

RESOLUTION NO. CCLX (260)

A RESOLUTION DECLARING THE NECESSITY TO TAKE PRIVATE PROPERTY FOR MUNICIPAL USE; AND DIRECTING PROCEEDINGS TO BE TAKEN UNDER THE GENERAL LAWS OF THIS STATE TO PROCURE THE SAME

WHEREAS, by virtue of the Laws of the State of Oregon as set forth and defined in Oregon Revised Statute 223.005 and Canby City Charter Chapter XI, Section 1, the Common Council of the City of Canby, Clackamas County, Oregon, is authorized and empowered to appropriate any private real property to any public or municipal use or for the general benefit and use of the people of the City, including but not limited to appropriation for a city hall and city buildings; and

WHEREAS, the Canby City Council proposes to construct city buildings for public or municipal use and in connection therewith the real property hereinafter described is necessary.

NOW THEREFORE, it is hereby resolved by this Canby City Council as follows:

1. The Council does hereby find and declare that there is needed and required for the construction of city buildings for public or municipal use, fee simple title to certain parcels of real property. The said parcels of real property needed and required for the aforesaid use are contiguous to each other and the City's main municipal building complex, and are described below under the name of the record owner or reputed owner:

THE BANK OF CALIFORNIA as Conservator of the
Estate of Caroline A. Koehler.

Lot 6 and the West 10 feet of Lot 5, Block 1
CANBY, in the County of Clackamas and state of
Oregon.

2. That the construction, development, operation, and maintenance of the said city building or buildings and facilities, for which the said parcels of property are required and are being taken, is necessary in the public interest and the same has been planned, located and

will be constructed in a manner which will be most compatible with the greatest public good and the least private injury or damage.

3. That the City Administrator or his agent is directed to attempt to agree with the owner or other persons in interest of said parcels of real property as to the compensation to be paid for the acquisition and in the event that no satisfactory agreement can be reached, then the City Administrator is authorized to request the City Attorney to commence and prosecute to final determination such proceedings as may be necessary under the general laws of this state to procure said property.

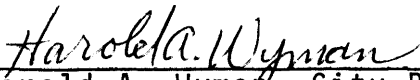
4. Upon the trial of any suit or action instituted to acquire said real property, the City Attorney is authorized to make such stipulation, agreement, or admission as to his judgment may be for the best interest of the City of Canby.

ADOPTED by the Canby City Council at a Special meeting thereof on this 14 day of May , 1979.



Robt. E. Rapp, Mayor

ATTEST:



Harold A. Wyman, City Recorder