

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 94-2063
THE EXECUTIVE OFFICER TO ENTER)
INTO AN AGREEMENT WITH)
HOWARD A. WINTERS) Introduced by
) Rena Cusma,
) 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, acquisition of natural areas from willing sellers is a primary strategy for preservation of natural areas; and

WHEREAS, The Option to Purchase a Conservation Easement is part of Metro's Options Demonstration Project approved by Council Resolution No. 93-1832; and

WHEREAS, Funds to obtain options from willing sellers to purchase lands are allocated via Council Ordinance No. 93-511; and

WHEREAS, A Process for Considering and Executing Options to Purchase Lands was adopted by Council Resolution No. 94-1919; and

WHEREAS, The property owned by Howard A. Winters, as indicated in Exhibit A, is in a target area as set out in Resolution No. 94-2011A which referred a 135.6 million dollar bond measure for public consideration in the spring of 1995; now, therefore;

BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to enter into an agreement substantially similar to that which is attached as Exhibit A with Howard A. Winters.

ADOPTED by the Metro Council this _____ day of December, 1994.

Not Adopted
Judy Wyers
Presiding Officer

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 94-2063, AUTHORIZING THE EXECUTIVE OFFICER TO ENTER INTO AN AGREEMENT WITH HOWARD A. WINTERS

Date: December 15, 1994

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: At its December 14, 1994 meeting the Regional Facilities Committee voted 4-0 to recommend Council adoption of Resolution No. 94-2053. Councilors Hansen, Gates, McFarland, and Washington voted in favor. Councilor Moore was absent.

COMMITTEE DISCUSSION/ISSUES: Discussion of this resolution took place in Executive Session. Council will be briefed at its December 22 meeting, also in Executive Session, on the specific points of this resolution concerning Greenspace lands.

There was no substantive committee discussion in open session.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NUMBER 94-2063 FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT WITH HOWARD A. WINTERS

Date: December 14, 1994

Presented by: Berit Stevenson

PROPOSED ACTION

Resolution No. 94-2063 requests the approval of a resolution to authorize the Executive Officer to execute an Agreement with Howard A. Winters.

FACTUAL BACKGROUND AND ANALYSIS

The Options Demonstration Project approved by the Council Resolution 93-1832 provided funds to obtain options from willing sellers. The properties selected by this project are to be located in either local or regional Greenspaces target areas. The Winters property is located near the Sandy River within a Greenspaces target area.

The entire Winters property is approximately 110 acres and is made up of three separate tax lots. Currently Mr. Winters resides on a farm on the upper portion of the property. Metro is interested in acquiring a conservation easement on the ridge area of the property which lies between Crown Point Highway and would follow the natural ridge line plus a 100 foot buffer running past the top of the ridge line. The ridge area has mature timber which makes it desirable for the Greenspaces program. The intent of the conservation easement would be to maintain the property in its natural state. No public access to the property covered by the easement would be allowed. Mr. Winters has requested and Metro has agreed to allow Mr. Winters to cut up to 15 cords of fire wood annually for his personal use. More detailed information is available upon request.

BUDGET IMPACT

Mr. Winters has agreed to establish the price of the conservation easement by way of an appraisal by an independent MAI appraiser. The conservation easement would be acquired by Metro upon passage of the Greenspaces bond measure. Mr. Winters will receive \$1,000 for an Agreement which forbears him from harvesting timber, altering the property or disposing of the property until termination of the Agreement on July 15, 1995.