

A RESOLUTION APPROVING THE PURCHASE OF) Resolution Number 7
A CERTAIN TRACT OF REAL PROPERTY OF 5.65)
ACRES (MORE OR LESS) FROM NORMAN AND) for 2008
MILDRED STECKLEY, ACTING AS THE TRUSTEES)
FOR THEIR RESPECTIVE TRUSTS)

WHEREAS, the City of Lebanon desires to purchase a tract of real property, within the City limits, of approximately 5.65 acres belonging to Norman and Mildred Steckley, described in Exhibit "A", which attached hereto and incorporated herein by this reference; and

WHEREAS, upon the purchase of said real property shall be for the purpose of constructing a project to improve the local roadway and railway system, all of which will be for a public purpose; and

WHEREAS, the City and the property owners have negotiated a proposed purchase and sale of the real property in lieu of the City exercising its power of eminent domain pursuant to the provisions of ORS 35.205 et seq, known as the General Condemnation and Procedure Act; and

WHEREAS, the City Council, having reviewed the proposed purchase hereby determines that a negotiated purchase and sale of the real property, rather than exercising the City's power to condemn is in the best interests of the citizens of the City of Lebanon.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

Section 1. The Lebanon City Council hereby approves the purchase of the real property described in Exhibit "A" from Mildred and Norman Steckley acting as representatives of their respective living trusts.

Section 2. The City shall pay the sum of \$452,000, cash, for the subject real property, in addition to all of the costs for closing, including but not limited to, all title insurance fees, escrow fees, recording fees and other expenses. The City shall acquire the real property subject to any existing tax deferral as the property is currently in farmland, though it is industrially zoned.

Section 3. Mr. and Mrs. Steckley, as trustees for their respective living trusts, shall give to the City an appropriate statutory warranty deed for the real property, subject to any other exception to title which may be acceptable to the City as shown by a title search, which shall be paid for by the City.

Section 4. This resolution shall be effective immediately upon its passage.

Passed by the Lebanon City Council by a vote of 6 for and 0 against and approved by the Mayor this 27th day of February, 2008

Kenneth I. Toombs
 Kenneth I. Toombs, Mayor
 Bob Elliott, Council President

Attested:

Linda Kaser
 Linda Kaser, City Clerk / Recorder