

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) RESOLUTION NO. 97-2514
THE FANNO CREEK GREENWAY)
TARGET AREA REFINEMENT PLAN) Introduced by Mike Burton
Executive Officer

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved Ballot Measure 26-26 which authorizes Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and capital improvements pursuant to Metro's Open Spaces Program; and

WHEREAS, the Fanno Creek Greenway regional target area was designated as a greenspace of regional significance in the Greenspaces Master Plan and identified as a regional target area in the Open Space, Parks and Streams Bond Measure; and

WHEREAS, Fanno Creek Greenway target area refinement planning focused primarily upon the protection of the mainstem of Fanno Creek; and

WHEREAS, citizens' groups advocated for inclusion of Fanno Creek tributaries in target area protection planning; and

WHEREAS, on May 16, 1996, the Metro Council adopted a refinement plan for the Fanno Creek Greenway regional target area which authorized the purchases of sites on both the main stem of Fanno Creek and along its tributaries, illustrated in a confidential tax-lot-specific map identifying priority properties for acquisition; and

WHEREAS, on February 1, 1997, Metro purchased the Taylor Woods property within the Fanno Creek Greenway target area in order to establish a protected buffer for the headwaters of Ash Creek, a tributary to Fanno Creek; and

WHEREAS, since the adoption of the refinement plan, citizens' groups have contacted Metro regarding other properties near the Taylor Woods property which are important to the protection of Fanno Creek tributaries, but which are not identified in the tax lot-specific maps included in the refinement plan; and

WHEREAS, the property owned in trust by Alice R. Edwards, as identified in Exhibit A and referred to as the Edwards property, also serves as an undeveloped buffer for the Ash Creek Headwaters, and contains habitat characteristics similar to the Taylor Woods property, but is not included in Tier I sites identified on the tax lot-specific map of the Fanno Creek Greenway target area refinement plan; and

WHEREAS, acquisition of the Edwards property would serve the Fanno Creek Greenway target area objective of developing partnerships in the protection of water quality along Fanno Creek tributaries, including Ash Creek; and

WHEREAS, the City of Portland has indicated a willingness to provide 25% of the acquisition cost for the Edwards property; and

BE IT RESOLVED,


That the Metro Council amends the Fanno Creek Greenway regional target area refinement plan to include the Edwards property.

ADOPTED by Metro Council this 12th day of June, 1997.



Jon Kvistad, Presiding Officer

Approved as to Form:



Daniel B. Cooper, General Counsel

EXHIBIT A

Resolution 97-2514

Order No. 08-82107-28

EXHIBIT "ONE"

Lot 20, Crestwood, in the City of Portland, Multnomah County, Oregon, EXCEPTING THEREFROM the following described real property being a portion of Lot 20, Crestwood, situated in the Southeast quarter of Section 30, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, to-wit:

Beginning at a railroad spike marking the northwest corner of Lot 20, Crestwood, and running thence 15.0 feet along the arc of a 570.0-foot radius curve to the left (the long chord of which bears South 00° 56' East 15.0 feet) to an iron pipe, said iron pipe marking the true point of beginning of this description; thence South 89° 16' East 80.0 feet parallel with the north boundary line of said Lot 20 to an iron pipe; thence South 25° 49' 44" East 112.10 feet to an iron pipe; thence North 89° 16' West 118.47 feet to an iron pipe set in the easterly right-of-way line of SW 53rd Avenue; thence following said right-of-way line along the arc of a 570.0-foot radius curve to the right for a distance of 100.97 feet to the true point of beginning of this description.

ALSO EXCEPTING THEREFROM the following described real property being a portion of Lot 20, Crestwood, situated in the Southeast quarter of Section 30, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Beginning at a railroad spike marking the northwest corner of Lot 20, Crestwood; thence along the west line of said Lot 20 on a curve to the left which radius is 570.0 feet, an arc distance of 115.97 feet (the long chord of which bears South 06° 00' 43" East, 115.77 feet) to the southwest corner of a certain tract of land conveyed to Donald Savage et al and recorded April 28, 1969 in Book 674, Page 914, Multnomah County Deed Records, said point also being the true point of beginning of the tract to be described; thence South 89° 16' East along the south line of said Savage tract, 118.47 feet; thence South 14° 24' 19" East, 88.07 feet to a point on the south line of Lot 20, Crestwood; thence North 89° 16' West along the south line of said Lot 20, 117.00 feet to the southwest corner thereof; thence along the west line of said Lot 20 on a curve to the right which radius is 570.0 feet, an arc distance of 88.52 feet (the long chord of which bears North 16° 17' 21" West, 88.43 feet) to the true point of beginning of the above described tract.

