

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE ) RESOLUTION NO. 99-2757  
EXECUTIVE OFFICER TO PURCHASE )  
PROPERTIES IN THE FOREST PARK ) Introduced by Mike Burton  
EXPANSION 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 the Open Spaces, Parks and Streams Bond Measure (Ballot Measure 26-26) which authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements; and

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

WHEREAS, the properties owned by the Ramsey family, as identified in Exhibit A ("the Ramsey Properties"), are in the Forest Park Target Area and qualified as an Early Acquisition Opportunity; and

WHEREAS, the Metro Council authorized the Executive Officer on December 14, 1995 via Resolution 95-2255 to purchase the Ramsey Properties subject to the terms and conditions of the Purchase and Sale Agreement drafted at that time; and

WHEREAS, on February 15, 1996 via resolution 96-2274A, the Metro Council adopted a refinement plan for the Forest Park Expansion regional target area, which included a confidential tax-lot specific map identifying priority properties for acquisition; and

WHEREAS, the Forest Park Expansion target area refinement plan identifies the Ramsey Properties as a Tier IA properties for acquisition; and

WHEREAS, the Open Spaces Implementation Work Plan was amended by the Metro Council on January 9, 1997 via Resolution 96-2424; and

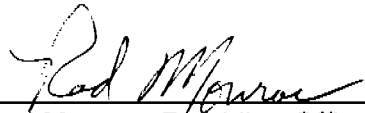
WHEREAS, the purchase of land with an appraisal process that varies from that required in the amended Open Spaces Implementation Plan creates an "unusual circumstance" for Metro's proposed acquisition of the site; and

WHEREAS, the Open Spaces Implementation Work Plan requires Metro Council's specific approval for acquisitions which involve an "unusual circumstance;" now therefore,

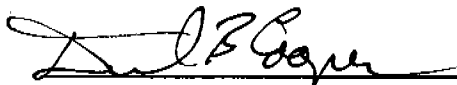
BE IT RESOLVED,

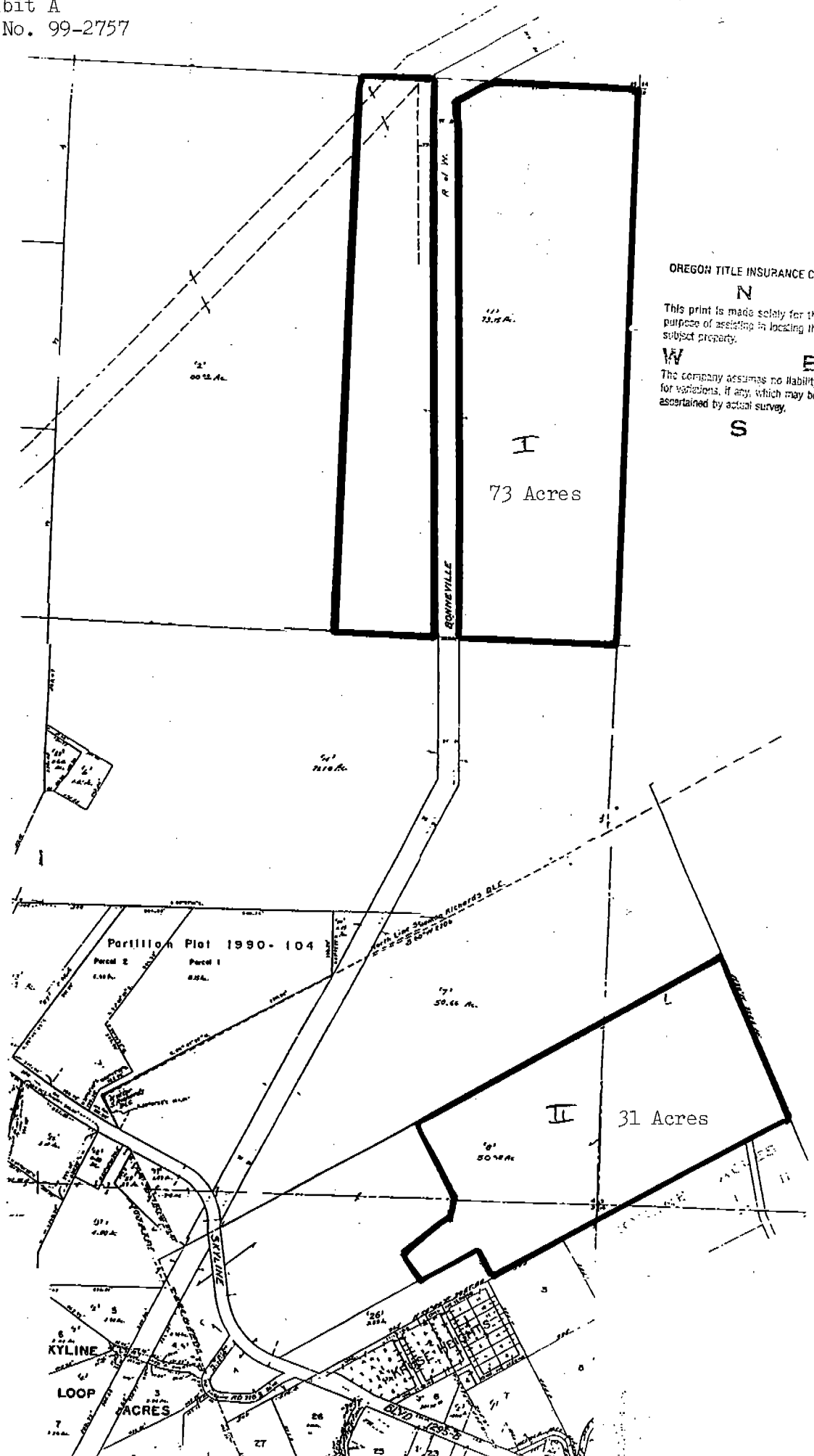
That the Metro Council authorizes the Metro Executive Officer to purchase properties in the Forest Park Expansion target area, as identified in Exhibit A, subject to the terms and conditions of the Purchase and Sale Agreements.

