

**RESOLUTION NO. 2371**

**A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 7840 SW BOECKMAN ROAD AS SURPLUS PROPERTY AND AUTHORIZING STAFF TO DISPOSE OF THE PROPERTY THROUGH SALE**

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to efficiently and economically dispose of real property that is determined by the City to be surplus; and

WHEREAS, the City owns real property located at 7840 SW Boeckman Road and further described as tax lots 3S1W13B 02402 and 2403 (the "Property:"); and

WHEREAS, the Property is approximately 1.15 acres in size with access off of a cul de sac on Canyon Creek Road South; and

WHEREAS, the City of Wilsonville acquired the Property as part of a larger acquisition needed to provide right of way for the construction of Canyon Creek Road South, south of Boeckman Road; and

WHEREAS, these improvements are now constructed and the Property is a remnant parcel no longer needed for a public purpose; and

WHEREAS, staff has hired an appraiser to value the Property and the completed appraisal report is due to staff by June 30, 2012; and

WHEREAS, the Property is raw land with now improvements; and

WHEREAS, the Property has a zoning designation RA-H residential and a comprehensive plan designation of 0-1 dwelling units per acre and adjacent properties have developed to higher densities than this comprehensive plan designation through amendment and rezoning processes at the time of development; and

WHEREAS, prior to selling the property the City will first dedicate any needed roadway right of way and easements needed from this parcel for future improvements to Boeckman Road; and

WHEREAS, subsequent to this public hearing and the receipt of the appraisal report, staff proposes to publish and advertise the terms of the surplus process under which it will consider offers to purchase the Property; and

WHEREAS, the City will review any reasonable offer but has the right to accept or reject any and all offers; and

WHEREAS, the Property is to be sold "AS IS" with a cash closing through escrow; and

WHEREAS, upon closing in escrow the City will convey title to the purchaser and shall convey by bargain and sale deed only such right, title and interest in the Property as is now vested in the City; and

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

1. The Property known as 7840 SW Boeckman Road and further described as tax lots 3S1W13B 02402 and 2403 is hereby declared surplus property and no longer needed by the City of Wilsonville for public use.

2. City staff will publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase the Property.

3. City will review any reasonable offer but has the right to accept or reject any and all offers.

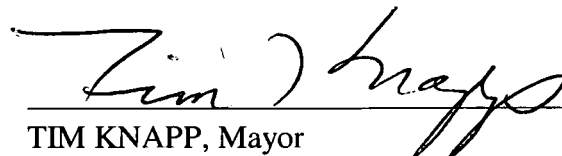
4. All offers must be reviewed and either accepted or rejected by City Council.

5. The City Council authorizes the City Manager to execute all necessary agreements and deeds relating to the transaction.

6. In the event buyer fails to meet the terms of the accepted earnest money agreement, all rights of the buyer in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the City, free of any claim or equity in the buyer or those claiming through the buyer, and the City shall retain all payments or deposits as liquidated damages for failure of buyer to complete the agreement.

7. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 18<sup>th</sup> day of June, 2012 and filed with the Wilsonville City Recorder this date.

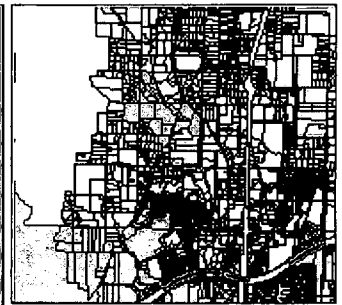
  
TIM KNAPP, Mayor

ATTEST:

Sandra C. King  
Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor Nunez	Excused
Councilor Goddard	Yes
Councilor Starr	Yes



Scale 1:1,200  
1 in = 100 ft