

RESOLUTION NO. 19-805-06

A RESOLUTION OF CITY OF JOHN DAY AUTHORIZING CITY TO APPLY FOR A 2019 OREGON PARKS AND RECREATION DEPARTMENT LOCAL GOVERNMENT GRANT FOR PURPOSES OF DEVELOPMENT OF AN INTEGRATED PARK SYSTEM AND AQUATIC AND RECREATION CENTER IN CITY; AND AUTHORIZING THE MAYOR TO SIGN THE APPLICATION ON BEHALF OF CITY.

WHEREAS, City of John Day (“City”) has all powers that the constitutions, statutes, and common law of the United States and Oregon expressly or impliedly grant or allow City; and

WHEREAS, Oregon Parks and Recreation Department (“OPRD”) is accepting applications for large grants under the Local Government Grant Program (the “Program”); and

WHEREAS, City desires to participate in the Program to the greatest extent possible as a means of providing needed park and recreation acquisitions, improvements, and enhancements in City; and

WHEREAS, City has available local matching funds to fulfill its share of the obligation related to the Program grant application should grant funds be awarded to City; and

WHEREAS, City owns certain property (and all improvements located thereon) commonly known as the Gleason Park and Pool (the “Property”), which Property is described on the attached Exhibit A and depicted on the attached Exhibit B; and

WHEREAS, the pool on the Property was constructed in 1958 and is beyond its useful life; and

WHEREAS, the lease agreement between City and the John Day/Canyon City Parks and Recreation District (the “District”) concerning the operation and maintenance of the Property (the “Lease”) expires on August 8, 2020 and the John Day City Council (the “City Council”) intends to retire the pool upon expiration of the Lease; and

WHEREAS, the City Council is willing to negotiate with the State of Oregon to sell the Property to OPRD for purposes of OPRD’s development and construction of a new Kam Wah Chung visitor’s center at the Property upon expiration of the Lease; and

WHEREAS, City successfully rezoned the Property as Park Reserve (PR) in December 2018 to facilitate OPRD’s acquisition and development of the Property for a new visitor’s center; and

WHEREAS, the City Council has identified creating an integrated park system with a new pool and recreation center, new City park, and other infrastructure improvements (collectively, the “Improvements”) as high priority needs to promote recreation in City; and

WHEREAS, the City Council finds that the Improvements will better serve the long-term needs of City’s residents; and

WHEREAS, City completed a complex land assembly process from 2017 through 2018 that resulted in the acquisition of over 83-acres of undeveloped and underutilized land along the John Day River for rehabilitation and redevelopment; and

WHEREAS, as a result of this land assembly and acquisition, City has the ability to create an integrated park system connecting the following five parks and recreation areas owned and operated by the respective public agencies: (a) the Kam Wah Chung State Heritage Site (OPRD); (b) the Hill Family Park (City); (c) the Davis Creek Park (City); (d) the 7th Street Park Complex (District and Grant School District 3); and (e) the Grant County Fairgrounds (Grant County); and

WHEREAS, City has organized a steering committee and drafted a memorandum of understanding with the various public agencies having an economic interest in the Improvements to explore a shared-resource model for developing, constructing, and operating the Improvements; and

WHEREAS, the City Council desires that City apply for a large grant under the 2019 OPRD Program for purposes of development of an integrated park system and aquatic and recreation center in City.

NOW, THEREFORE, City of John Day resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. 19-805-06 (this "Resolution") are hereby adopted.

2. Approval; Authorization. The City Council hereby supports, approves, and authorizes City's application for a large grant under the Program for purposes of development of an integrated park system and pool and recreation center in City. The City Council hereby authorizes the mayor to sign the application on behalf of City and to take all necessary action to effectuate the grant application in furtherance of this Resolution.

3. Miscellaneous. All pronouns contained in this Resolution and any variations thereof will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. The provisions of this Resolution are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by order of the Council to cure editorial and/or clerical errors. This Resolution will be in full force and effect from and after its approval and adoption.

