

State Land Board

**Regular Meeting
December 9, 2008
Agenda Item 4**

SUBJECT

Request for authorization to sign an exchange agreement for a land exchange between Deschutes County and the State Land Board.

ISSUE

Whether the Land Board should give approval for the Director to sign an exchange agreement for a land exchange between Deschutes County and the State Land Board.

AUTHORITY

Oregon Constitution, Article VIII, Sections 2 and 5; pertaining to the Common School Fund and land management responsibilities of the State Land Board.

ORS 270.010; pertaining to the sale of state surplus property.

ORS 273.055; relating to the power to acquire and dispose of real property.

ORS 273.171; relating to the duties and authority of the Director.

ORS 273.316 and .321; relating to the exchange of state lands

OAR 141-067; relating to the sale, exchange and purchase of state land.

Asset Management Plan (AMP) adopted by the Land Board, October 2006.

SUMMARY

This action is being requested in order to carry out one of the implementation actions identified in the Department's South Redmond Land Use and Management Plan approved by the Land Board at its October 2008 meeting. In addition, the Land Board authorized the Director to complete negotiations of an exchange agreement for a land exchange with Deschutes County.

Since that time the parties have been working to obtain concurrence on the exchange agreement. The agreement is now complete and ready for Land Board approval (Appendix A).

The exchange agreement, when fully executed, will result in the Department transferring up to 238 acres of the North Parcel of the South Redmond Tract to Deschutes County in return for approximately 266 acres in two parcels (Whispering Pines and Warrin Road).

The intent of this transaction is to provide an equal value exchange of land between DSL and the county. It is possible that the parties may adjust the acreage of the offered properties or provide monetary payment in order to equalize the values of the acquired and transferred lands. The Land Board will also be asked to approve the final transaction.

The Department will retain all subsurface mineral rights on its North Parcel, as well as reserve the right to ingress, egress and use the surface to produce the minerals. The Department will seek to obtain all mineral rights and interests for the county exchange parcels.

The county's land exchange process will include opportunities for the public to review and provide testimony on the exchange of the county lands.

The Department and the county have not established a firm schedule for the completion of this transaction. The county has been interested in the land for some time. It is likely that the land exchange could be completed by early 2010.

RECOMMENDATION

The Department recommends that the Land Board give approval for the Director to sign an exchange agreement authorizing a land exchange between Deschutes County and the State Land Board. (Appendix A).

APPENDICES

A. Draft exchange agreement