

May 21, 2009

09-096

DELEGATE AUTHORITY TO DISTRICT PRESIDENT  
TO NEGOTIATE TERMS AND CONDITIONS FOR  
PURCHASE OF REAL PROPERTY FOR PCC  
NEWBERG SITE

PREPARED BY: Randy McEwen, District Vice President

APPROVED BY: Dr. Preston Pulliams, District President

FINANCIAL  
RESPONSIBILITY: Randy. McEwen, District Vice President

REPORT: Board Policy B214 reserves to the Board the approval of purchase or sale of any real property.

The 2008 Bond program includes the establishment of an educational site in Newberg. Staff has, with the assistance of CB Richard Ellis and College counsel, explored a number of potential sites, and has identified a site of interest that potentially meets College needs now and into the future. The College has discussed its potential interest in the site with the current owners, and has commissioned an appraisal of the property. The appraisal is due to be completed shortly before or shortly after the 21 May Board meeting.

The site is shown on the attached drawing, which has been provided by the owners, and is described qualitatively as:

Location: ¼ mile SW of Providence Newberg

size: approx. 16 acres

Owner: Werth Family LLC

The owner is interested in coming to a conclusion rapidly on the College's interest in the property, and has other development plans if the College does not acquire the property. Since time is of the essence in coming to a cooperative conclusion, staff needs the authority to enter into negotiations with the owner promptly on receipt of the appraisal, and assuming the appraised value is consistent with PCC bond resources.

RECOMMENDATION: That the Board delegate to the District President or his designee the authority to negotiate the terms and conditions of, and execute, a binding purchase and sale agreement of the above-described property. This authority would be subject to consultation with the Board Chair and College counsel. Funding will be provided by the 2008 Bond program.

May 21, 2009

REVISED

09-096

DELEGATE AUTHORITY TO DISTRICT PRESIDENT  
TO NEGOTIATE TERMS AND CONDITIONS FOR  
PURCHASE OF REAL PROPERTY FOR PCC  
NEWBERG SITE

PREPARED BY: Randy McEwen, District Vice President

APPROVED BY: Dr. Preston Pulliams, District President

FINANCIAL  
RESPONSIBILITY: Randy. McEwen, District Vice President

REPORT: Board Policy B214 reserves to the Board the approval of purchase or sale of any real property.

The 2008 Bond program includes the establishment of an educational site in Newberg. Staff has, with the assistance of CB Richard Ellis and College counsel, explored a number of potential sites, and has identified a site of interest that potentially meets College needs now and into the future. The College has discussed its potential interest in the site with the current owners, and has commissioned an appraisal of the property. The appraisal was completed in May 2009.

The site is shown on the attached drawing, which has been provided by the owners, and is described qualitatively as:

Location: ¼ mile SW of Providence Newberg

Size: approx. 16 acres

Owner: Werth Family LLC

Appraisal: \$2,730,000 by MOH, Inc

The owner is interested in coming to a conclusion rapidly on the College's interest in the property, and has other development plans if the College does not acquire the property. Since time is of the essence in coming to a cooperative conclusion, staff needs the authority to enter into negotiations with the owner promptly on receipt of

the appraisal, and assuming the appraised value is consistent with PCC bond resources.

**RECOMMENDATION:** That the Board delegate to the District President or his designee the authority to negotiate the terms and conditions of, and execute, a binding purchase and sale agreement of the above-described property. This authority would be subject to consultation with the Board Chair and College counsel. Funding will be provided by the 2008 Bond program.

EXHIBIT "A"

PAGE 1 OF 3

PORTLAND COMMUNITY COLLEGE  
NEWBERG, OREGON  
APRIL 22, 2009  
JOB NO. 8013

LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF PARCEL 1, PARTITION PLAT 2003-32, YAMHILL COUNTY RECORDS, LOCATED IN A PORTION OF THE SEBASTIAN BRUTSCHER DLC NO. 51, TOGETHER WITH LAND IN THE NORTH HALF OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID PARCEL 1, SAID POINT BEING THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF FERNWOOD ROAD, 35.00 FEET NORTHERLY OF THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO AND THE EASTERLY RIGHT-OF-WAY LINE OF BRUTSCHER STREET, 30.00 FEET EASTERLY OF THE CENTERLINE THEREOF, WHEN MEASURED PERPENDICULAR THERETO; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE NORTH 1°00'00" WEST, 859.05 FEET TO THE SOUTHERLY LINE OF THE PLAT "OAK MEADOWS", YAMHILL COUNTY RECORDS; THENCE ALONG SAID SOUTHERLY LINE SOUTH 89°13'14" EAST, 733.38 FEET TO THE SOUTHWEST CORNER OF THE PLAT "OAK MEADOWS II", YAMHILL COUNTY RECORDS; THENCE ALONG THE SOUTHERLY LINE OF SAID PLAT SOUTH 48°03'10" EAST, 219.66 FEET TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE LEAVING SAID SOUTHERLY LINE SOUTH 37°45'23" WEST, 89.93 FEET; THENCE SOUTH 39°11'42" WEST, 78.76 FEET; THENCE SOUTH 00°59'13" WEST, 583.27 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1, ON SAID NORTHERLY RIGHT-OF-WAY LINE OF FERNWOOD ROAD; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 89°00'47" WEST, 766.93 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 682,141 SQUARE FEET OR 15.660 ACRES (MORE OR LESS).

THE BASIS OF BEARINGS FOR THIS DESCRIPTION ARE BASED ON PARTITION PLAT 2003-32, YAMHILL COUNTY RECORDS.