FURTHERMORE EXCEPTING THEREFROM part of Lot 20, Crestwood, in the Southeast quarter of Section 30, Township 1 South, Range 1 East of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at a railroad spike at the northwest corner of Lot 20, Crestwood; thence South 89° 10' East on the north line of Lot 20, 235.0 feet to a point; thence South 00° 50' West, 70.0 feet to a point; thence South 89° 10' East 14.0 feet to a point; thence South 00° 50' West 40.0 feet to a point; thence North 89° 10' West 120.87 feet to a point on the easterly boundary of the Dale Rader property described in instrument recorded April 25, 1969 in Book 2282, Page 286, Multnomah County Deed Records; thence North 25° 49' 44" West 106.31 feet to the northeast corner of the aforementioned Dale Rader property; thence North 89° 10' West 80.0 feet on the north line of the Dale Rader property to a point on the easterly right-of-way line of SW 53rd Avenue; thence on a curve to the right along the easterly right-of-way line of SW 53rd Avenue with a radius of 600 feet through a central angle of 01° 26' 01" an arc distance of 15.0 feet (long chord bears North 00° 47' 58" West 15.0 feet) to the point of beginning.

Staff Report

CONSIDERATION OF RESOLUTION NO. 97- 2514 FOR THE PURPOSE AMENDING THE FANNO CREEK GREENWAY TARGET AREA REFINEMENT PLAN

Date: May 22, 1997

Presented by:

**Jim Desmond
Nancy Chase**

PROPOSED ACTION

Resolution No. 97- 2514, requests amendment of the Fanno Creek Greenway target area refinement plan.

BACKGROUND AND ANALYSIS

In May of 1995, voters in the region passed a bond measure enabling Metro to purchase open space properties with \$135.6 million worth of bond funds. The bond measure identified fourteen regional target areas and six regional trails and greenways for property acquisition, including the Fanno Creek Greenway.

Initial planning for the Fanno Creek regional target area focused primarily on land protection along the mainstem of Fanno Creek, with the objective of developing a streamside trail network. Late in this planning process, citizens' groups advocated for an additional objective: the protection of Fanno Creek water quality through land acquisition along Fanno Creek tributaries. The refinement plan for the Fanno Creek Greenway target area includes this objective (stated below in findings), as well as a tax lot-specific map that identifies properties that would serve this objective. These properties received Tier I designation in the refinement plan, as adopted on May 16, 1996.

Since the adoption of this refinement plan, citizens' groups have identified other properties that serve the water quality enhancement objective in the plan, but that are not identified as Tier I properties.

The Crestwood Neighborhood Association, the City of Portland, and Mrs. Ruth Edwards have requested that Metro purchase the Edwards property, 0.86 acres of land near the headwaters of Ash Creek. Ash Creek is a seasonal tributary to Fanno Creek. Portland's Bureau of Environmental Services (BES) purchased the property immediately south of the Edwards tract in order to protect Ash Creek headwaters. With the assistance of match money from the City of Portland, Metro purchased the Tier I tract of Taylor Woods, adjacent to the BES site, to accomplish the same objective. Acquisition of the Edwards tract would expand the existing buffer protecting the Ash Creek headwaters, and increase the assemblage anchored by the Taylor Woods acquisition.

In order to acquire the property, Metro would have to amend the Fanno Creek Greenway target area refinement plan to include the Edwards property.

FINDINGS

Amendment of the Fanno Creek Greenway target area refinement plan is recommended based upon these findings:

- Tier I objectives for the Fanno Creek Greenway target area include the following:

Encourage participation of other governments . . . in the protection/enhancement of water quality and water quantity by establishing a challenge grant account for land acquisition along the following Fanno Creek tributaries: Pendleton Creek, Woods Creek, Sylvan Creek, **Ash Creek.**

Amendment of the Fanno Creek Greenway target area refinement plan to include the Edwards property within Tier I would authorize Metro to purchase the Edwards property with the assistance of the City of Portland. The City of Portland has committed to providing 25% of the acquisition cost of the Edwards property.

- Amendment of the target area refinement plan would allow Metro to broaden the Ash Creek headwaters buffer already established by Metro and the City of Portland.
- Property assessment by Metro biologist Jim Morgan concluded that Edwards tract compared favorably to Tier I tracts such as Metro's Taylor Woods in terms of habitat quality.
- Strong support for this amendment exists from the Crestwood Neighborhood Association. Amendment of this target area will allow for additional open space protection in a rapidly urbanizing neighborhood.

BUDGET IMPACT

Bond funds would supply acquisition money. Land banking costs are expected to be minimal. Portland Parks and Recreation has indicated an interest in assuming long-term management responsibilities. An intergovernmental agreement, to be negotiated in the future, shall govern this arrangement.

Executive Officer's Recommendation

The Executive Officer recommends passage of Resolution No. 97-2514.