

RESOLUTION NO. 6189

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS FOR THE CITY TO PURCHASE TRACT 'A' OF LINN COUNTY PARTITION PLAT 2009-02:

WHEREAS, the City's Transportation System Plan identifies the need to realign Timber Street to connect to Three Lakes Road and Spicer Drive to provide improved access to the areas south of Highway 20 and east of Interstate 5; and

WHEREAS, the City received a Special Public Works Fund grant from the State to determine a final alignment and identify actual right-of-way needs for the Timber Street realignment; and

WHEREAS, Council approved an alignment for Timber Street and the intersection configuration at Spicer Drive and Three Lakes Road at its July 16, 2006, meeting; and

WHEREAS, in 2007 the property owners of 3815 Spicer Drive approached the City and offered to sell the portion of their property that was required for future right-of-way for the Timber Street realignment; and

WHEREAS, following an appraisal and environmental assessment, at its June 9, 2008, meeting, Council authorized the purchase of the required right-of-way for the appraised value of \$54,000, the City funded extension of public sewer service, abandonment of the on-site septic system, and execution of an irrevocable request to annex; and

WHEREAS, Linn County required the right-of-way be separated from the parent parcel through a land partition; and

WHEREAS, the right-of-way was designated as Tract 'A' in Linn County, Oregon, Partition Plat number 2009-02; and

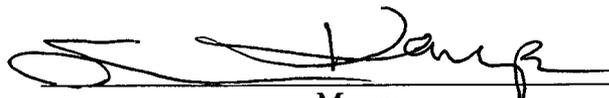
WHEREAS, following the City's purchase of Tract 'A' the parent parcel was foreclosed upon, placing the City's rights to Tract 'A' in question; and

WHEREAS, the parent parcel is currently being sold and the new purchasers wish to resolve the question of ownership of Tract 'A'; and

WHEREAS, Tony and Laura Nova are purchasing the property and are willing to provide clear title to the City for Tract 'A' in exchange for \$100 plus related fees necessary for recording.

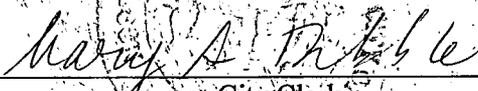
NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute the necessary documents to purchase Tract 'A' of Linn County, Oregon, Partition Plat Number 2009-02 for \$100 plus recording fees and other related fees such as title insurance.

DATED AND EFFECTIVE THIS 28 DAY OF JANUARY, 2013.



Mayor

ATTEST:



City Clerk

