



## MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 8/18/11)

### Board Clerk Use Only

Meeting Date: 5/31/12  
Agenda Item #: R.14  
Est. Start Time: 11:25 AM  
Date Submitted: 5/22/12

**Agenda Title:** **Consider Approving Condemnation Proceeding for Sellwood Right of Way Property- River View Cemetery**

*Note: If Ordinance, Resolution, Order or Proclamation, provide exact title. For all other submissions, provide a clearly written title sufficient to describe the action requested.*

**Requested Meeting Date:** May 31, 2012 **Time Needed:** 10 minutes  
**Department:** Community Services **Division:** Bridges  
**Contact(s):** Ian Cannon  
**Phone:** (503) 310-4610 **Ext.**  **I/O Address:** Bldg #246  
**Presenter Name(s) & Title(s):** Ian Cannon, Program Manager, Sellwood Bridge Project

### General Information

#### 1. What action are you requesting from the Board?

We are requesting that the Board of County Commissioners approve the resolution authorizing the Department of Community Services to begin condemnation procedures for the acquisition of real property associated with the removal of the existing Sellwood Bridge and construction and installation of a new Sellwood Bridge.

#### 2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

The primary purpose of the Sellwood Bridge Project is to construct a new bridge to provide safe and efficient access for people, goods, and service vehicles across the Willamette River. After 80 years, the existing bridge has reached the end of its useful service life. The bridge is a vital regional transit link along the County's southern boundary serving citizens from Lake Oswego, Sellwood, Milwaukie, Portland, and other towns within Multnomah and Clackamas Counties. The project is located approximately 4.25 miles south of downtown Portland OR, immediately west of Sellwood and carries SE Tacoma Street across the Willamette River where it connects to State Route 43. The existing structure has developed cracks in its concrete approach spans, resulting in progressive reductions to the weight limits that can be safely transported across the structure.

Negotiations to purchase the impacted property from River View Cemetery at fair market value were authorized by Board Resolution No. 2011-028 adopted on April 7, 2011.

The negotiations to date have not resulted in settlement and it is now necessary to authorize legal proceedings be filed to acquire the property to allow construction to proceed and be completed on schedule and within budgetary limitations.

**3. Explain the fiscal impact (current year and ongoing).**

The total cost for this project is estimated at \$268.8 million. Sufficient funds have been secured to proceed with final design and right-of-way acquisitions. Delayed acquisition of the subject property will increase the project costs.

**4. Explain any legal and/or policy issues involved.**

The County will strictly follow the rules, policies, and procedures of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, ORS Chapter 35, and the "State Right of Way Manual."

**5. Explain any citizen and/or other government participation that has or will take place.**

Since receiving the authorization to begin negotiations the County has been in constant contact with Mr. David Noble of River View Cemetery and its Board of Directors. Discussions between the property appraiser, relocation specialists, property owner and legal representatives have resulted in the completion of an offer package. The offer was presented to the owner for their consideration on January 23, 2012. The owner did not provide a response to the County's offer within the required 40-day review period. The owner had an independent appraisal prepared and that is currently being reviewed by the County. It is necessary to have possession of the properties no later than June 15, 2012 in order to allow time for the relocation of public utilities prior to the start of construction work. The additional time required to reach an agreement and close may impact the planned date for federal and state certification of the right-of-way process. The process must be certified prior to the award of any construction contract for the project.

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**Required Signature**

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**Elected  
Official or  
Department  
Director:**

M. Cecilia Collier

**Date:**

5/22/12