



CITY OF West Linn

FOR IMMEDIATE RELEASE

August 8, 2024

City Challenges Court Decision to Exclude West Linn Residents from Oppenlander Property Jury Trial

WEST LINN, OR – August 8, 2024 – On July 31, 2024, the Clackamas County Circuit Court ruled that West Linn residents would be excluded from the jury pool in the upcoming Oppenlander property trial, *West Linn-Wilsonville School District v. the City of West Linn*. Although the West Linn-Wilsonville School District serves both West Linn and Wilsonville residents, Wilsonville residents will not be excluded from the jury pool.

In the ruling, the Court found that residents of West Linn (and Lake Oswego) are different from residents of “less prestigious municipalities” and would be unable to view this case fairly. The City of West Linn disagrees with the **Court’s claims** that “everyone” who resides in West Linn is so proud to live there, they must be indisputably biased in favor of their City government. The Court has deprived an entire community of the right to participate in jury service based on the assumption that living in West Linn is “something to brag about,” and “inspires a level of loyalty in residents that becomes part of their identity,” and therefore makes residents incapable of objectivity. This is an extraordinary claim.

The City challenged the decision by submitting a **motion for reconsideration** on Tuesday, August 6. The Court **denied the motion** on Wednesday, August 7. On August 8, the City submitted a petition for mandamus and an emergency **motion to stay** to the Oregon Supreme Court. If accepted, this would pause court proceedings to allow further challenges to the jury exclusion decision in an effort to avoid a mistrial.

The trial, scheduled to begin Monday, August 12, is the result of a disagreement between the City and School District over the contracted sale price of the Oppenlander property, a 10-acre green space located off Rosemont Road in West Linn. Owned by the School District since the seventies, the property had been used as a community park for decades by youth sports teams and families. In 2021, the School District declared it surplus land and moved to sell. Community members expressed concern that a developer would build on the land.

West Linn residents petitioned both the District and the City for the City to buy the property so it can remain a park. In January of 2022, the City and School District agreed to a **purchase and sale contract** for a price to be determined by a joint appraiser. Both parties agreed the valuation would be predicated on the property only being used as a park. Under the agreed-upon park use



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restriction, the appraiser **valued the land at \$120,000**. The School District immediately argued the price was too low and requested re-appraisal without the park use restriction. Because of the public's specific desire to make the area an official park, the City could not accept. Voters passed a general obligation bond measure in May of 2022 committing **up to \$3.5 million** in public funds for the purchase and needed improvements to the property. The School District has sued the City in an attempt to void the contract. The City regrets that both parties have been unable to come to a fair settlement despite multiple attempts.

Whether owned by the City or the School District, the Oppenlander property has a long history as public land beloved by the people of West Linn. They deserve the same opportunity as Wilsonville residents to have a voice at this trial.

For more information about the history of the Oppenlander property case, visit **our website**. Please direct questions and comments to Community Relations Coordinator Danielle Choi at **dchoi@westlinnoregon.gov** or 971-303-1236.

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