

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 24-5403
CHIEF OPERATING OFFICER TO GRANT A	)	
PARK USE EASEMENT TO PGE AT	)	Introduced by Chief Operating Officer
FARMINGTON PADDLE LAUNCH	)	Marissa Madrigal in concurrence with Council President Lynn Peterson

WHEREAS, Metro owns and manages approximately 6 acres of real property in Washington County known as Farmington Paddle Launch (“Park”), located along the Tualatin River at the intersection of SW River Road and SW Farmington Road; and

WHEREAS, Washington County is constructing intersection safety and circulation improvements at SW River and Farmington Roads, including a roundabout, pedestrian sidewalks, and crosswalks immediately adjacent to the Park, as well as constructing a new access apron serving the Park; and

WHEREAS, Metro and Washington County cooperated in the design process resulting in intersection improvements that have minimal impact on, but substantially benefit the Park and its visitors; and

WHEREAS, the intersection improvement design and location requires existing Portland General Electric Company (“PGE”) facilities to be relocated, including a power pole and guy anchor line currently adjacent to the Park. While the power pole will be relocated with the SW Farmington Road public right of way, the guy anchor line must be located on Park property to support the pole; and

WHEREAS, to accommodate the guy anchor line, PGE requests a 10-foot by 12-foot easement adjacent to the public right of way in a location that has no impact on the Park or its natural resources; and

WHEREAS, the proposed easement dedication is consistent with Metro’s easement policy (Resolution No. 97-2539B) because it is associated with and necessitated by an intersection improvement project that is designed specifically to benefit Metro’s Park by improving vehicle, pedestrian, and bicycle safety and access; now therefore,

BE IT RESOLVED that the Metro Council authorizes the Chief Operating Officer to grant an easement to PGE in the location depicted in Exhibit A and described and depicted in Exhibit B to this Resolution, on terms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 25th day of April, 2024.



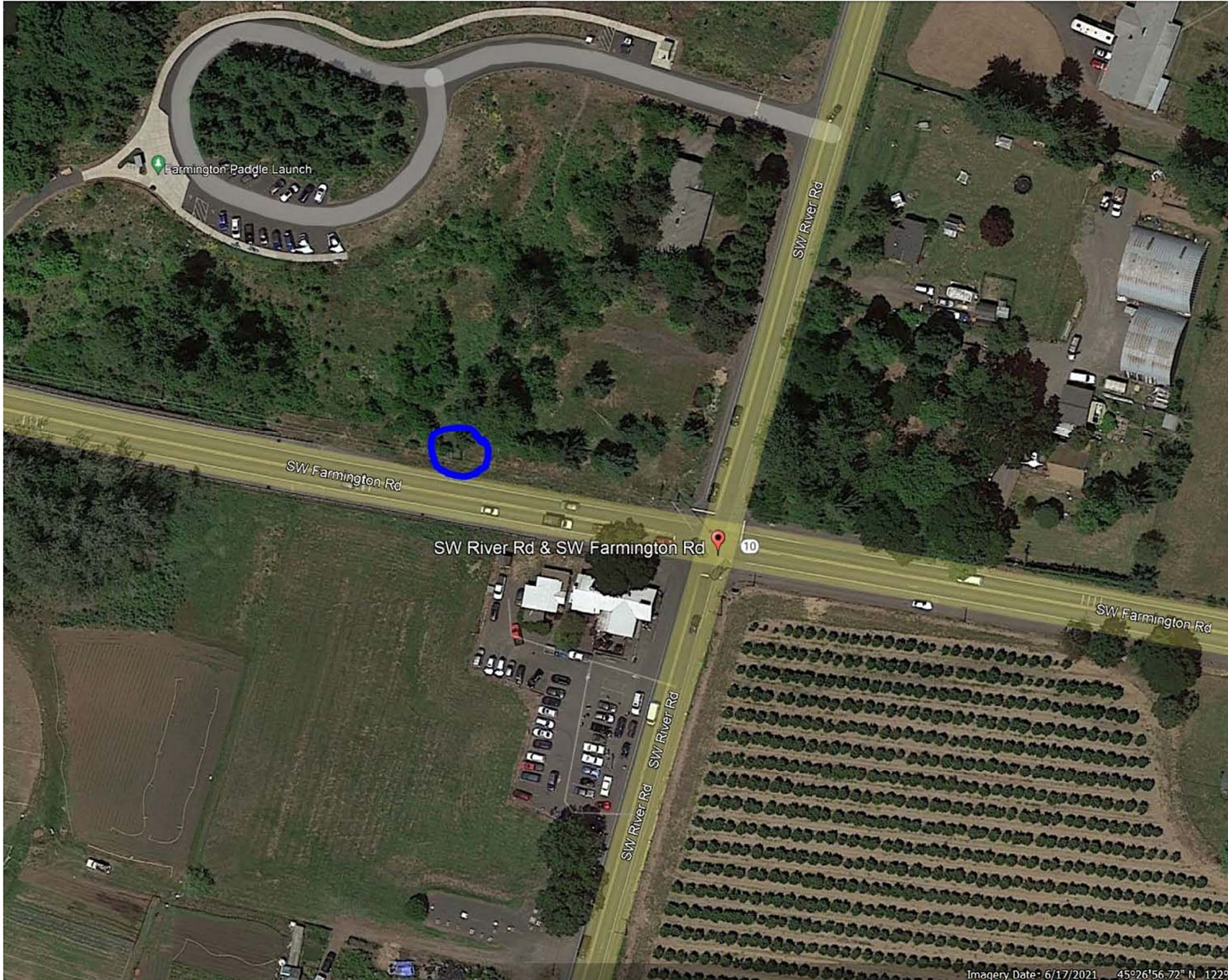
\_\_\_\_\_  
Lynn Peterson, Council President

