

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 95-2255
THE EXECUTIVE OFFICER TO ENTER)
A PURCHASE AND SALE AGREEMENT TO) Introduced by
PURCHASE PROPERTY WITHIN THE) Mike Burton
FOREST PARK REGIONAL 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, Open Space, Parks and Streams Ballot Measure 26 -26, passed by voters in May, 1995, authorized the sale of bonds from which proceeds would be used for the protection of open spaces in the region; and

WHEREAS, in November 1995, the Metro Council adopted the Open Space Implementation Work Plan, which provides for Early Acquisition, and

WHEREAS, the Forest Park Target Area was specifically identified as a regional target area for acquiring open spaces with Measure 26-26 bond proceeds; and,

WHEREAS, The property owned by the Ramsey family, as identified in Exhibit A, is in the Forest Park Target Area and qualifies as an Early Acquisition Opportunity; and,

WHEREAS, Protection of the subject property through acquisition conforms with the strategies and guidelines of the Metropolitan Greenspaces Plan; and,

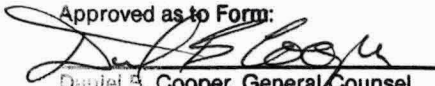
WHEREAS, The sellers are willing to enter into a Purchase and Sale Agreement; and

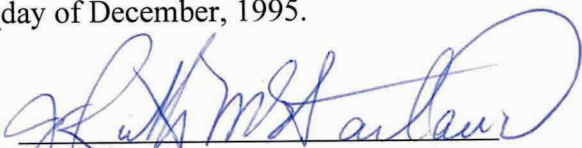
WHEREAS, If due diligence, which includes environmental, title, and appraisal reviews, demonstrates that the acquisition is appropriate, then Metro should purchase the property now, ,therefore;

BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to execute the Purchase and Sale Agreement in substantially the same form as attached in Exhibit A, and purchase the property, subject to the terms and conditions set forth in the Purchase and Sale Agreement.

ADOPTED by Metro Council this 14 day of December, 1995.

Approved as to Form:

Daniel S. Cooper, General Counsel


J. Ruth McFarland, Presiding Officer

Staff Report

CONSIDERATION OF RESOLUTION NO. 95-2255, FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT TO PURCHASE PROPERTIES IN THE FOREST PARK TARGET AREA

Date: 12 December 1995

Presented by: Nancy Chase

PROPOSED ACTION

Resolution No. 95-2255 requests the approval of a resolution to authorize the Executive Officer to purchase properties in the Forest Park Target Area.

BACKGROUND AND ANALYSIS

This property is within the Forest Park Target Area which is a Metro regional target area. The property consists of two tax lots (70 acres and 50 acres) totaling approximately 120 acres. The 50 acre parcel is accessed off NW Skyline Boulevard and is bordered by Forest Park on three sides; the 70 acre parcel is landlocked and surrounded by Forest Park. Both parcels have significant stands of marketable timber.

The City of Portland has filed an eminent domain proceeding to acquire the 70 acre parcel and 10 acres of the 50 acre parcel. Metro and the Ramsey family have been discussing a voluntary sale of the 70 acre parcel and all or almost all of the 50 acre parcel. The Ramseys have indicated they will accept an offer from Metro to purchase this property at fair market value as determined by an independent appraiser hired by Metro.

Both the City of Portland and the Friends of Forest Park are in agreement that the property is the top priority "hole" in Forest Park and that there is an urgent need to obtain the property as soon as possible. If Metro purchases the property the litigation will be settled by the City and the Ramseys with no involvement by Metro.

In November of 1995, the Metro Council approved the Open Space Implementation Work plan which provides a process for Early Acquisition Opportunities. An early acquisition opportunity exists where:

1. The parcel is located in a target area or trail area specified in Measure 26 -26.
2. The parcel is in a target area or trail area which does not have an adopted refinement plan.
3. There is a willing seller.
4. There is a demonstrated need to purchase the parcel or acquire an option to purchase the parcel or acquire an option to purchase the parcel as soon as possible in advance of the completion and adoption of the refinement plan.

5. There is a high level of certainty that the parcel will ultimately be included in the final refinement plan due to its size, location and unique natural characteristics or other factors which may be found relevant.

Based on the information stated above, Early Acquisition Criteria 1 to 5 have been met.

BUDGET IMPACT

The purchase agreement sets out a maximum purchase price of \$1,050,000 for both lots (120 acres). This price was determined by an independent appraiser retained by Metro. Price and acreage may be adjusted downward if the Ramsey Family choose to retain a portion of the land abutting NW Skyline Boulevard. There are also ongoing discussions regarding a potential donation in return for naming this property after the Ramsey family. Because of the existence of the City's eminent domain and for tax considerations, Metro will acknowledge that this purchase is being made under the "threat of" condemnation.

The Forest Park Target Area was budgeted to receive \$4.7 million dollars for land acquisition with a goal of 320 acres. To date 7.34% of the dollars allocated have been spent resulting in the purchase of 38% of the acres. If the Ramsey property is purchased a total of 30% of the Forest Park funds will have been expended achieving 75% of the acreage goal.*

* These figures are based on the acquisition of the maximum acreage at the maximum price set out in the purchase agreement.