

RESOLUTION NO. 5323

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE, DISPOSE, OR LEASE CERTAIN REAL PROPERTY INTERESTS BY NEGOTIATED PURCHASE.

WHEREAS, the City of Albany was approached by the owner of real property located at 1815 Three Lakes Road asking if the City would be willing to purchase their property; and

WHEREAS, the City's current Transportation System Plan (TSP) identifies a realignment of roads adjacent to 1815 Three Lake Road; and

WHEREAS, the road realignments identified in the TSP will require the acquisition of a significant portion of the property at 1815 Three Lakes Road when the realignment is undertaken; and

WHEREAS, it is generally less expensive to purchase property from a willing seller than to acquire property through condemnation; and

WHEREAS, the property owners at 1815 Three Lakes Road are willing sellers; and

WHEREAS the City has negotiated voluntary acquisition of the property for \$185,000 (one hundred eighty five thousand dollars); and

WHEREAS, the funds necessary to acquire the property shall be paid from the Street Fund.

NOW, THEREFORE, BE IT RESOLVED that; The City Manager is hereby authorized to execute such agreements as are customary and necessary for the acquisition of the real property interests described herein and shown on attached Exhibit "A."

DATED AND EFFECTIVE THE 13<sup>TH</sup> DAY OF SEPTEMBER 2006.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

**Exhibit "A"**

Real property in the County of Linn, State of Oregon, described as follows:

Beginning at a point on the West line of that parcel conveyed to Floyd Zumwalt by deed recorded in Microfilm Volume 513, Page 695, Linn County Microfilm Records, which is 13.75 chains West and 3544.29 feet North 0°17' East of the Southeast corner of the West half of the Edward N. White Donation Land Claim No. 48, Township 11 South, Range 3 West of the Willamette Base and Meridian, Linn County, Oregon; thence along the lines of said parcel North 0°17' East 305 feet and South 58°06'46" East 291.26 feet; thence South 0°15'39" West 152.27 feet to a 5/8 inch iron rod; thence North 89°44'21" West 248.12 feet to the point of beginning.

SAVE AND EXCEPT: Beginning at a point on the East right of way line of the County Road which is 13.75 chains West, 3544.29 feet North 0°17' East and 20 feet South 89°44'21" East of the Southeast corner of the West half of the Edward N. White Donation Land Claim No. 48, Township 11 South, Range 3 West of the Willamette Base and Meridian, Linn County, Oregon; thence North 0°17' East along the East right of way line of said County Road 257.46 feet to the South right of way line of Spicer Road; thence South 58°06'46" East 96.08 feet to a 5/8 inch iron rod; thence on a 100 foot radius curve left 65.66 feet, the long chord of which bears North 76°52'21" West 64.49 feet to a 5/8 inch iron rod; thence on a 10 foot radius curve left 14.67 feet, the long chord of which bears South 42°18'02" West 13.39 feet to a 5/8 inch iron rod 10 feet East of the East right of way line of the County Road; thence South 0°17' West parallel with the County Road 211.50 feet to a 5/8 inch iron rod; thence North 89°44'21" West 10 feet to the point of beginning.

Tax Parcel Number: 0778227