



DATE: April 9, 2013
TO: Board of Commissioners
FROM: Patrick Quinton, Executive Director
SUBJECT: Report Number 13-09
Authorizing the Execution of a Bargain and Sale Deed for the Disposition of 12 Real Properties to the City of Portland

BOARD ACTION REQUESTED

Adopt Resolution Nos. 6994 – 6997

ACTION DESCRIPTION

This action will authorize the disposition of 12 active public park real property parcels from the Portland Development Commission (PDC) to the City of Portland Bureau of Parks and Recreation (PP&R) or other City bureau or bureaus designated by the City of Portland. Nine of the parcels are already part of both the Tom McCall Waterfront Park and the South Waterfront Park located within the Downtown Waterfront Urban Renewal Area (URA); two parcels comprise the whole of Portland Center Park, which is located on the vacated SW 2nd Avenue within the former South Auditorium URA at the south terminus of the pedestrian mall; and one parcel is located in Lower Macleay Park (the east entrance to Forest Park) which has never been in a URA. See Attachment A for a map of individual locations.

All of these property parcels were initially acquired by PDC for the purpose of public park-related redevelopment projects. Upon completion of the park projects, the property parcels were not conveyed directly to the appropriate City bureau. PP&R has the exclusive jurisdiction and control of the Tom McCall Waterfront Park, South Waterfront Park, and Lower Macleay Park. The Portland Center Park has shared maintenance responsibilities between the City and the adjacent American Plaza Condominium Association. PDC has no further redevelopment plans and/or responsibilities for any of these parcels; they are not needed for any strategic purposes, are not marketable for disposition, and are only useful to the City of Portland. The parcels meet the public mission of PP&R, are managed, maintained and improved by PP&R, and for all intents and purposes are considered City assets.

This action will remove PDC as the legal owner of record for each parcel and will serve to address potential risk associated with legal ownership and control of these real properties.

BACKGROUND AND CONTEXT

PDC is the legal owner of record for the following 12 real properties that comprise the following four City of Portland public parks:

South Waterfront Park:

- 1. SWF Lot 2 (R487357) – Located at 1816 SW Montgomery Street in the Downtown Waterfront URA.** An approximately four-acre parcel of waterfront land that comprises South Waterfront Park. The majority of the land was acquired by PDC from Pacific Power & Light in three different “exchange” or donation transactions in the 1980s. The purpose of these acquisitions was to

extend South Waterfront Park to the Marquam Bridge. In 1998 PDC authorized the funding of \$3.5 million to finance the construction of the park improvements. Because of the location (east of the former Lincoln Steam Plant), significant environmental remediation was completed by PDC and a “No Further Action” letter was issued by Oregon Department of Environmental Quality in April 2007.

Tom McCall Waterfront Park:

- 2. WF Block 112, Lot 5 (R246193)**
- 3. WF Block 112, Lot 6 (R246194)**
- 4. WF Block 112, Lot 7 South (R246195)**
- 5. WF Block 112, Lot 7 North (R246196)**
- 6. WF Block 112, Lot 8 (R246197)**
- 7. WF Block 112, Lots 3 and 4 (R246192)**

Block 112 in the Tom McCall Waterfront Park includes six PDC-owned parcels and is located on the riverfront side of the intersection of SW Naito Parkway and SW Clay Street, just south of the Hawthorne Bridge. All of Block 112 was identified for acquisition for use as a public park in the Fifth Amendment to the South Auditorium Urban Renewal Plan. Much of Block 112 was in private ownership and individual lots were purchased (most by public condemnation) in the late 1960s and early 1970s. Block 112 was moved into the Downtown Waterfront URA in 1979. In 1980 the remaining Block 112 lots were relinquished to the City by the Oregon Department of Transportation. In 1980 the City and PDC entered into an agreement for PDC’s construction and financing (\$7,225,000) of the first phase public park improvements. After the improvements were completed in 1985, the City Council approved an ordinance accepting the control, jurisdiction, and maintenance of this park and its improvements.

