



## Staff Report

**File #:** 17-627

**Version:** 1

**Date:** 1/8/2018

**Item #:**

**TO:** Urban Renewal Agency Board  
**THROUGH:** Steve Powers, Executive Director  
**FROM:** Kristin Retherford, Director Urban Development Dept.  
Peter Fernandez, Director Public Works Dept.

### **SUBJECT:**

Initiation of condemnation proceedings for the Portland Road Streetscape Improvement Project.

Ward(s): 5

Board Member(s): Ausec

Neighborhood(s): Northgate Neighborhood Association

### **ISSUE:**

Shall the Agency adopt Resolution No. 18-1 URA authorizing the use of eminent domain to acquire right-of-way for the construction of the Portland Road Streetscape Improvement Project?

### **RECOMMENDATION:**

Adopt Resolution No. 18-1 URA authorizing the use of eminent domain to acquire right-of-way for the construction of the Portland Road Streetscape Improvement Project.

### **SUMMARY AND BACKGROUND:**

The Portland Road NE Streetscape Improvement Project (Attachment 1) originated following cancellation of the larger Portland Road NE Phase 2 project from the early 2000s. While the Phase 2 project did not advance to the construction phase, the right-of-way for the project was acquired from all but one property owner (Attachment 2). The current streetscape improvements are a result of the Portland Road Action Plan adopted in 2016. The project is being constructed with funds from the North Gateway Urban Renewal Area.

Design of the streetscape project began in spring 2017. A review of the acquisitions from the Phase 2 project identified a strip of property along Portland Road NE adjacent to 3820 Portland Road NE that was never acquired. In 2002, the Agency and Blue Chip Properties signed acquisition documents for the property, and the Agency issued a check to Blue Chip Properties. However, the funds were not dispersed, the transaction was not completed and property ownership was never transferred to

the Agency.

In 2003, Blue Chip Properties sold the property to Khan Oil, LLC. The transfer of ownership utilized the legal description of the remainder property, omitting the property the Agency had attempted to acquire. This illegally created two parcels: the remainder parcel and a strip parcel intended for public right-of-way. The current owner of the remainder parcel has no claim to the strip parcel, which remains under Blue Chip Properties ownership.

## **FACTS AND FINDINGS:**

Blue Chip Properties is defunct and staff has been unable to contact any of its principals to purchase the property. In order to eliminate the illegally created parcel, clear title issues, and secure the property necessary to construct the project, it is necessary to acquire the property through condemnation as described in Resolution No. 18-1 URA (Attachment 3).

Clint Dameron  
Real Property Services Manager

### **Attachments:**

1. Project Area Map
2. Property Acquisition Map
3. Resolution No. 18-1 URA