	)	Martha Bennett in concurrence with
PARTNERSHIP	)	Council President Lynn Peterson

WHEREAS, Metro owns real property in the City of Portland (Metro Property); and

WHEREAS, D.J. Richardson Properties Limited Partnership (Richardson) owns real property in the City of Portland located east of Metro Property (Richardson Property); and

WHEREAS, a portion of undeveloped, vacant City of Portland right of way known as SE Grand Avenue is located between Metro Property and Richardson Property; and

WHEREAS, Richardson intends to petition the City of Portland to vacate a section of right of way located between Metro Property and Richardson Property; and

WHEREAS, under ORS 271.080, as an adjacent property owner, Metro's consent is necessary for the City of Portland to approve the vacation petition; and

WHEREAS, under ORS 271.140, as adjacent property owners, title to the vacated right of way would be conveyed by the City of Portland to Metro and Richardson in equal portions; and

WHEREAS, Metro does not desire or intend to possess or own the portion of vacated right of way that would, pursuant to law, be conveyed to Metro; and

WHEREAS, Metro Parks and Nature Department (Department) has reviewed the right of way parcel and determined it is not needed to fulfill the mission of the Department, it: would be difficult to manage, would not benefit the adjacent Metro holding or uses occurring thereon, would take time and resources away from necessary park and natural area operations and needs, and is not in the public interest; and

WHEREAS, Metro desires to forego, waive, release or otherwise convey its statutory interest in the vacated section of right of way to Richardson, in exchange for fair market consideration to be determined by a professional appraisal; now therefore

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to execute a Right of Way Vacation Agreement with Richardson and other documents and forms associated with the City of Portland vacation proceeding and necessary to transfer or convey Metro's statutory interest in the vacated right of way, with all terms and conditions negotiated or approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this \_\_\_\_ day of January, 2019.

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Lynn Peterson, Council President

Approved as to Form:

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Nathan A. S. Sykes, Acting Metro Attorney