- 8. WF Levee TL 1900 (R246198)** – This large former levee parcel, which includes slivers of Block 112 and 113 on its western edge, is the location of the Tom McCall Waterfront Park “bowl” area, just north of the RiverPlace Marina. The State of Oregon quitclaimed its interest in the public levee to the City of Portland in 1913. The referenced slivers of Block 112 and 113 are parts of former State of Oregon rights-of-way relinquished in 1980 and City rights-of-way vacated in 1982. It is unclear how and when this parcel came into PDC ownership. In 1980 the City and PDC entered into an agreement for PDC’s construction and financing (\$7,225,000) of the first phase public park improvements, including the riverfront bowl area. After the improvements were completed in 1985, the City Council accepted the control, jurisdiction, and maintenance of the park improvements.
- 9. RiverPlace Marina Pathway (R246180)** – This parcel is part of the Tom McCall Waterfront Park Riverfront Esplanade that fronts the northern edge of the RiverPlace Marina. It is a remainder of a much larger parcel of land that is former railroad right-of-way purchased from Southern Pacific in 1979. The land was identified for acquisition in the fourth amendment to the Downtown Waterfront Urban Renewal Plan. The purpose of the acquisition was to assemble land for the South Waterfront Park Extension. In 1980 the City and PDC entered into an agreement for PDC’s construction and financing (\$7,225,000) of the first phase public park improvements, including the Riverfront Esplanade. After the improvements were completed in 1985, the City Council approved an ordinance accepting the control, jurisdiction and maintenance of the park improvements, including this public walkway.

Lower Macleay Park:

- 10. Macleay Park Block 7, Lot 8 (R307714)** – This parcel, part of Lower Macleay Park, is adjacent to the NW Upshur Street entrance to Macleay and Forest parks. The parcel was purchased from an

adjacent land owner as part of the Northwest Housing and Community Project in Portland's Northwest District, specifically in the NW Thurman/Vaughn Corridor. PDC administered this United States Department of Housing and Urban Development-funded project in the mid-1970s on behalf of the City of Portland. The project included a number of improvements to Macleay Park and this parcel was acquired to improve the east access to the park. The parcel has been under the jurisdiction and control of PP&R since the improvements were completed.

Portland Center Park:

11. Portland Center Park Tax Lot 700 (R272220)

12. Portland Center Park Tax Lot 600 (R272223)

The Portland Center Park was identified for acquisition as a public park in the amended South Auditorium Urban Renewal Plan in 1961. The park is located on the vacated portion of SW 2nd Avenue at the southern terminus of Portland's pedestrian mall, between SW Lincoln Street and the Interstate 405 freeway. These two parcels are a combination of land purchased from private owners in 1959-1960 and street vacations in 1962. Portland Center Park was the last of three parks created for the pedestrian mall project, the first two being Lovejoy Park and Pettygrove Park. Lovejoy and Pettygrove parks were transferred to the City in 1966. Portland Center Park was not completed until 1975. It is unique in that it is partially situated over a private sub-surface parking garage belonging to the adjacent American Plaza Towers Condominiums. Routine maintenance of the public park was assigned to American Plaza Condominium Association and its successors through a PDC deed recorded in 1973, and conveying the land east of the park to the American Plaza Condominium Association. This assignment of some maintenance responsibility is consistent with PDC's 1979 transfer of all the pedestrian mall properties to the City. At that time, maintenance responsibilities for the different pedestrian mall sections were assigned to Public Works, the Parks Bureau, or adjacent private property owners.

COMMUNITY AND PUBLIC BENEFIT

The community will not be affected by any change in the use, management, and maintenance of these properties. The public benefit is the completion of each of the respective redevelopment plans and conveying the legal ownership or control of the properties to the appropriate City bureau.

PUBLIC PARTICIPATION AND FEEDBACK

There was no community outreach regarding these actions.