Approved as to Form:



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Carrie MacLaren, Metro Attorney

# Exhibit A





**Portland General Electric**  
121 SW Salmon Street · Portland, Ore. 97204

## ***EXHIBIT B***

### **EASEMENT AREA**

### **LEGAL DESCRIPTION**

A 10.00-foot-wide strip of land lying 5.00 feet on each side of a guy anchor line, in a portion of tax lot 400, as described in Washington County deed 2000-017992, in the southwest corner of Section 28, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon more particularly described as follows:

**Beginning** at Portland General Electric power pole number 524, said pole bears South 76°02' East 83.6 feet from a 3/4 inch iron pipe with yellow plastic cap stamped "County Surveyor", said iron is marking the northerly right-of-way of SW Farmington Road at centerline station 105+00.41, 45.00 feet left as shown in Washington County survey 33974;

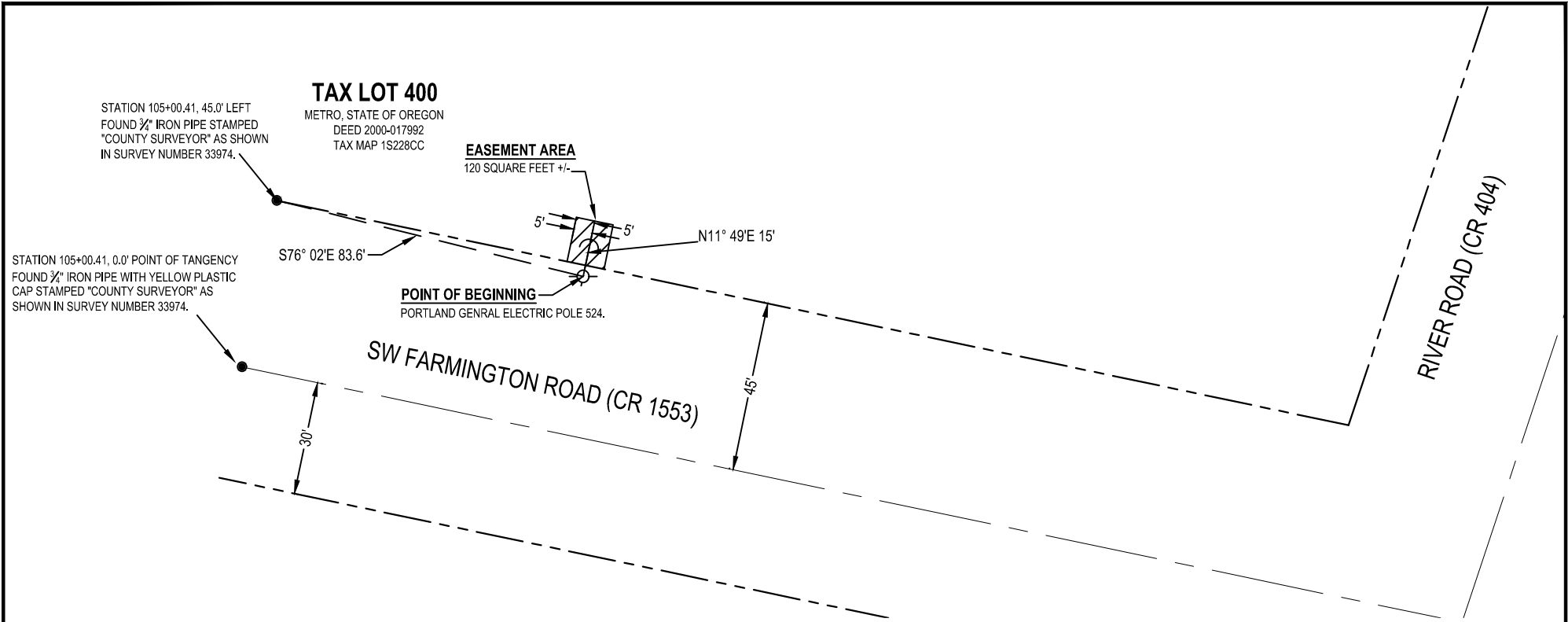
thence North 11°49' East 15 feet along said guy anchor line and the extension thereof to the **Terminus** of said centerline.

