

RESOLUTION NO. 5277

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE, DISPOSE, OR LEASE CERTAIN REAL PROPERTY INTERESTS BY NEGOTIATED PURCHASE NECESSARY TO SERVE AS A BUFFER WITH THE RESIDENTIAL NEIGHBORHOOD ADJOINING PLANNED IMPROVEMENTS TO THE ALBANY WASTEWATER TREATMENT PLANT.

WHEREAS, the City of Albany operates and maintains a wastewater treatment plant and is subject to requirements established by the Oregon Department of Environmental Quality (DEQ); and

WHEREAS, the City has received Stipulated and Final Order No. WQ/M-WR-99-173 from DEQ requiring expansion of the Wastewater Treatment Plant to minimize wet weather overflows of sanitary sewage; and

WHEREAS, additional property adjacent to the wastewater treatment plant is needed as a buffer between the neighborhood and future expansion and relocation of facilities; and

WHEREAS, one of these properties is located at 2265 Willamette Avenue NE, Albany, Oregon, Linn County Assessor's Tax Lot No. 00900, Map No. 11S03W05DB, as shown on Exhibit "A" and otherwise described as Lot 16, Block 20, of the Burkhart Park Addition to the City of Albany, Linn County, Oregon, together with that portion of the adjoining vacated alley that would attach thereto; and

WHEREAS, the City has commissioned appraisals to determine the fair market value of the property shown on Exhibit "A," and the appraised fair market value for the property is \$82,000 (eighty-two thousand dollars); and

WHEREAS the City has negotiated voluntary acquisition of the property for \$82,000 (eighty-two thousand dollars); and

WHEREAS, the City has agreed to pay all closing costs and realtor fees related to this sale, estimated to be \$6,000 (six-thousand dollars); and

WHEREAS, the funds necessary to acquire the property and the funds necessary to pay closing costs and realtor fees shall be paid from the Sewer Fund.

NOW, THEREFORE, BE IT RESOLVED that;

SECTION 1. The City Council deems the expansion of the Wastewater Treatment Plant to be a public use for a public purpose. The Council deems it necessary and in the best interests of the citizens residing within the City of Albany's sewer service area to acquire the property identified herein as being necessary to serve as a buffer with the residential neighborhood adjoining the Wastewater Treatment Plant.

SECTION 2. The City Manager is hereby authorized to execute such agreements as are customary and necessary for the acquisition, lease, or disposal of the real property interests described herein and shown on attached Exhibit "A," and for the payment of closing costs and realtor fees.

DATED AND EFFECTIVE THIS 14th DAY OF JUNE 2006.



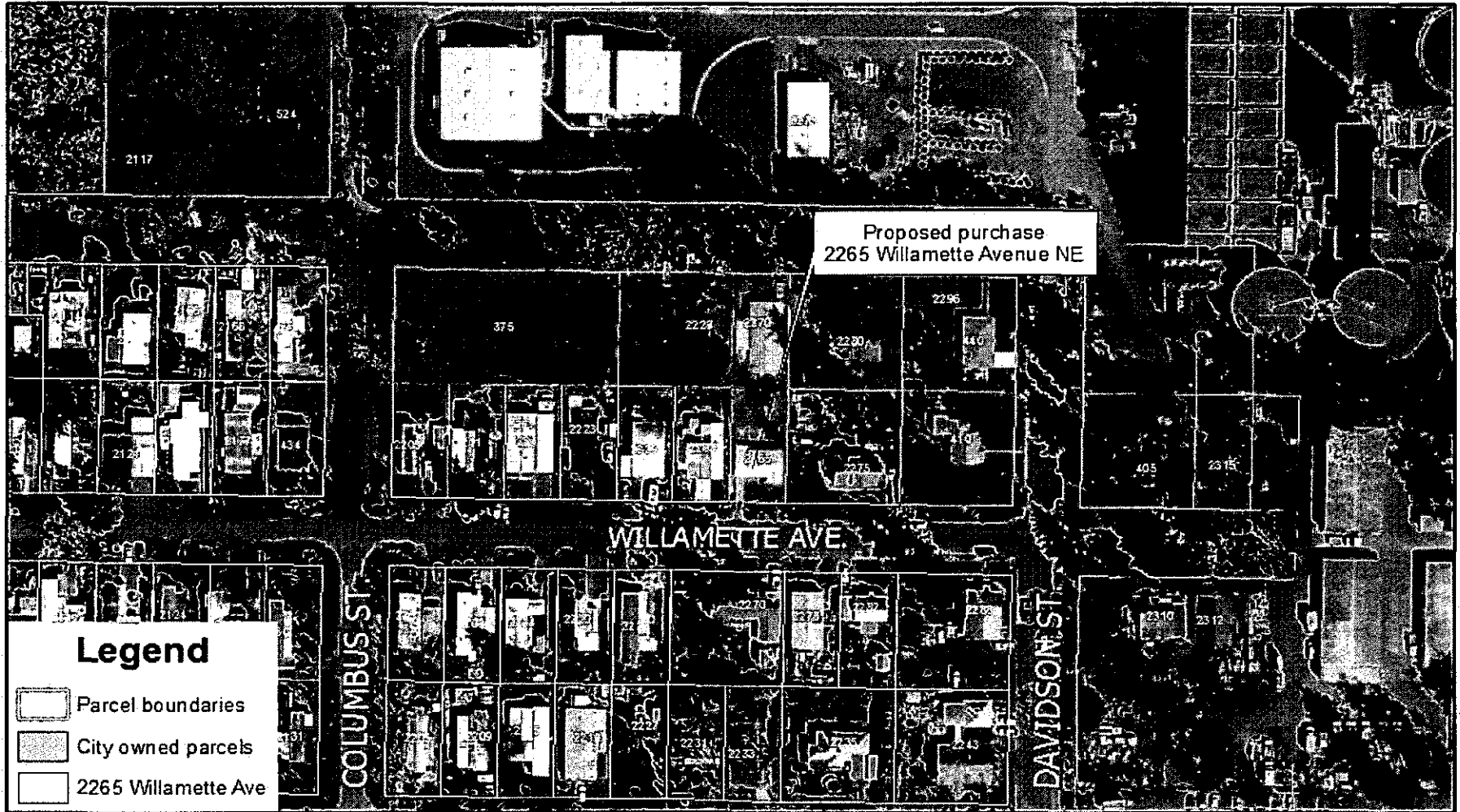
Mayor

ATTEST:



City Clerk

Exhibit A - 2265 Willamette Avenue NE



Chip Ullstad

Map Document: (G:\Engineer\Sewer\WWTP-03-01\Design\Lepman\ResMcFarland\Exhibit A, 2265 Willamette Ave.mxd)
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