

**RESOLUTION NO. 3351**

**A RESOLUTION ADOPTING A PROCEDURE FOR THE SALE OF INDIVIDUAL PARCELS OF A CLASS OF CITY-OWNED PROPERTY**

**Recitals**

- A. Bend Code 1.50.040.J and ORS 221.729 authorize the City of Bend to establish by resolution a procedure for the sale of individual parcels of a class of City-owned real properties, or any interest in the properties, under a single program established within the City for the sale of that class of properties.
- B. The City of Bend owns a class of real property of two undeveloped tax lots along SE 9<sup>th</sup> Street: tax lots 181204A00100 and 181204A00103 ("Properties").
- C. Tax lot 181204A00100 is zoned Standard Density Residential ("RS"). The northern portion of tax lot 181204A00103 is zoned RS, the southern portion of tax lot 181204A00103 is zoned General Industrial ("IG").
- D. The need for more rental and owner-occupied housing exists within city limits. The City of Bend desires to sell the property to encourage the development of housing within Bend.
- E. The standard procedures for sale of undeveloped standard lots are not conducive to negotiating and selling this class of property.
- F. A duly noticed public hearing was held on December 6, 2023, at which the City Council received public testimony

Based on these findings,

**THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:**

Section 1. Establishing a program for the sale of a class of property along SE 9<sup>th</sup> Street, more particularly described as:

Tax lot # 181204A000100  
Tax lot # 181204A000103

A map showing the property listed in this section is included in Exhibit A.

Section 2. Property declared surplus and identified for sale in Section 1 will be sold by request for proposals for development by those interested in developing the property for the use of "rental or owner-occupied housing" and transitional housing services. "Rental or owner-occupied housing" will be defined to mean single-unit detached dwellings, accessory dwelling

units, manufactured homes on individual lots, townhomes, duplexes, triplexes, quadplexes, micro-units, cottage housing and cluster development, and single room occupancies, consistent with the permitted and conditional residential uses of Table 2.1.200 of the Bend Development Code. Sale price may include money and other valuable consideration, including development of infrastructure or other things that benefit the City of Bend. Proposals will be reviewed by the City Council and City Council will make the final decision on any proposal.

Section 3. Proposals will be reviewed by the City Council and the City Council will make the final decision on any proposal. Evaluation criteria in the request for proposal will include:

- Proposer's ability to proceed with the proposed project, including financial capability to close within a reasonable time period and complete the proposed project and any required infrastructure.
- Offer price or other financial considerations in the proposal.
- A design and layout that provides a mix of housing and beneficial amenities such as increased accessibility and green building standards.
- Whether the proposed project provides a community benefit by meeting the City's housing needs and goals, promotes healthy community, and improves the property to the benefit of all City of Bend residents.

Section 4. Prior to completion of sale, the City must receive an appraisal or other evidence of market value, from the broker of record, market data, or other sources.

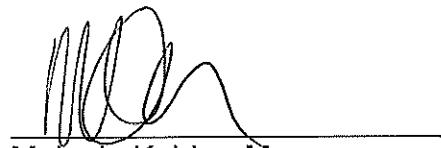
Section 5. All properties declared surplus and identified for sale in Section 1 shall be subject to a housing covenant prior to or at closing limiting the use of the property to those uses further defined in Section 2 as rental or owner-occupied housing and transitional housing services.

Section 6. This resolution is effective on passage.

Adopted by motion of the Bend City Council on December 6, 2023.

