

April 21, 2022

22-112

DELEGATE AUTHORITY TO COLLEGE PRESIDENT
TO NEGOTIATE THE RELEASE OF AN EASEMENT
AGREEMENT WITH THE CAROLYN MOORE
REVOCABLE LIVING TRUST

PREPARED BY: Linda Degman, Director, Planning & Capital Construction

FINANCIAL
RESPONSIBILITY: Linda Degman, Director, Planning & Capital Construction

APPROVED BY: Eric Blumenthal, Vice President, Finance and Administration
Mark Mitsui, President

STRATEGIC THEME: Enterprise: Cultivate a long-term sustainable college
enterprise

REPORT: On July 21, 2020, the property at 12680 SW Walnut St,
Tigard, OR 97223, known as the Carolyn Moore Writer's
House was conveyed to the PCC Foundation and then to the
College under a Charitable Gift Agreement.

The Charitable Gift Agreement identified a partition of the
property and the portion allocated to PCC. The partition
included an access easement over the retained Trust
property for access to PCC's gifted property. The Charitable
Gift Agreement states: "College agrees that when public
access between the Real Property (PCC's portion) and
Walnut Street become available, the College shall execute
any and all documents necessary to terminate the Easement
and release the Retained Property from the burden thereof."

The Trust is now entering into a Purchase and Sale
Agreement with a developer for the Retained Property and
the developer has agreed to provide a new driveway access
to the PCC property. Per our signed Charitable Gift
Agreement, PCC is required to work with the Trust and
developer to release or terminate the easement. Staff is
working with College Counsel on a termination agreement.

RECOMMENDATION: That the Board authorize the President or his designee to
negotiate an easement release between the College, Trust,
and/or developer, subject to concurrence of College
Counsel.