

AN ORDINANCE TO RELINQUISH TITLE OF PROPERTY NOT NEEDED FOR PUBLIC USE.

WHEREAS, Oregon Revised Statutes 271.330 (2)(a) states that any political subdivision is granted express power to relinquish the title to any of its property to a qualifying nonprofit corporation or a municipal corporation for the purpose of providing social services or child care services; and

WHEREAS, "Social services" and "child care services" are defined to include education, training, counseling, health and mental health services and the provisions of facilities and administrative service to support social services and child care services; and

WHEREAS, the City of Albany is a political subdivision; and

WHEREAS, the Linn Benton Lincoln Education Service District (ESD) qualifies as a municipal corporation; and

WHEREAS the City of Albany has property contiguous to property owned by the ESD that is not needed for city use; and

WHEREAS the conveyance of this property to ESD would provide an area for expanded parking and perpetual public use; and

WHEREAS the ESD agrees to limit the use of the property to the use described above and if the property is not used in conformance with this restriction the property will be reconveyed back to the City of Albany.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: Subject property. Title to a 2,027 square-foot property is hereby conveyed to the Linn Benton Lincoln Education Service District (ESD). The property is as described in "Exhibit A" and known as Map No. 11S-03W-06DD, lot #4200.

Section 2: Map

Section 3: Emergency Clause. Inasmuch as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, an emergency is hereby declared to exist; and this ordinance shall take effect immediately upon passage by the Council and approval by the Mayor.

Passed by Council: February 13, 2002
Approved by Mayor: February 13, 2002
Effective Date: February 13, 2002

ATTEST:



City Recorder



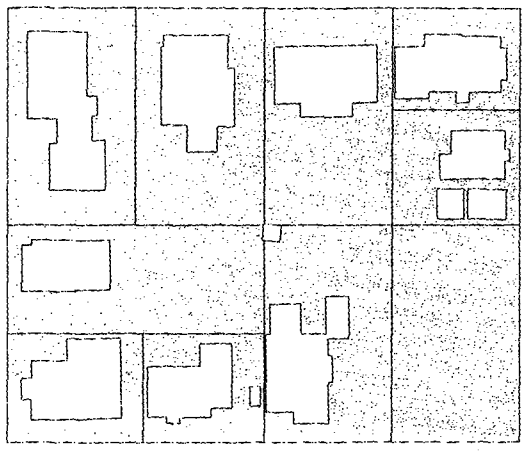
Mayor

Exhibit A

Legal description of City of Albany property to be sold to Linn-Benton Educational Service District

That property conveyed to the City of Albany from School District No. 5, Linn County by a deed recorded in the Linn County, Oregon microfilm deed records Book 141, Page 565, filed June 29, 1934. More particularly described as follows and as shown on Attached Exhibit B:

Beginning at the Northeast Corner of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of Block 49 in Hackleman's Second Addition to the City of Albany, Oregon; thence Southerly parallel with the Westerly line of said Block 49 a distance of 113.0 feet to the Northeast Corner of the South $\frac{1}{2}$ of the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of said Block 49; thence Westerly parallel with the Northerly line of said Block 49 a distance of 18 feet; thence Northerly parallel with the Westerly line of said Block 49 a distance of 113.0 feet to the Northerly line of said Block 49; thence Easterly along the Northerly line of said Block 49 a distance of 18 feet to the place of beginning.

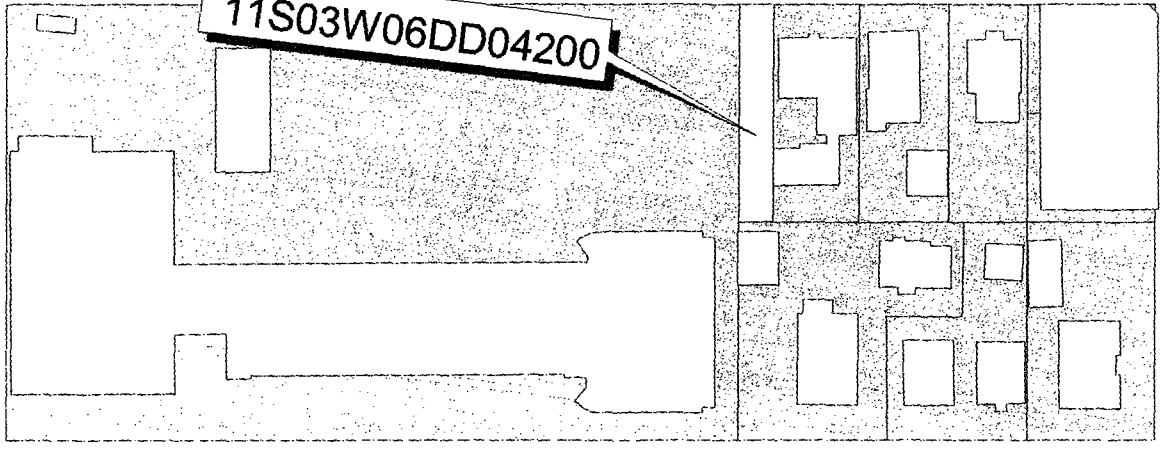


HILL ST.