**Except** any portion lying within said right-of-way of Southwest Farmington Road.

The above described strip of land contains 120 square feet more or less.

Bearings are based on Oregon State Plane Coordinate system NAD83(2011), epoch 2010.000.

The above described parcel is shown on Exhibit "C" attached hereto, which by reference thereto is made a part hereof.



**SURVEY NOTES**

BOUNDARY LINES SHOWN HEREON WERE DEVELOPED FROM WASHINGTON COUNTY SURVEY 33974, AND ORIENTED TO FOUND COMMON MONUMENTS.

BEARINGS BASED ON OREGON STATE PLANE COORDINATE SYSTEM NAD83(2011) EPOCH 2010.0000.

**Public**

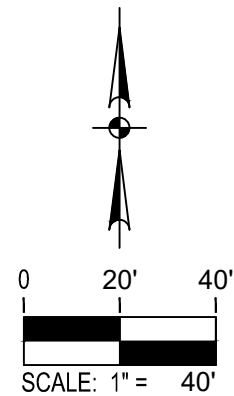
**Access Not Limited**

DISCLAIMER: THE GRAPHIC REPRESENTATIONS AND OTHER INFORMATION/DATA CONTAINED HEREIN (COLLECTIVELY THE "DEPICTION") IS THE PROPERTY OF PGE. THE DEPICTION DOES NOT REPRESENT AN ACTUAL BOUNDARY SURVEY AND RESOLUTION. INFORMATION DERIVED FROM GIS AND OTHER DATA SHOWN IS SUBJECT TO CHANGE. THE DEPICTION IS MERELY TO AID IN DESCRIBING THE CONFIGURATION AND LOCATION OF THE PARCEL OF LAND IN THE ACCOMPANYING LEGAL DESCRIPTION.

REGION/PLANT: WESTERN	SURVEY NO.: 2023-015
PORTLAND GENERAL ELECTRIC CO. 121 SW SALMON ST., PORTLAND, OR 97204	
<b>EXHIBIT C</b> 9745 SW RIVER ROAD HILLSBORO, OR SEC. 28, T.1S.,R.2.W., W.M. WASHINGTON COUNTY	
DRAWING NO.-SHEET NO.: M3217770-01	DATE: 12/14/2023

**LEGEND**

- FOUND MONUMENT
- POWER POLE
- ← PROPOSED POWER GUY ANCHOR
- ROAD CENTERLINE
- RIGHT-OF-WAY
- EASEMENT



IN CONSIDERATION OF RESOLUTION NO. 24-5403, FOR THE PURPOSE OF  
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT A PARK USE  
EASEMENT TO PGE AT FARMINGTON PADDLE LAUNCH

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Date: April 8, 2024  
Department: Parks and Nature  
Meeting Date: April 25, 2024

Prepared by: Shannon Leary, Real Estate  
Manager  
(shannon.leary@oregonmetro.gov)

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**ISSUE STATEMENT**

Portland General Electric (PGE) requests the Metro Council authorize the Chief Operating Officer to grant a small permanent easement of 12 feet by 10 feet adjacent to the public right of way.

