

# PDC

## PORTLAND DEVELOPMENT COMMISSION

**DATE:** February 23, 2011

**TO:** Board of Commissioners

**FROM:** Bruce A. Warner, Executive Director

**SUBJECT:** Report Number 11-11  
Granting of a quitclaim deed to TriMet for public right of way at NW Irving Street between 4<sup>th</sup> and 5<sup>th</sup> Avenues for the South Corridor Light Rail Project.

### EXECUTIVE SUMMARY

#### BOARD ACTION REQUESTED

Adopt Resolution No. 6850

#### ACTION SUMMARY

This action will authorize the Executive Director to execute a quitclaim deed granting all of the Portland Development Commission's (PDC) rights, title and interest in one-half of NW Irving Street between 4<sup>th</sup> and 5<sup>th</sup> Avenues (the "Property") to the Tri-County Metropolitan Transportation District of Oregon (TriMet).

Granting a quitclaim deed will provide TriMet with exclusive ownership, use and control of this Property in connection with their operation of the South Corridor Light Rail Project and will release PDC of any and all future obligations associated with the operation and maintenance of the Property.

#### PUBLIC BENEFIT

The quitclaim deed will allow TriMet to conclude its ownership and control of the Property due to the completion of the South Corridor Light Rail Project.

##### **This action will support the following PDC goals:**

- Strong Economic Growth and Competitiveness
- Sustainability and Social Equity
- Healthy Neighborhoods
- A Vibrant Central City
- Effective Stewardship over our Resources and Operations, and Employee Investment

#### PUBLIC PARTICIPATION AND FEEDBACK

Not applicable

#### COMPLIANCE WITH ADOPTED PLANS AND POLICIES

Not applicable

## **FINANCIAL IMPACT**

There is no financial impact as a result of granting the quitclaim deed.

## **RISK ASSESSMENT**

If PDC did not quitclaim its interest in the Property it would become the owner of the property from the Union Station Train Depot west lot line to the center of NW Irving Street. PDC does not believe it is in its best interest to own this portion of the Property given its dedicated use as a TriMet right of way.

## **WORK LOAD IMPACT**

Staff resources are available and programmed to support the proposed action.

## **ALTERNATIVE ACTIONS**

If the PDC Board of Commissioners elected not to grant the quitclaim deed, PDC would remain the legal owner of record for the Property.

## **CONCURRENCE**

PDC and TriMet are public partners in the creation of the South Corridor Light Rail Line and this quitclaim deed is at the request of TriMet.

## **BACKGROUND**

In November, 2010, TriMet informed PDC that it was the City of Portland's intention to vacate Northwest Irving Street between 4th and 5th Avenues. The City desired the vacation because TriMet's light rail tracks take up the entire street for the operation of the South Corridor Light Rail Project, eliminating any possible future use as a public street. Continued City ownership no longer made sense.

PDC owns the property immediately east of that section of Irving Street, and TriMet owns the property immediately west of it. Pursuant to ORS 271.140, immediately upon the City's vacation of the street, PDC and TriMet would become co-owners of the street, each from their current property line to the center line of the street. Since PDC has no role to play in the future operation of the South Corridor Light Rail Project, this is not a desirable outcome.

The most efficient way to convey property ownership from PDC to TriMet is by use of a quitclaim deed. If this step is completed before the street vacation occurs, TriMet will automatically become owner of the entire street when it is vacated, which is the overall desired outcome.

**ATTACHMENT:**

- A. Project Summary

### PROJECT SUMMARY

**Project Name:** NW Irving Street Quitclaim Deed  
**Description:** Former Public Street  
**Location:** NW Irving Street between 4<sup>th</sup> & 5<sup>th</sup> Avenues  
**URA:** River District  
**Current Phase:** Not applicable  
**Next Milestone:** Not applicable  
**Completion Target:** Not applicable  
**Outcome:** Not applicable

**Quitclaim Deed Aerial Photo:**

