



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: Wednesday, May 4, 2022

SUBJECT: Public Hearing to hear any public comments concerning the intended conveyance of County-owned property located on Ferguson Road to the City of Bend, and by Order No. 2021-023, authorize the Deschutes County Property Manager to execute the documents associated with the conveyance of County-owned property.

RECOMMENDED MOTION:

Hold a Public Hearing to hear any public comments concerning the intended conveyance of County-owned property located on Ferguson Road between Ridgewater Loop/King Solomon Lane and Ferguson Court to the City of Bend, and move to sign Order No. 2022-023, authorizing the Deschutes County Property Manager to execute the documents associated with the conveyance.

BACKGROUND AND POLICY IMPLICATIONS:

In 2004, Deschutes County acquired a 0.04-acre property through the property tax foreclosure process for nonpayment of property taxes. The property known as Map and Tax Lot 181215BA03099, is located on Ferguson Road, between Ridgewater Loop/King Solomon Lane and Ferguson Court, Bend. The Real Market Value (RMV) as determined by the Deschutes County Assessor's Office is \$1,730. The property is encumbered by easements previously granted to Pacific Power & Light Company, and Deschutes Irrigation and Power Company (COID).

The City of Bend (City) is preparing to complete Phase 4 of the City's Pump Station Decommissioning Project. This portion of the project is located on Ferguson Road between Ridgewater Loop/King Solomon Lane and Ferguson Court, Bend. The project includes installation of approximately 3,300 lineal feet of 18-inch diameter gravity sewer main, installation of new sewer laterals for 13 properties currently serviced by onsite septic systems, and decommissioning the Camden and Ridgewater No. 2 pump stations. The City anticipates construction starting October 2022 with completion estimated September 2023.

The City initially inquired about the County granting a temporary construction easement over this property. However, in reviewing the property and its adjacency to existing public road right-of-way located in the City's jurisdiction, Property Management asked the City if there was interest in acquiring the property. The City confirmed and is requesting the property conveyance for zero consideration. The City will dedicate the property to public right-of-way.

Oregon Revised Statute (ORS) 271.330 grants political subdivisions express power to relinquish the title to any of the political subdivision's property not needed for public use to any governmental body, providing the property is used for not less than 20 years for a public purpose by the governmental body in the State of Oregon. Additionally, the ORS requires advertisement in a newspaper of general circulation for two successive weeks indicating the intent to transfer the property and setting the time and place of a public hearing; the advertising requirement has been met. After the public hearing is held and objections are heard, the Board of County Commissions may proceed with the transfer. The property is required to be conveyed by deed, subject to a reversionary interest retained by the granting political subdivision in the event that the property is used for a purpose that is inconsistent with the grant. The granting political subdivision may waive the subdivision's right to a reversionary interest at the time the property is conveyed.

BUDGET IMPACTS:

No budget impacts. The City will cover associated advertising costs and recording fees as applicable.

ATTENDANCE:

Kristie Bollinger, Property Manager