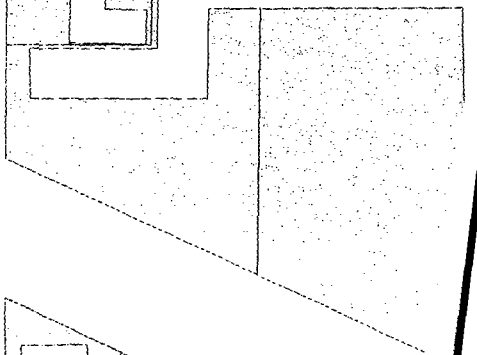
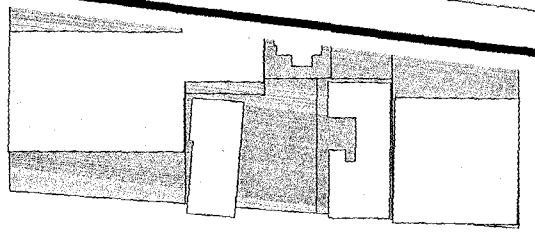


3RD AVE.

11S03W06DD04200



MAIN ST.

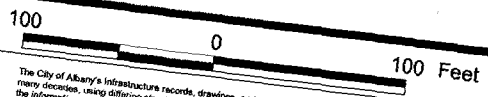


4TH AVE.

ROW ACQUISITION MAP

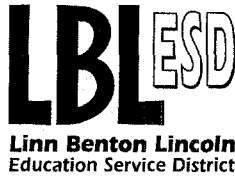


Jan 16, 2002



The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information is generally believed to be accurate, occasionally the information proves to be incorrect, and thus its accuracy is not warranted. Please to making any property purchase or other investment based in full or in part upon the information provided, it is specifically advised that you independently verify the information contained within our records.





905 4th Avenue Southeast, Albany, Oregon 97321-3199 ■ 541-967-8822 ■ Fax 541-926-6047

January 28, 2002

Ken Thompson
Finance Dept.
City of Albany

Re: Notification of neighbors about plans for a parking lot

Dear Ken,

Please find enclosed two letters to the owners of the properties adjacent to the ESD to the east on Fourth Avenue. Both property owners live in California. As we discussed, the property owned by Robert and Roxann Childe is the only property directly affected by our plans; however, our plan design that preserves their access to Third Avenue should prevent any active opposition. I sent a letter to the owner of the next adjoining property, Katherine Doelger, as a courtesy notification, because their access to Main Street is unimpeded.

The remaining properties on the Block 49 are owned by the Whitaker family, and as you know, we informed Ron Whitaker early on about the proposed parking lot. He is not opposed to our plan.

Please let me know if I can be of further assistance. Thank you for all your help in this matter. Sincerely,

A handwritten signature in cursive script that reads "Steven Swenson".

Steven Swenson
Administrative Services Coordinator

Enclosures

Cc: Robert Nelson, Superintendent



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January 28, 2002

Katherine Doelger
C/o Susan West
P.O. Box 1108
Inverness, CA 94937-1108

Re: Property development near your property at 1025 Fourth Ave SE, Albany, OR

Dear Ms. Doelger,

On behalf of Linn Benton Lincoln Education Service District, I would like to inform you of our plans to develop several lots just northwest of your property mentioned above. Those lots we plan to develop are tax lots 4200, 4300, and 4400. Currently there are two older homes on those lots, along with a driveway. Our plan is to remove the older houses and build a parking lot, as the lot we currently have is inadequate for our needs.

You have a garage whose door opens out onto the east-west driveway portion that connects with Main Street. Our plans will not limit your access to Main Street, because the properties we are developing do not reach that far east. This letter is only to make you aware of the plans we have as a courtesy to a neighbor. If you have any questions or concerns, please feel free to contact me at any time.

Sincerely,

A handwritten signature in cursive script that reads "Steven Swenson".

Steven Swenson
Administrative Services Coordinator



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January 28, 2002

Robert & Roxann Childe
3220 Bayo Vista Ave.
Alameda, CA 94501

Re: Property development near your property at 1015 Fourth Ave SE, Albany, OR

Dear Mr. & Ms. Childe,

On behalf of Linn Benton Lincoln Education Service District, I would like to inform you of our plans to develop several lots just north of your property mentioned above. Those lots we plan to develop are tax lots 4200, 4300, and 4400. Currently there are two older homes on those lots, along with a driveway. Our plan is to remove the older houses and build a parking lot, as the lot we currently have is inadequate for our needs.

You have a garage whose doors open out onto the driveway portion that connects with Third Ave. Our intent is to preserve your access to Third Ave, and we have instructed our engineers to design a parking lot that would maintain full access to you or your tenants (please refer to enclosed drawings). If you have any questions or concerns, please feel free to contact me at any time.

Sincerely,

A handwritten signature in cursive script that reads "Steven Swenson".

Steven Swenson
Administrative Services Coordinator

Enclosure