YES: Mayor Melanie Kebler  
Mayor Pro Tem Megan Perkins  
Councilor Barb Campbell  
Councilor Anthony Broadman  
Councilor Ariel Méndez  
Councilor Mike Riley  
Councilor Megan Norris

NO: none



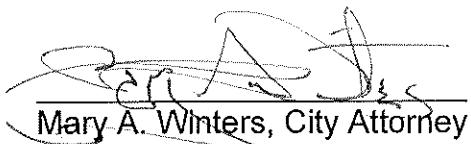
Melanie Kebler, Mayor

ATTEST:



Robyn Christie, City Recorder

APPROVED AS TO FORM:



Mary A. Winters, City Attorney

## **EXHIBIT A** **Legal Description**

Beginning at the  $\frac{1}{4}$  corner of Section 4, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, thence South  $89^{\circ}49'22''$  East 277.60 feet to the point of beginning; thence South  $89^{\circ}49'22''$  East 1042.97 feet; thence South  $0^{\circ}07'38''$  West 105 feet more or less to the North line of Glenwood Ave; thence along said North right of way line North  $89^{\circ}49'22''$  West 1042.97 feet more or less; thence North 102 feet more or less to the point of beginning.

EXCEPTING THEREFROM any portion located in road right of way.

ALSO EXCEPTING THEREFROM a portion of the NW1/4 NE1/4, Section 4, Township 18 South, Range 12 East, Willamette Meridian, more particularly described as follows: Beginning at a point which is located South  $89^{\circ}49'22''$  East a distance of 280.79 feet and thence due South 13.52 feet from the North quarter corner of Section 4, Township 18 South, Range 12 East Willamette Meridian, to the actual point of beginning; thence due East for 100.00 feet; thence due South for 86.79 feet; thence North  $89^{\circ}49'22''$  west for 100.00 feet; thence due North for 86.48 feet to the actual point of beginning.

AND;

Beginning at a point that is South  $89^{\circ}49'22''$  East 277.60 feet from an X on bedrock 6" below the surface of the ground, said X being the North quarter corner of Section 4, Township 12 East Willamette Meridian, and said point being on the North line of Bend Park Addition in Bend, Oregon; Thence South  $89^{\circ}49'22''$  East 1042.97 feet to the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 4; Thence South  $0^{\circ}07'38''$  West 2630.44 feet to the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 4; Thence North  $89^{\circ}18'46''$  West 1314.89 feet to the center of said Section 4; Thence North  $89^{\circ}18'46''$  West to 70.37 feet to the East right of way line of the Oregon Trunk Railway; thence North  $29^{\circ}05'22''$  West along said right of way line 854.02 feet to the North line of Woodland Boulevard; Thence North  $81^{\circ}27'52''$  East 165 feet; Thence East 600.00 feet; Thence North 1816.32 feet to the point of beginning.

LESS AND EXCEPTING that certain tract of land conveyed to School District No. 1, by Warranty Deed Recorded in Book 133, Page 575 on January 23, 1963

LESS AND EXCEPTING all property lying North of the South boundary line of Map and Tax Lot 181204A000100 (Account 106104), as it presently exists. Said property being a part of the parcel described in Correction Deed recorded March 16, 1949 as Instrument No. 89-379

LESS AND EXCEPTING, all property lying North of the South boundary line of that certain tract of land conveyed to Cascade Natural Gas Corporation, by Bargain and Sale Deed recorded in Book 132, Page 507 on October 4, 1962.

LESS AND EXCEPTING, any portion lying South of the North line of the Eastside Business and Industrial Park, recorded August 18, 1978, in Cabinet B, Page 509, Deschutes County, Oregon.

LESS AND EXCEPTING, any portion lying South of the North line of the Bridgeford Complex, an Oregon Condominium, recorded October 21, 1997 in Book D, Page 513

LESS AND EXCEPTING any portion lying South of the North line of Partition Plat No. 2006-39, filed June 22, 2006 as Instrument No. 2006-42925

LESS AND EXCEPTING any portion lying West of the East line of existing SE 9<sup>th</sup> Street.

THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

59/2023

N.E. 1/4 SEC. 4 T. 18S. R. 12E. W.M.  
DESCHUTES COUNTY

18 12 04A0  
& INDEX

1" = 200'

Cancelled Nos.  
99  
201 thru 203  
301  
302A1  
303 thru 305  
400  
401  
409  
499  
500  
500A1  
600 thru 700  
801  
900 thru 902  
1000 thru 2100  
2701  
3900  
4300 thru 5000  
5101

18 12 04A0  
& INDEX