

RESOLUTION NO. 4011

A RESOLUTION DECLARING IT A NECESSITY THAT THE CITY OF ALBANY ACQUIRE A 32.16 ACRE INDUSTRIAL SITE LOCATED ALONG WAVERLY DRIVE IN MILLERSBURG, OREGON, FOR THE PURPOSE OF CONSTRUCTING A BIOSOLIDS STORAGE SITE AND DECLARING AN EMERGENCY.

WHEREAS, the City has attempted to negotiate a private purchase of two adjoining sites, which together total 32.16 acres of land located on the east side of Waverly Drive, adjacent to the Albany city limits, but in the City of Millersburg, Linn County, Oregon; and

WHEREAS, the aforesaid property is owned by ADJ Properties, an Oregon General Partnership; and

WHEREAS, the City, through extended negotiations, has been unable to agree with the owner upon a reasonable value to be paid for said property; and

WHEREAS, the property in question is necessary for the construction of municipal sewage facilities, including, but not limited to, biosolids storage.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany, through condemnation, acquire the site described in the recital above for the construction of municipal sewage facilities, including, but not limited to, facilities for biosolids storage. The subject property is necessary for the orderly and cost effective expansion of municipal sewer facilities for the City of Albany and its municipal customers including, but not limited to, the City of Millersburg, Oregon. The subject property is necessary for the proposed use, and the proposed use and improvement is planned and located in a manner that will be most compatible with the greatest public good and the least private injury.

BE IT FURTHER RESOLVED that immediate possession of the property is necessary and in the public interest in order to address concerns raised by the State of Oregon, Department of Environmental Quality, concerning the need for biosolid storage, during times when land application is not appropriate.

DATED THIS 26th DAY OF AUGUST 1998.


Mayor

ATTEST:




City Recorder