BUDGET AND FINANCIAL INFORMATION

These public park properties are not reflected in any PDC budget and financial information as they are managed and maintained by and at the sole expense of the City of Portland and the American Plaza Condominium Association.

RISK ASSESSMENT

This action will reduce risk to PDC, as it will no longer be the legal owner of record for the 12 public park acquisition parcels.

ALTERNATIVE ACTIONS

The Board could elect to retain legal ownership of either all or some of these 12 public park acquisition parcels.



ATTACHMENTS

- A. Project Summary and Maps



PROJECT SUMMARY

Project Name:	Disposition of 12 parks acquisition real properties
Descriptions:	12 real property parcels operated as public parks
Locations:	Parcel 1: 1816 SW Montgomery Street Parcels 2 – 8: SW Naito Parkway at SW Clay Street Parcel 9: RiverPlace Marina Esplanade Walkway Parcel 10: NW Thurman Street overpass at NW 29th Avenue Parcels 11 – 12: SW 2nd Avenue at SW Lincoln Street
URAs:	Parcel 1: Downtown Waterfront Parcels 2 – 8: Downtown Waterfront Parcel 9: Downtown Waterfront Parcel 10: No URA Parcels 11 – 12: No URA
Current Phase:	Disposition to the City of Portland
Next Milestone:	Conveyance
Completion Target:	June 2013
Outcome:	To remove PDC as the legal owner of record through conveyance of each property parcel to the City of Portland, PP&R or to a different City Bureau if requested by the City of Portland.

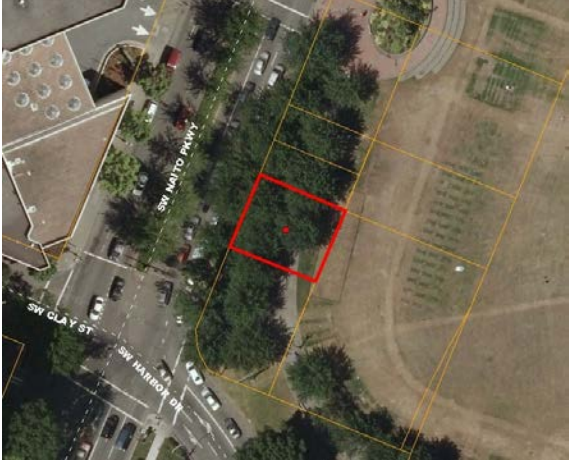

Parcel #1

Property Tax ID No: R487357		Property Name: SWF Lot 2		URA: DTW	
Property Address: 1816 SW Montgomery, 97201			Tax Roll Description: PARTITION PLAT 1999-129, LOT 2 EXC PT IN STS		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					


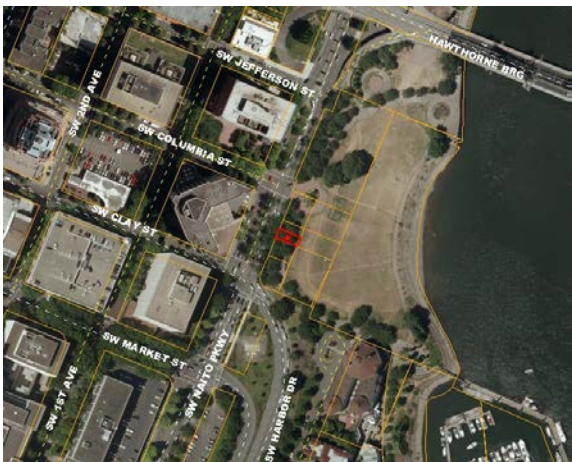
Parcel #2

Property Tax ID No: R246193		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito & SW Harbor Drive, 97201			Tax Roll Description: PORTLAND, BLOCK 112, INC PT VAC ST LOT 5 EXC PT IN ST		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					



