

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 97-2547
THE EXECUTIVE OFFICER TO)
PURCHASE PROPERTY IN THE) Introduced by Mike Burton
COOPER MOUNTAIN TARGET AREA) 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 Cooper Mountain 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, on February 15, 1996, the Metro Council adopted a refinement plan for the Cooper Mountain regional target area, including a confidential tax-lot-specific map identifying priority properties for acquisition; and

WHEREAS, the property owned by Cooper Mountain Joint Venture as identified in Exhibit A, is a priority property in Tier I of the Cooper Mountain target area and qualifies as a property to be acquired; and

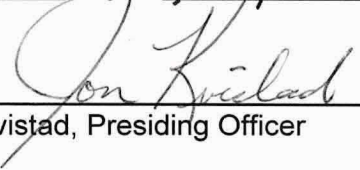
WHEREAS, the amended Open Spaces Implementation Work Plan adopted in January, 1997, provides that Metro Council approval is required for purchases involving "unusual circumstances" or if the purchase price is more than the fair market value determined by Metro's staff appraiser; and

WHEREAS, the Cooper Mountain Joint Venture property purchase has unusual circumstances, now therefore

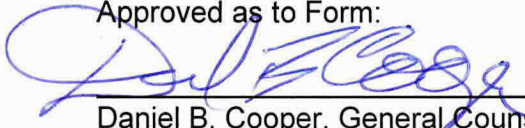
BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to purchase the Cooper Mountain Joint Venture property in the Cooper Mountain regional target area, subject to the terms and conditions set forth in the Agreement of Purchase and Sale.

ADOPTED by Metro Council this 14th day of August, 1997.



Jon Kvistad, Presiding Officer

Approved as to Form:


Daniel B. Cooper, General Counsel

Resolution No. 97-2547

EXHIBIT 'A'

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon. EXCEPTING THEREFROM the East 20 feet thereof conveyed for road purposes.

FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at a point 1317.53 feet North 00°12'58" East from the South 1/4 corner of Section 25 (said point also being the Southwest corner of Lot 8 of "Garry Oaks" a plat of record); thence North 89°59'41" East a distance of 1297.24 feet, more or less, to a point on the West right of way line of SW 190th Avenue; thence South 00°05'15" West a distance of 237.22 feet to a point; thence North 89°28'12" West a distance of 1298 feet, more or less, to a point on the West line of said Southwest Quarter of the Southeast Quarter; thence North 00°12'58" East a distance of 327.20 feet to the Point of Beginning.

Staff Report

CONSIDERATION OF RESOLUTION NO. 97-2547 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO PURCHASE PROPERTY IN THE COOPER MOUNTAIN TARGET AREA.

Date: July 31, 1997

Presented by: Charles Ciecko
Jim Desmond

PROPOSED ACTION

Resolution No. 97-2547 requests authorization for the Executive Officer to purchase property in the Cooper Mountain Target Area.

BACKGROUND AND ANALYSIS

The property in is located in Tier I in the adopted Cooper Mountain refinement plan (legal description attached as Exhibit A). The 29.32-acre land parcel is contiguous to property currently owned and managed by Metro. The subject parcel is essentially an extension of Metro's current holding, both in land use and in landscape perspective. The subject parcel was part of the Cooper Mountain Joint Venture holding logged at the same time (1994/95) as the parcel purchased earlier by Metro. Reforestation is underway on the Metro portion, while reforestation has not occurred on the adjoining subject parcel. Like the Metro holdings on Copper Mountain, the subject parcel has remnants of oak/madrone plant communities that are being lost in the lower Willamette Valley, especially in the Portland metropolitan region. Importantly, an endangered plant specie (*Delphinium sp.*) has been identified on Metro's property, with a likelihood that it exists on the subject parcel with the same plant communities. In addition, the subject parcel contains significant areas of isolated wetland plant assemblages not found on Metro's current holdings.

For management purposes, acquiring the subject parcel will be cost effective. Acquiring the parcel will allow Metro to manage the similar landscape as one unit, uninterrupted by the seemingly transparent property boundary, since it would extend our holdings closer to the top of the watershed along the same slopes we now occupy. In terms of reforestation, habitat protection and enhancement, scenic views, and future access possibilities on our existing holdings, acquisition of this parcel is important.

An unusual circumstance exists regarding the acquisition of this property because we propose to purchase the property above fair market value. A formal appraisal put the fair market value at 15% below the purchase price. Despite the lower appraised value, the property was recently purchased for the same amount we now are offering to pay.

FINDINGS

Acquisition of this property is recommended based on the following:

- The target area description in the Bond Measure Fact Sheet is as follows: "Cooper Mountain: Acquire 428 acres of forested natural area."
- The property is listed as a Tier I property in the adopted refinement plan for the Cooper Mountain target area.
- The site has important scenic and wildlife qualities.

BUDGET IMPACT

Bond funds would supply acquisition money. Land banking costs are expected to be minimal.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Resolution No. 97-2547.