

**RESOLUTION NO. 2289**

**A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING CITY-OWNED REAL PROPERTY LOCATED AT 9415 SW WILSONVILLE 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, known as the SMART Property, located at 9415 SW Wilsonville Road and further described as tax lot 3S1W14D 01301; and

WHEREAS, in January 2009, SMART operations were relocated from the SMART Property; and

WHEREAS, the City has no further public need or use for the SMART Property; and

WHEREAS, it would be economically beneficial to the City to declare the SMART Property as surplus property and dispose of it through sale;

WHEREAS, the SMART Property is a .46 acre parcel and the building on the SMART Property has a gross building area of 2,068 SF; and

WHEREAS, the .46 acre SMART Property is subject to various easements to be further investigated by any prospective purchaser of the property; and

WHEREAS, the building on the SMART Property was constructed in 1967 with renovations in the early 1990s; and

WHEREAS, the City hired PGP Valuation to prepare an appraisal of the SMART Property dated December 22, 2008 and the As-Is Market Value established in the report is \$450,000; and

WHEREAS, the appraised market value of \$450,000 shall be the minimum acceptable price of the SMART Property for the purposes of a sale; and

WHEREAS, the City will publish and advertise the terms of the surplus process subsequent to this public hearing under which it will consider offers to purchase the SMART Property that meet or exceed this minimum acceptable price of \$450,000; and

WHEREAS, all offers must be made in writing and in addition to the financial offer must include a brief explanation describing the nature of the buyer's interest in the property and

proposed use, and a statement of pre-qualification for financing or demonstration of cash reserves for closing; and

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

WHEREAS, the SMART Property is to be sold "AS IS" on a cash basis; and

WHEREAS, any accepted offer for the SMART Property must result in 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 SMART Property as is now vested in the City; and

WHEREAS, all inquiries relating to the property shall be directed to Kristin Retherford either in person at Wilsonville City Hall or by telephone at (503) 570-1539 or by email at [Retherford@ci.wilsonville.or.us](mailto:Retherford@ci.wilsonville.or.us).

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

1. The real property, known as the SMART Property, located at 9415 SW Wilsonville Road and further described as tax lot 3S1W14D 01301 is hereby declared surplus property and no longer needed by the City of Wilsonville for public use.

2. The City will consider offers for the SMART Property that meet or exceed the appraised value of \$450,000.

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 or City Manager Pro Tem 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.

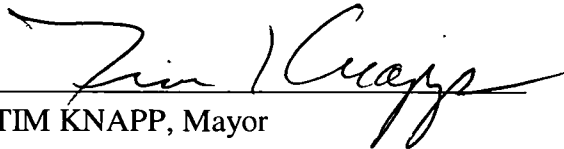
7. This resolution is effective upon adoption.

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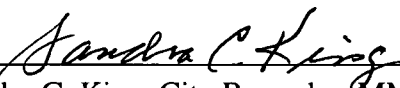
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ADOPTED by the City of Wilsonville at a regular meeting thereof this 2<sup>nd</sup> day of May, 2011 and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, Mayor

ATTEST:

  
Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

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