Parcel #3

Property Tax ID No: R246194		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, BLOCK 112, LOT 6 EXC PT IN ST		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					


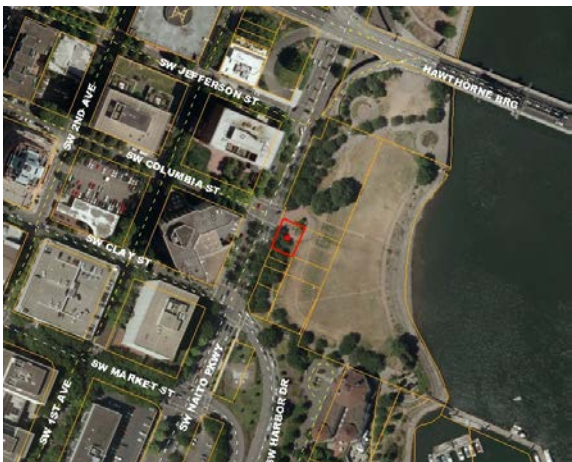
Parcel #4

Property Tax ID No: R246195		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, BLOCK 112, S 1/2 OF LOT 7 EXC PT IN ST		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					



Parcel #5

Property Tax ID No: R246196		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, BLOCK 112, N 1/2 OF LOT 7 - EXC PT IN ST		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					


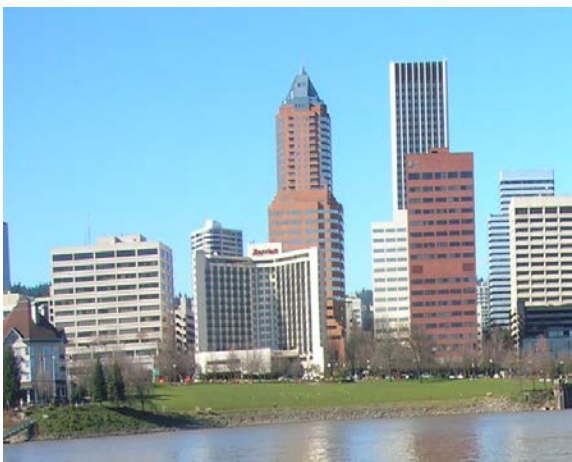
Parcel #6

Property Tax ID No: R246197		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, BLOCK 112, INC PT VAC ST LOT 8 EXC PT IN ST		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					



Parcel #7

Property Tax ID No: R246192		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, TL 2200 LOT 3&4 BLOCK 112		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					

Parcel #8

Property Tax ID No: R246198		Property Name: South Waterfront Park		URA: DTW	
Property Address: SW Naito Parkway, 97201			Tax Roll Description: PORTLAND, BLOCK 112&113&LEVEE TL 1900		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					

Parcel #9

Property Tax ID No: R246180		Property Name: RiverPlace Marina Pathway		URA: DTW	
Property Address: 1510 SW Harbor Way, 97201			Tax Roll Description: PORTLAND, BLOCK 101 TL 300		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					

Parcel #10

Property Tax ID No: R307714		Property Name: Masleay Park		URA: No URA	
Property Address: NW Thurman Street, 97210			Tax Roll Description: WILLAMETTE HTS ADD, BLOCK 7, LOT 8		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					

Parcel #11

Property Tax ID No: R272220		Property Name: SW 2 nd Ave Park (Portland Center Park)		URA: No URA	
Property Address: SW 2 nd , 97210			Tax Roll Description: SOUTH AUDITORIUM ADD, BLOCK C, LOT 1 TL 700		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
					

Parcel #12

Property Tax ID No: R272223		Property Name: SW 2 nd Ave Park (Portland Center Park)		URA: No URA	
Property Address: SW 2 nd , 97210			Tax Roll Description: SOUTH AUDITORIUM ADD, BLOCK C, LOT 1 TL 600		
AERIAL PHOTO (FAR)			AERIAL PHOTO (CLOSE)		