APPROVED AND ADOPTED by the City Council of the City of John Day and signed by the mayor this 26th day of March 2019.

Ron Lundbom, Mayor

ATTEST:

Nick Green, City Manager

Exhibit A
Property Description

The Property is more particularly described as follows:

Exhibit A

Description of Gleason Pool and City Park

A tract of land situated in the SW1/4SW1/4 Section 23, T.13S., R.31E., W.M., City of John Day, Grant County, Oregon, more particularly described as follows:

Beginning at a point on the west right of way line of NW Canton Street, said point being the southeast corner of Lot 71 of Geisler Addition to the City of John Day, the plat of which is on file and of record in the office of the Grant County Clerk; thence along the south line of Lots 71, 70, 69, 68, 67, 66, 65, 64 and 63 of said Geisler Addition West, 450.0 feet to the southwest corner of Lot 63 of said addition; thence, continuing West, 25.0 feet; thence North, 100.0 feet, on a line parallel to and 25 feet distant from, when measured at right angles to, the west line of said Lot 63, to the south right of way line of NW Third Avenue; thence along said south right of way line as follows:
S.89°48'12"W., 6.81 feet;
55.00 feet, more or less, along the arc of a 220.00 foot radius curve left (the long chord of which bears S.81°42'W., 55 feet more or less) to the centerline of Canyon Creek;
thence Southerly, 590 feet, more or less, along the centerline of Canyon Creek, to the south line of that certain tract of land described in Deed Book 79, Page 257, deed records of Grant County;
thence along the south and east lines of said tract as follows:
S.88°44'E., 108.30 feet;
N.16°00'W., 50.0 feet;
thence East, 112 feet, more or less, to the west right of way line of NW Ing Hay Way;
thence along said west right of way line as follows:
N.34°26'28"W., 84.95 feet;
N.00°17'07"W., 5.0 feet, more or less, to the southeast corner of that certain tract of land described in Deed Book 113, Page 532, deed records of Grant County;
thence along the south, west and north lines of said tract as follows:
West, 112.33 feet;
N.15°00'W., 145.56 feet;
East, 150.0 feet;
thence North, 85 feet, more or less, to a point on the south line of that certain tract of land described in Deed Book 97, Page 673, deed records of Grant County, Oregon;
thence N.89°10'E., 136 feet, more or less, to a point on the west right of way line of NW Canton Street;


thence along said west right of way line N.00°11'15"W., 87 feet, more or less, to a point that is N.89°48'45"E., 5.00 feet from the point of beginning; thence S.89°48'45"W., 5.00 feet to the point of beginning.

This description is for informational purposes only and is not intended to be used in conjunction with a conveyance. No formal Survey was conducted prior to the creation of this description; therefore the actual area, bearings and distances may change upon the execution of a proper survey.

Prepared by:
Benchmark Land Surveying, Inc.
217 N. Canyon Blvd.
John Day, Oregon 97845
(541) 575-1251
benchmarkls.com