ADOPTED by the Metro Council this 11<sup>th</sup> day of FEBRUARY, 1999.

  
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Rod Monroe, Presiding Officer

Approved as to Form:

  
\_\_\_\_\_  
Daniel B. Cooper, General Counsel



## **Staff Report**

### **CONSIDERATION OF RESOLUTION NO. 99-2757 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO PURCHASE PROPERTIES IN THE FOREST PARK EXPANSION TARGET AREA**

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**Date:** January 29, 1999

**Presented by:**

**Dan Cooper  
Charles Ciecko  
Jim Desmond**

#### **Proposed Action**

Resolution No. 99-2757 requests authorization for the Executive Officer to purchase properties in the Forest Park Expansion Target Area.

#### **Background and Analysis**

In May 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure that authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements.

On December 14, 1995 via Resolution 95-2255 the Metro Council authorized purchase properties in the Forest Park Expansion target area owned by the Ramsey family. These properties are inholdings in Forest Park, and were authorized for purchase as Early Acquisition Opportunities under the adopted Open Spaces Implementation Plan and prior to adoption of the Forest Park refinement plan. The properties were two tax lots (73 acres and 50 acres) totaling approximately 123 acres. The 50-acre parcel is accessed off NW Skyline Boulevard and is bordered by Forest Park on three sides. The 73-acre parcel is landlocked and surrounded by Forest Park. Both parcels have significant stands of marketable timber.

On February 9, 1996, via Resolution 96-2274A, the Metro Council adopted a refinement plan that outlined a land protection strategy for the Forest Park Expansion regional target area. One objective of the plan is to protect inholdings in Forest Park, and the Ramsey properties were identified as Tier I acquisitions.

An agreement with the Ramsey family was not reached in 1995, and Metro has continued to negotiate with the Ramsey family since. Now the Ramsey family is a willing seller and Metro has negotiated signed Purchase and Sale Agreements.

The Metro Council is asked to authorize the following transaction for two separate parcels of property:

1. Full fee purchase of a 73-acre parcel according to the Purchase and Sale Agreement, with the purchase price based on appraisals performed by the firm of Moscato, Ofner & Associates, Inc. dated November 3, 1995 and November 6, 1997, with the market value stated therein adjusted to account for increases due to the passage of time through the current date, as recently determined by Mr. Ofner. The Seller and their own independent

appraiser have agreed to sell at this value. This closing shall take place within 30 days of the execution of the Purchase and Sale Agreement.

2. Metro will purchase an approximate 31-acre piece of the remaining 50 acres owned by the Ramsey family, subject to the City of Portland's approval of a partition of the property and issuance of land use approvals to allow a total of five buildable residential lots over the 50-acre parcel. In addition, the Seller will convey a conservation easement over the remaining approximately 19-acre parcel to be retained by the Sellers, transferring to Metro the development rights to two of the newly approved residential homesites. The purchase price for both the fee interest in the 31-acre parcel and the conservation easement were determined in an appraisal by Moscato, Ofner & Associates, Inc. dated November 6, 1997, with the market value stated therein adjusted to account for the passage of time through the current date, as recently determined by Mr. Ofner. The sellers and their independent appraiser have agreed to sell at this value.

The appraisal process for this transaction varied from that required by the amended Open Spaces Implementation Work Plan and therefore Metro's acquisition of the Ramsey property constitutes an "unusual circumstance," requiring specific approval by the Metro Council.

### **Findings**

Acquisition of the Ramsey properties in the Forest Park Expansion target area is recommended based on the following:

- The Ramsey properties are identified in the Forest Park Expansion refinement plan as Tier I properties.
- These acquisitions have extraordinary public support, including that of the Friends of Forest Park and the City of Portland.
- The Ramsey family is a willing seller.
- These acquisitions on these terms were recommended by the Real Estate Acquisition Committee, which met in early February 1999.

### **Budget Impact**

Bond funds would supply acquisition money. Landbanking costs are expected to be zero, since the properties will be managed by the City of Portland under an intergovernmental agreement.

### **Executive Officer's Recommendation**

The Executive Officer recommends passage of Resolution No. 99-2757.