**ACTION REQUESTED**

Metro Council authorization for the Chief Operating Officer to grant a trail easement to PGE.

**IDENTIFIED POLICY OUTCOMES**

Continued application of the guidance in the Parks and Nature easement policy (Res. 97-2539B).

**POLICY QUESTION(S)**

Does the Metro Council wish to authorize the COO to grant a small easement adjacent to the public right of way to PGE?

**POLICY OPTIONS FOR COUNCIL TO CONSIDER**

1. Grant PGE the easement. This will permit PGE to move a power pole and guy anchor line out of the way of a roundabout that Washington County is constructing at the intersection of SW Farmington and River Roads. The improvement was designed to avoid impacts to Metro's Farmington Paddle Launch and benefit park access and safety for pedestrians, bicycles, and vehicles.
2. Do not grant PGE the easement. This will result in PGE not able to move this power pole, which may jeopardize the construction of the roundabout at the intersection of SW Farmington and River Roads, which could negatively impact park access, as well as pedestrian, bicycle, and vehicle safety.

**STAFF RECOMMENDATIONS**

Staff recommends the Metro Council approve PGE's easement request and authorize the Chief Operating Officer to grant the easement to PGE.

**STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The request from PGE for a small easement to permanently locate a guy anchor line is a result of Washington County working in partnership with Metro Parks and Nature while designing roadway improvements to facilitate intersection safety and circulation

improvements that will have a positive impact on pedestrians, bicyclists, and drivers in the area, while not impacting Farmington Paddle Launch and benefitting the park and its visitors by improving access and safety. Washinton County consulted with Metro early in the design of the roundabout at the intersection of SW Farmington and River Roads, which is adjacent to and serves Metro's Farmington Paddle Launch. That coordination resulted in Washington County designing the roundabout to have limited impact on Metro's park land, while improving visitors access and safety in all modes of transportation. As a result of the roundabout location, PGE needs to move a power pole and associated guy anchor line. The pole will be relocated to the SW Farmington Road right of way; however, the guy anchor line must be located just over the right of way boundary line on Metro property. Staff considers this a park use easement request, exempt from the analysis included in the easement policy, because the genesis for the request is an access and safety improvement that both benefits the park and limits its impact on the park.

#### Legal Antecedents

- Metro Resolution No. 92-1637 "For the Purpose of Considering Adoption of the Metropolitan Greenspaces Master Plan"
- Resolution No. 95-2074A, "For the Purpose of Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$138.8 Million to Proceed with the Acquisition of Land for a Regional System of Greenspaces"
- Resolution No. 96-2299, "For the Purpose of Approving a Refinement Plan for the Tualatin River Greenway and Access Points Target Area as Outlined in the Open Space Implementation Work Plan"
- Metro Resolution No. 97-2539B "For the Purpose of Approving General Policies Related to the Review of Easements, Rights of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department"
- Resolution No. 06-3672B, "For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection"
- Resolution No. 07-3849, "Approving the Natural Areas Acquisition Refinement Plan for the Tualatin River Greenway Target Area"
- Resolution No. 14-4583, "For the Purpose of Endorsing Additional Investments for Restoration and Public Access to Nature"

#### Anticipated Effects

- Washington County will proceed with construction of a roundabout at the intersection of SW Farmington and River Roads to improve safety and traffic flow and PGE will relocate its power pole and guy anchor line.

#### Financial Implications (current year and ongoing)

- None

#### **BACKGROUND**

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 18,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over

Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B (the "easement policy"). The easement policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. Projects designed for the benefit of a Metro park or natural area (a "park use") are recommended for approval.

**ATTACHMENTS**

None