

MEMORANDUM OF UNDERSTANDING

BETWEEN: Oregon Department of Transportation, Region 1, and City of Portland Parks and Recreation

SUBJECT: Gateway Green surplus property exchange

DATE: February 29, 2012

BACKGROUND

In August of 2009, Governor Ted Kulongoski designated Gateway Green as an Oregon Solutions project following two years of community interest in developing recreational plans for this area of highway right-of-way in Northeast Portland. On December 10, 2010, ODOT, Region 1, the City of Portland Mayors Office and affected bureaus, including Portland Parks and Recreation, and multiple other parties signed a "Declaration of Cooperation" signifying a collaborative agreement to move forward with project development in accordance with a vision statement and concept plan adopted by the Oregon Solutions Team. Among other commitments, ODOT agreed to initiate an appraisal to determine the fair market value of the subject property and to enter into an agreement with Portland Parks and Recreation subject to mutually satisfactory terms and conditions. Portland Parks and Recreation agreed to secure funding for operations and maintenance of the site beginning in FY 2013-2014, accept responsibility for the public's use of the site, and to serve as the legal entity for entering into property agreements with ODOT subject also to mutually satisfactory terms and conditions.

ODOT has completed its appraisal of the property which established a fair market value of the roughly 25 acres at \$19,300. ODOT is now ready to declare the property as surplus and follow certain required procedures before making the property available to Portland Parks and Recreation. Portland Parks and Recreation must determine a source of available funds and specify other issues that must be resolved before accepting final transfer of ownership. To this end, ODOT and Portland Parks and Recreation are in the process of preparing a formal agreement to be executed in the near future. The purpose of this document is to express the intent of both agencies in order to further the advancement of project planning, fundraising, and community involvement. The property ownership transfer becomes effective when the Gateway Green project is ready to begin construction.

Mutual Understanding and Agreement:


ODOT agrees to complete the following actions with an anticipated completion date of June, 2012:

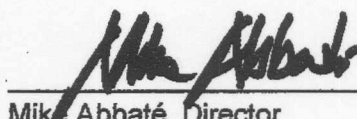
1. Complete all remaining due diligence activities to make the site available to eligible public entities.
2. Assist the city in conducting any property records review, grant access to the site for inspections and environmental analysis, and provide site survey information and legal description.
3. When the agreement with Portland Parks is executed, formally declare the subject property as "surplus", including obtaining the approval of FHWA.

Portland Parks and Recreation agrees to complete the following actions with an anticipated completion date of June, 2012:

1. Identify a source of funding and/or contributed services to compensate ODOT for the appraised fair market value.
2. Seek authorization to execute the Property Exchange Agreement not later than March 1, 2013, upon the satisfaction of environmental review findings and indicators of capital fundraising success.

Signed:


_____, Date: March 1, 2012
Jason Tell, Portland Metro Region 1 Manager
ODOT


_____, Date: March 1, 2012
Mike Abbate, Director

Portland Parks and Recreation