



RESOLUTION 2017-054

AUTHORIZING THE CITY MANAGER TO SELL OR TRANSFER REAL PROPERTY LOCATED AT 22895 SW ELWERT ROAD TO THE SHERWOOD SCHOOL DISTRICT

WHEREAS, the City of Sherwood ("City") and the Sherwood School District ("District") serve many of the same constituents and share a common purpose of working for the betterment of the Sherwood community; and

WHEREAS, the City values its ongoing partnership with the District and wishes to work cooperatively with the District to further the City's and District's mutual goals; and

WHEREAS, the City owns 19.9 acres of real property, located at 22895 SW Elwert Road and further described in Exhibits 1 and 1-A, attached hereto ("Subject Property"); and

WHEREAS, the City requires approximately 5 acres of the Subject Property for an upcoming public roadway improvement project; and

WHEREAS, the District has approached the City regarding purchasing the approximately 15 acres of the Subject Property that remain after subtracting the acreage needed by the City for said roadway project ("Remaining Property"), for the purpose of the District constructing and operating a new public high school; and

WHEREAS, the City wishes to sell the Remaining Property to the District at an appropriate price for property outside of a current Urban Growth Boundary, for the specific purpose of constructing and operating a new public high school; and

WHEREAS, the City obtained appraisals of the Subject Property in order to assist it in negotiating an appropriate price for the Remaining Property; and

WHEREAS, as a result of ongoing negotiations, the City and the District have agreed to a per acre price of \$130,000 for the Remaining Property; and

WHEREAS, consistent with ORS 221.725, the City Council held a public hearing regarding this proposed sale of real property during its regular meeting on June 20, 2017, at which hearing the nature of the proposed sale and the general terms thereof, including an appraisal or other evidence of the market value of the property, were fully disclosed, and residents of the City were given an opportunity to present written or oral testimony; and

WHEREAS, consistent with ORS 221.725(2), prior to said hearing, the City caused to be published in the Times, a newspaper of general circulation in the City, on June 15, 2017, a notice regarding said proposed sale and hearing, stating the time and place of the public hearing, a description of the property or interest to be sold, the proposed uses for the property, and the reasons why the City Council considers it necessary or convenient to sell the property; and

WHEREAS, consistent with ORS 271.310(1), it appears to the City Council that the public interest would be furthered by this sale because, and consistent with ORS 221.725(1), it appears to the City Council that it is necessary or convenient to sell the Remaining Property because, it will facilitate the construction and operation of a much-needed new public high school to serve the Sherwood community; and

WHEREAS, consistent with ORS 271.310(1), the consideration for this transfer of property is cash; and

WHEREAS, property divisions, dedications of right of way, execution of legal documents, and certain other actions may be necessary in order to effectuate the sale of the Remaining Property.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. After full and due consideration of the information presented at the public hearing, the City Council finds that, consistent with ORS 271.310(1), the public interest would be furthered by this sale of the Remaining Property because, and consistent with ORS 221.725(1), it is necessary or convenient to sell the Remaining Property because, it will facilitate the construction and operation of a much-needed new public high school to serve the Sherwood community.

Section 2. The City Manager is authorized to sell the Remaining Property to the District subject to the following conditions:

- The sale price of the Remaining Property, per acre, is \$130,000.
- The Remaining Property is sold only to the District and exclusively for the purpose of constructing and operating a new public high school.
- Sale documents include provisions for the property transferring back to the City should all or portions of the property not be used for constructing and operating a new public high school.

Section 3. The City Manager is authorized to divide the Subject Property, dedicate right-of-way, execute legal documents, and take such other actions as may be necessary or appropriate to facilitate and effectuate the sale of the Remaining Property to the District.

Section 4. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 20th day of June, 2017.


Krisanna Clark, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

Legal Description

A portion of that certain tract of land in the Northeast quarter of Section 36, Township 2 South, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, described in Deed to Alfred Stein and Anna E. Stein, recorded in Book 140, Page 107, Washington County, Oregon Deed Records, said portion more particularly described as follows:

BEGINNING at a point on the South line of said Northeast quarter, which point bears North 89°46' West 280.0 feet from the Southeast corner thereof, a point in the center of Kruger Road (County Road No. 101); and running thence along said South line, North 89°46' West 655.00 feet to a point; thence parallel with the East line of said Section 36, North 1006.45 feet to a point; thence parallel with the South line of said Northeast quarter, South 89°46' East 935.00 feet to a point on the East line thereof, in the center of Elwert Road (County Road No. A-163); thence along the East line of said Northeast quarter, South 727.58 feet to a point on the Westerly right-of-way line of SW Pacific Highway; thence along said highway line, South 45°14' West 394.38 feet to the place of beginning.