NOTE: THIS LEGAL DESCRIPTION IS BEING PROVIDED AS A CONVENIENCE AND IS NOT INTENDED FOR THE PURPOSE OF SUBDIVIDING LAND NOT IN CONFORMANCE WITH OREGON REVISED STATUTES.

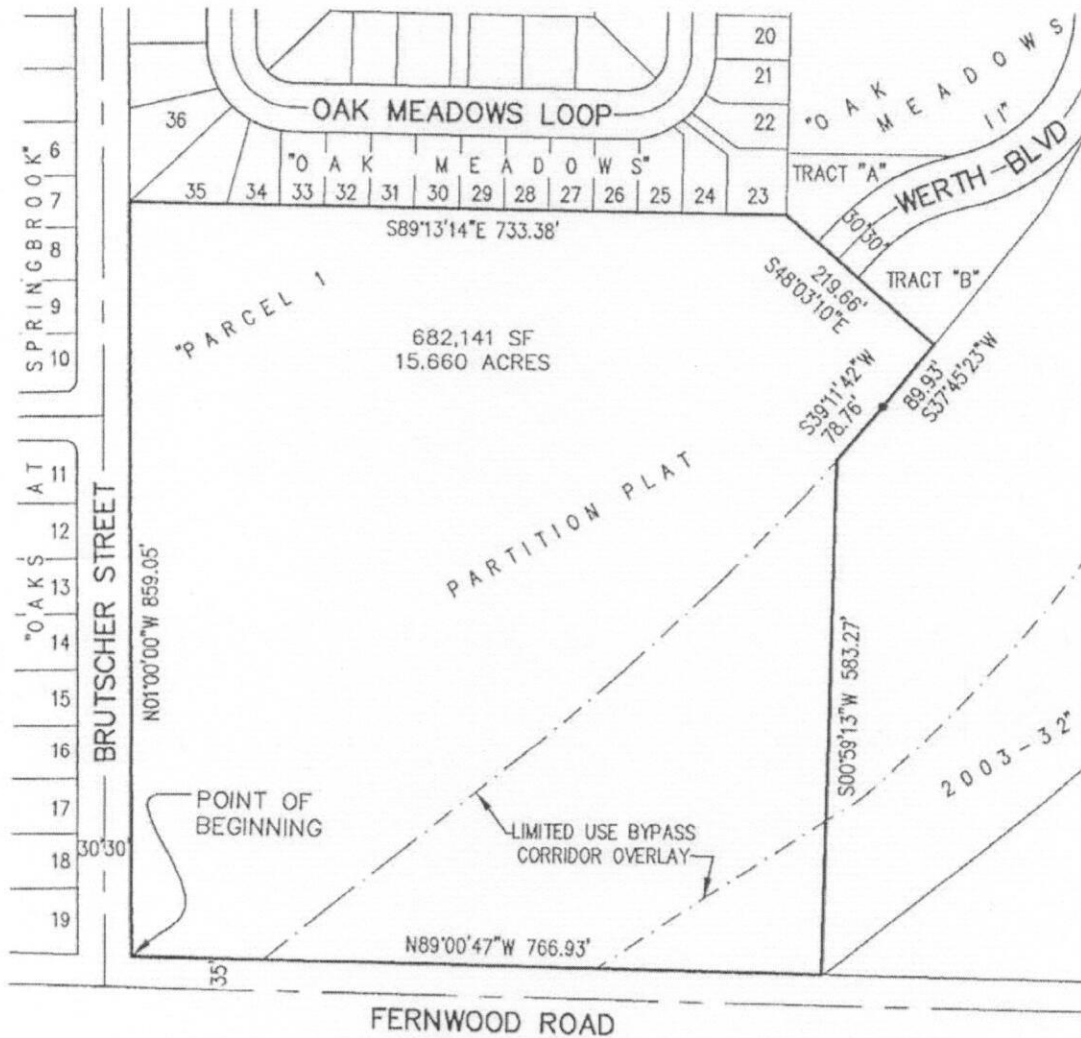


RENEWAL DATE 6-30-10

# EXHIBIT MAP

BEING A PORTION OF PARCEL 1, PARTITION PLAT 2003-32,  
 LOCATED IN A PORTION OF THE SEBASTIAN BRUTSCHER DLC NO. 51,  
 TOGETHER WITH LAND IN THE NORTH HALF OF SECTION 21,  
 TOWNSHIP 3 SOUTH, RANGE 2 WEST, WILLAMETTE MERIDIAN  
 CITY OF NEWBERG, YAMHILL COUNTY, OREGON

APRIL 22, 2009



PAGE 3 OF 3

JOB NO. 8013



SCALE: 1"=200'

**The Saunders Company Inc.**

SURVEYING DIVISION

P.O. BOX 536 DUNDEE, OREGON 97115-0536  
 503-537-9347 FAX: 503-554-9107

*Portland Community College does not tolerate unlawful discrimination based on race, color, religion, ethnicity, use of native language, national origin, sex, marital status, height/weight ratio, disability, veteran status, age or sexual orientation in any area, activity or operation of the District. In addition, the college complies with the Civil Rights Act of 1964 (as amended), related Executive Orders 11246 and 11375, Title IX of the Education Amendments Act of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, USERRA – Uniformed Services Employment and Reemployment Rights Act, and all civil rights laws of the City of Portland and the State of Oregon. Accordingly, equal opportunity for employment, admission, and participation in the college's benefit and services shall be extended to all persons, and the college shall promote equal opportunity and treatment through a positive and continuing affirmative action plan.*