

RESOLUTION NO. 2026-04

A Resolution authorizing the Interim City Manager to release air easements affecting certain properties adjacent to Tice Park along NW 25th Street.

RECITALS:

WHEREAS, in 1978, the City of McMinnville acquired real property now known as Tice Park; and

WHEREAS, as part of that acquisition, the City retained air easements over certain adjacent properties located between Tice Park and residential properties along NW 25th Street, commonly referred to as the "Option Tracts"; and

WHEREAS, the air easements grant the City control of air space above ten (10) feet over the Option Tracts and were likely intended to prevent significant construction in that space and provide a buffer between park property and adjacent residential development; and

WHEREAS, all contractual obligations associated with the acquisition of Tice Park, including restrictions on the use of the property, have been fully satisfied; and

WHEREAS, property owners have requested that the City consider releasing the air easements to allow development otherwise permitted by zoning; and

WHEREAS, the City Council finds that authorizing release of the air easements may be in the public interest, subject to Council direction regarding the appropriate process for termination.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF McMINTNVILLE, OREGON, as follows:

1. Authorization.

The City Manager, or designee, is authorized to take all actions necessary to release the City's air easements affecting the Option Tract properties adjacent to Tice Park along NW 25th Street, consistent with direction provided by the City Council.

2. Execution of Documents.

The City Manager is authorized to execute any documents necessary to effectuate the release of the air easements, subject to review and approval by the City Attorney.

3. No Obligation as to Method.

Nothing in this resolution obligates the City to release the air easements by any particular method, nor does it limit the City Council's discretion to require additional process, conditions, or consideration prior to release.

Adopted by the Council of the City of McMinnville at a regular meeting held the 27th day of January 2026 by the following votes:

Ayes: Geary, Cunningham, Tucholsky, Chenoweth

Nays: Payne, Peralta

Approved this 27th day of January 2026.

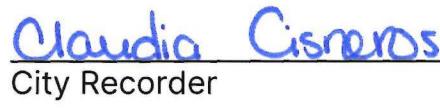


MAYOR

Approved as to form:


City Attorney

Attest:


City Recorder