

RESOLUTION NO. 2354

A RESOLUTION APPROVING THE REAL PROPERTY ACQUISITION ON NE HARLOW PLACE AND AUTHORIZING A CITY OFFICIAL TO EXECUTE THE TRANSACTION.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That portions of the existing and planned segments of the "40-mile Loop" regional trail are located in the City.
2. That increasing the connections and filling gaps within the "40-mile Loop" regional trail is an identified and approved project of the City's Parks Master Plan.
3. That an identified trail gap exists along NE Harlow Place which the City has been seeking fill.
4. That it is necessary and desirable to acquire real properties and property interest in order to construct trail improvements in a manner that will be most compatible with the greatest public good and the least private injury.
5. That real property covering a portion of the gap along NE Harlow Place has been offered to the city, and Oregon law authorizes such acquisition under ORS 271.390(2)(b), and the real property is offered without requiring condemnation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

Section 1. The City Council finds and declares that acquiring the real property will serve a valuable and necessary public purpose, and is for an authorized public purpose.

Section 2. The City Council approves the purchase the real property described by map reference 1N-3E-25B, and tax lot number 200, which is necessary and desirable to build a segment of the 40-mile loop trail.

Section 3. The City Council approves the purchase the real property on the terms conditions substantially consistent with Exhibit C of the Staff Report, and that the City Attorney, Ed Trompke, and Finance Director, Erich Mueller, (each a "City Official") are designated to act jointly and cooperatively, on behalf of and in the best interest of the City, and without further action by the City Council, and are authorized, empowered and directed to negotiate the final terms of, and to execute a purchase agreement on behalf of the City.

Section 4. The City Council does hereby acknowledge the authorized purchase of the real property and accepts of conveying title and interest, in fulfillment of requirements of ORS 93.808.

Section 5. The City Official is hereby authorized to execute, acknowledge and deliver the purchase agreement, including any deeds, certificates of acceptance and other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 6. Further, consistent with intent of the purchase agreement, and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the purchase agreement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 7. The Finance Director is authorized to disburse funds, subject to annual appropriations, as necessary to fulfill the purchase agreement obligations, and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 8. This Resolution shall take effect immediately upon adoption.

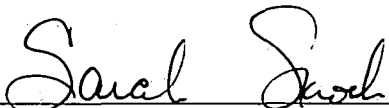
YEAS: 6
NAYS: 0
ABSTAINED: 0



Doug Daoust, Mayor

9/16/16

Date



Sarah Skroch, City Recorder

Adopted: September 13, 2016