

Parkrose School District #3

Agenda Item #_____

SUBMITTED BY: Mary Larson	(✓)	DATE 5/29/12
APPROVED BY: Building Administrator	()	
Superintendent Karen Fischer Gray	(X)	5/29/12
Director of Business Services Mary Larson	(X)	5/29/12

TOPIC: A RESOLUTION OF THE BOARD OF DIRECTORS OF PARKROSE SCHOOL DISTRICT NO. 3, DECLARING THE NECESSITY OF ACQUIRING CERTAIN REAL PROPERTY, AND AUTHORIZING THE SUPERINTENDENT TO NEGOTIATE THE PURCHASE OF THE PROPERTY AND/OR TO INSTITUTE EMINENT DOMAIN PROCEEDINGS PURSUANT TO ORS CHAPTER 35 TO ACQUIRE THE PROPERTY

PURPOSE OF AGENDA ITEM: [Why are you asking for Board review]:

Information Policy Change Action/Approval X Presentation/Special Request

BACKGROUND: Attachments: Y____ N____LIST:

RATIONALE/DISCUSSION:

WHEREAS, the current Parkrose Middle School building was built in 1961 and has reached the end of its useful life; and

WHEREAS, the Parkrose School District (the "District") has determined that building a new Parkrose Middle School that utilizes the current middle school campus (the "Middle School Campus") is the most efficient and effective use of the District's resources; and

WHEREAS, the District determined that, in addition to the needs of Parkrose Middle School, a number of its other school facilities were in need of safety, structural, and technological improvements in order to enable the District to continue to meet its mission of providing education to the students within its boundaries; and

WHEREAS, in May 2011, the voters of the District approved a \$63 million bond that included funds for rebuilding Parkrose Middle School and reconfiguring the Middle School Campus, among other capital projects; and

WHEREAS, the District has worked with its architects and other consultants to determine how to best reconfigure the new middle school building and related facilities on the Middle School Campus; and

WHEREAS, through that work the District has determined that the site plan reflected on Exhibit A ("New Middle School Site Plan") is the best reconfiguration for the Middle School Campus; and

WHEREAS, the New Middle School Site Plan includes approximately 19,920 square feet of property lying to the north of the Middle School Campus that the District currently does not own (the "Additional Property"), and

WHEREAS, the Additional Property is currently owned by Irene A. Rossi GST Family Trust and the Estate of Aldo Rossi (the "Property Owners") and is part of a larger parcel known as T1N R2E Sec. 22DD, Tax Lot 100 (the "Larger Parcel"), as depicted on Exhibit B; and

WHEREAS, the part of the Larger Parcel that is needed for the New Middle School Site Plan is depicted on Exhibit C; and

WHEREAS, the Additional Property is critical to the New Middle School Site Plan to provide emergency access to NE Shaver Street; and

WHEREAS, the District has contacted the Property Owners and negotiations for the Additional Property are ongoing; and

WHEREAS, ORS 332.182 authorizes and empowers the District to acquire any real property for necessary school purposes by condemnation;

FINANCIAL IMPLICATIONS:

Funds for property acquisition will be paid from the Bond Construction Fund.

RELATION TO GOALS:

Allowing the new middle school to be built with the least restrictions upon the property.

ACTION REQUESTED:

Now Therefore, Be It Resolved:

1. It is necessary for the District to acquire the Additional Property in order to reconfigure and reconstruct the Middle School Campus.
2. The Superintendent is hereby directed to take any and all lawful action, whether necessary or convenient, to acquire the Additional Property for the District for the above-noted purposes, including, but not limited to (a) the negotiation of a consensual sale with the Property Owner, and (b) directing the District's legal counsel to institute an action or actions in Multnomah County Circuit Court to condemn the Additional Property pursuant to ORS Chapter 35.
3. The Superintendent shall report to the Board from time to time on progress made in acquiring the Additional Property.
4. The Superintendent shall bring any tentative purchase and sale agreement back to the Board for its review and approval.

DATED THIS 29th day of May, 2012.