March 14, 2019

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

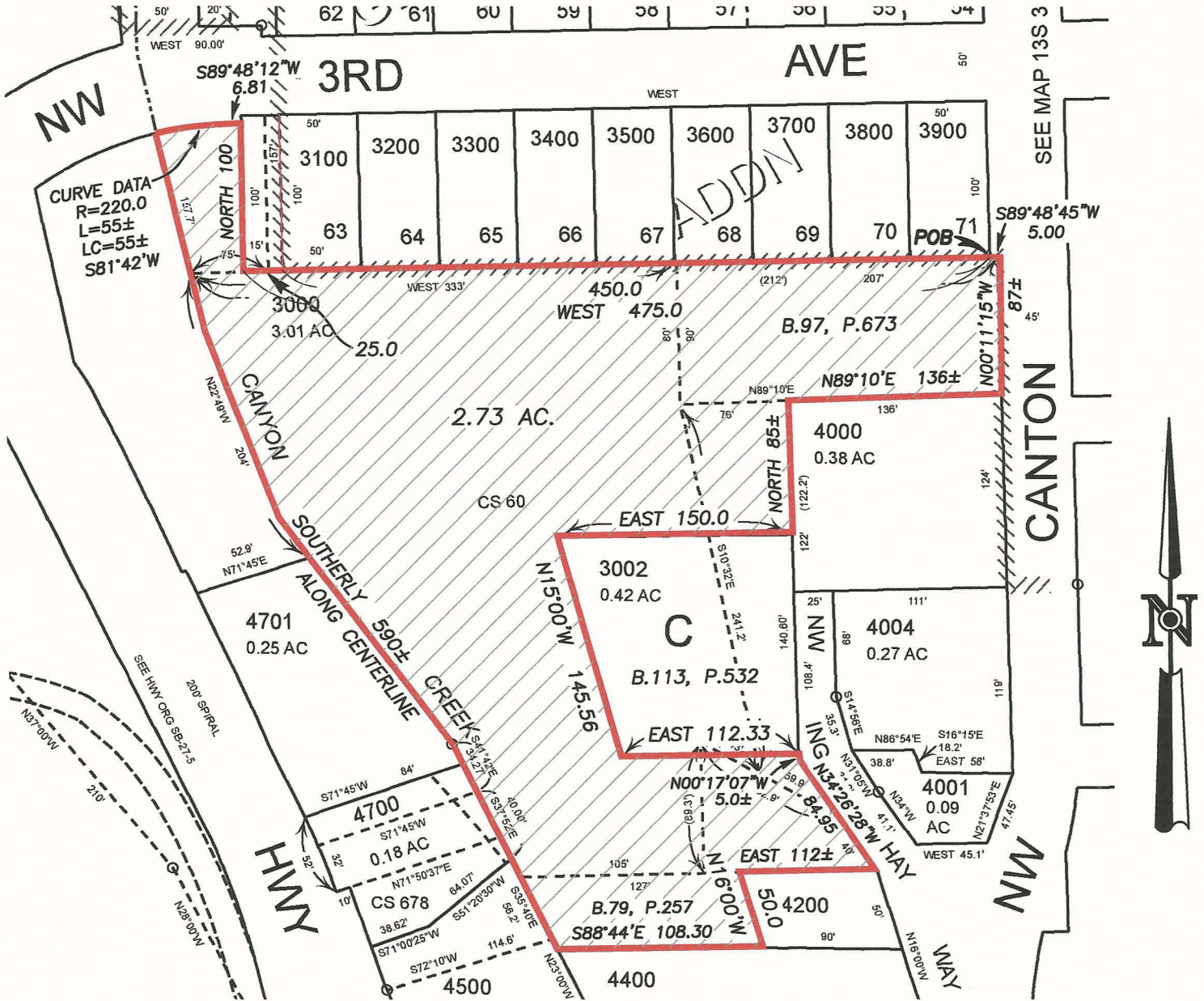
EXPIRES: 6/30/2020

Exhibit B
Property Depiction

EXHIBIT B

SKETCH SHOWING TAX LOT 3000 OF ASSESSOR'S MAP 13S31E23CC
 INCLUDES GLEASON POOL AND THE CITY PARK
 SITUATED IN THE SW1/4SW1/4 SECTION 23, T.13S.,R.31E., W.M.,
 CITY OF JOHN DAY, GRANT COUNTY, OREGON

SCALE: 1"=100'



This sketch is for informational purposes only and is not intended to be used in conjunction with a conveyance. No formal Survey was conducted prior to the creation of this sketch; therefore the actual area, bearings and distances may change upon the execution of a proper survey.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

[Signature]
 OREGON
 JULY 9, 2002
 MICHAEL C. SPRINGER
 #70918

EXPIRES: 6/30/2020

PREPARED FOR: THE CITY OF JOHN DAY

PREPARED BY: BENCHMARK LAND SURVEYING, INC.
 217 N. CANYON BLVD.
 JOHN DAY, OR 97845
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MARCH 14, 2019