

## ORDINANCE NO. 931

### **AN ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY FOR FUTURE MUNICIPAL BUILDING COMPLEX; AND DECLARING AN EMERGENCY**

#### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

**Section 1. Purchase Authorized.** The City of Canby is authorized to purchase from Rocky F. and Constance A. Venti, contract purchasers from Dorothy E. Muenchow, sole Trustee or her successors in Trust under the Dorothy E. Muenchow Living Trust, dated August 26, 1993, the following described real property for a future municipal building complex:

Lot 11 and the easterly one-half of Lot 10 as cut off by a line drawn parallel with "A" Street, Block 1, the Town of Canby, in Clackamas County, Oregon.

**Section 2. Purchase Price.** The total purchase price to be the sum of Eighty Two Thousand Dollars (\$82,000) of which Five Thousand Dollars (\$5,000) has been paid as earnest money and will apply to the purchase price. The balance of Seventy Seven Thousand Dollars (\$77,000) is to be paid at closing of the transaction. A copy of the earnest money receipt entered into between the parties is attached to this ordinance and marked "Exhibit A," thereto. The City of Canby is authorized to complete the transaction according to the terms of "Exhibit A."

**Section 3. Budgeted Funds to Pay Purchase Price.** The earnest money payment of Five Thousand Dollars (\$5,000) plus the balance of Seventy Seven Thousand Dollars (\$77,000) is to be paid from the City's current fiscal budget line item number 27-27-810 titled "Capital Reserve Fund."

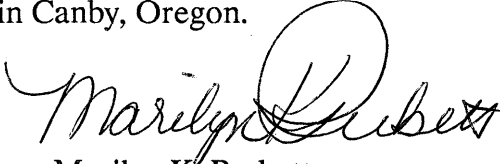
**Section 4. City Attorney to Approve Title Report and Deed.** The City attorney shall first approve the preliminary title report and form of deed for the City's purchase of said property. Purchase price insuring the City's vendee's interest in said property is to be furnished at the expense of seller and free and clear of all liens or encumbrances except for the usual printed exceptions which normally appear in a standard Oregon Purchaser's Title Insurance Policy.

**Section 5. Mayor and City Recorder to Execute Deed.** The Mayor and City Recorder are authorized and directed to execute and deliver in the name of and on behalf of the City of Canby as purchaser, the required deed and any other documents as may be required for closing the transaction.


**Section 6. Emergency Declared.** Inasmuch as it is necessary to proceed as quickly as possible with the plans for the reconstruction and development of a new municipal complex for the use and benefit of the City and since the seller of said property intends to sell this property immediately, and for the general welfare of the residents, an emergency is hereby declared to exist and this ordinance shall take effect immediately after final reading and enactment by the Canby City Council.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, February 15, 1995, ordered posted as provided by the Canby City


Charter and scheduled for second reading and action of the Canby City Council at a regular meeting thereof on Wednesday, March 1, 1995, commencing after the hour of 7:30 p.m., in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

  
Marilyn K. Perkett  
City Recorder

**ENACTED** by the Canby City council at a regular meeting thereof on March 1, 1995, by the follow vote: YEAS  NAY

  
Scott Taylor, Mayor

ATTEST:

  
Marilyn K. Perkett  
City Recorder