



**DATE:** February 11, 2015  
**TO:** Board of Commissioners  
**FROM:** Patrick Quinton, Executive Director  
**SUBJECT:** Report Number 15-09

Authorizing the Execution of a Deed for Right-of-Way Purposes for the Real Property located at SW 5th Avenue and Montgomery Street and within the South Park Blocks Urban Renewal Area to the City of Portland

#### **BOARD ACTION REQUESTED**

Adopt Resolution No. 7098

#### **ACTION DESCRIPTION**

This action by the Portland Development Commission (PDC) Board of Commissioners (Board) will authorize the granting of a Deed for Right-of-Way Purposes from PDC to the City of Portland (City) Bureau of Transportation (PBOT) for the real property located within the South Park Blocks Urban Renewal Area (URA) and referred to as the Portland State University (PSU) Carpool Lot (see Attachment A for a map of the property).

With this action, PDC's granting of a Deed for Right-of-Way Purposes for the PSU Carpool Lot will remove any responsibility for PDC to operate and maintain this portion of the property.

#### **BACKGROUND AND CONTEXT**

On December 20, 2002, PDC acquired a 27,000 square foot (SF) parcel known as the PSU Carpool Lot (Property) located in the South Park Blocks URA from PSU at a purchase price of \$2,700,000. Upon PDC's acquisition, a lease agreement (Lease) was entered into with PSU to use the Property as a parking lot for PSU students, staff, and faculty; the Lease is under a month-to-month tenancy. PDC has the right to terminate the lease with 60 days' notice in the event PDC intends to redevelop the Property.

This Property is included in a PSU/PDC Disposition and Development Agreement (DDA) approved by the PDC Board on December 11, 2014. The DDA anticipates that PSU may start development concepts for the Property as soon as 2015. In addition, and as part of a development incentive, the DDA anticipates that the Lease rental rate for the Property shall be reduced from \$3,000 per month to \$0.00 and that the Lease will incorporate the PDC-owned adjacent property referred to as the Jasmine Tree Lot.

Due to the recent Westside Streetcar Realignment Project completed by PBOT, approximately 198 SF of the Property located at the northeast corner is now a new sidewalk with pedestrian bollards and American with Disabilities Act ramps, and includes a portion of the Portland Streetcar track. PBOT is requesting that PDC grant a Deed for Right-of-Way Purposes for one dollar (\$1.00) for this portion of the Property. PDC will retain ownership of the underlying land, and PBOT will accept responsibility for the operation and maintenance of the deeded area and its improvements. Relinquishment of the Right-of-

Way area will not impact intended development of the Property. PSU has been informed of the intended transfer of Deed for Right-of-Way and has expressed no objections.

**COMMUNITY AND PUBLIC BENEFIT**

The community and public will not be adversely affected by the use, management, and maintenance of the deeded area and will continue to benefit from the Westside Streetcar Realignment Project work completed on the Property.

**PUBLIC PARTICIPATION AND FEEDBACK**

There was no community outreach regarding this action.

**BUDGET AND FINANCIAL INFORMATION**

There are no budget or financial impacts, as PSU pays all site operating expenses.

**RISK ASSESSMENT**

PDC will still own the underlying land, and PBOT will have the future right (however unlikely) to terminate the Deed for Right-Of-Way Purposes, which would place the obligations for management and maintenance with PDC.

**ALTERNATIVE ACTIONS**

The PDC Board could elect to not grant a Deed for Right-Of-Way Purposes for the Property.

**ATTACHMENTS**

- A. Project Summary and Map

**PROJECT SUMMARY & MAP**

**Project Name:** PSU Carpool Lot Deed for Right-Of-Way Purposes

**Description:** 198 SF section of the sidewalk and public street located in the northeast corner of the property at SW 5th Avenue and Montgomery Street

**Location:** SW 5th Avenue and Montgomery Street, Portland, Oregon 97201

**URA:** South Park Blocks

**Current Phase:** Granting Deed from PDC to the City

**Next Milestone:** Execution and recording of Deed

**Completion Target:** February 2015

**Outcome:** To grant a Deed for Right-of-Way Purposes to PBOT or to a different City bureau if requested by the City

<b>Property Tax ID No:</b> R246228		<b>Property Name:</b> SW 5th & Montgomery Street		<b>URA:</b> SPB	
<b>Property Address:</b> SEC/ 5 <sup>th</sup> & SW Montgomery St			<b>Tax Roll Description:</b> PORTLAND BLOCK 153, LOT 1&2, N 35' OF LOT 7&8		
AERIAL PHOTO (NEAR)			AERIAL PHOTO (FAR)		
					