

**A RESOLUTION AUTHORIZING THE SALE)
OF CITY-OWNED SURPLUS RAIL SPUR)
AND ASSOCIATED APPURTENANCES)**

Resolution No. 2012-4

WHEREAS, on July 14, 2010, City Council declared surplus the City-owned rail spur that runs west of 5th Street, along Olive Street, south of Linn-Benton Community College, and onto Albany & Eastern Railroad property off of Industrial Way;

WHEREAS, the surplus rail spur includes an approximate .15 acre non-buildable parcel of property (Linn County Assessor Map 12S02W10AB#03300), and associated easements and appurtenances;

WHEREAS, Council directed staff to sell the surplus rail spur and publicly solicit bids from qualified bidders;

WHEREAS, ODOT Rail was provided notice of the sale of the rail spur per state statute, and acknowledged satisfaction of this requirement;

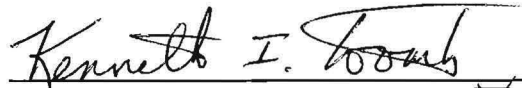
WHEREAS, a Public Notice was published in a local newspaper soliciting sealed bids from qualified bidders, and announcing that the sealed bids would be opened at 9:00 a.m. on March 14, 2012;

**NOW, THEREFORE, THE CITY OF LEBANON, LINN COUNTY, OREGON,
DOES RESOLVE AS FOLLOWS:**

The surplus rail spur, including an approximate .15 acre non-buildable parcel of real property, and associated easements and appurtenances, shall be conveyed through quit-claim deed to the qualified bidder, Albany & Eastern Railroad Company, for consideration of \$1.00.

Adopted by the Lebanon City Council and executed on the 14th day of March, 2012, with 6 Yeas, and 0 Nays.

CITY COUNCIL OF LEBANON, OREGON



Kenneth I. Toomb, Mayor
Bob Elliott, Council President

Attested by:



Linda Kaser, City Recorder

EXHIBIT "A"

PARCEL ONE
(Triangle at SP&S RR R/W in Olive Street)
(City of Lebanon, Oregon)

A TRACT of land described as follows:

A small piece or parcel of land off of the Southeast corner of Block Number 13 in Wassom's Addition to the Town of Lebanon, Linn County, Oregon, BEGINNING at the Southeast corner of said Block 13 and running thence North 95.0 feet; thence West 140.0 feet to the Northern boundary of the right of way of the Oregon and California Railroad Company (now the Southern Pacific Railroad) near a point called "Callaghan Switch"; thence in a Southeasterly course along said Northern boundary of said right of way to the place of beginning, containing 6650.0 square feet, more or less.

SEGMENT "A"
(Railroad Spur from Callaghan Switch to West Line Hiway #20)

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the centerline hereof, said centerline being described as follows:

BEGINNING at a point which is South 231.83 feet and East 252.82 feet from the Northeast corner of Block 2 of Wassom's Addition to the City of Lebanon, in Section 10, Township 12 South, Range 2 West, W.M., Linn County, Oregon and being on the Easterly right-of-way of the Santiam Highway (U.S. Highway No. 20); thence North 89°51'09" West 1620.83 feet to a point on the arc of a circular curve concave to the Northeast; thence Westerly and Northwesterly along the arc of said curve having for its elements a radius of 451.76 feet and a central angle of 28°31'49" for 224.95 feet to the tracks of the Southern Pacific Railroad Company at the "Callaghan" switch; excepting, however, the right-of-way of the Santiam Highway (U.S. Highway No. 20) and that portion of the above "strip" within the right-of-way of Main Street in the City of Lebanon.

SEGMENT "B"
(Railroad Spur from East line of Hiway #20 to POINT "J")

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the center line hereof, and described as follows:

BEGINNING at a point which is South 231.83 feet and East 252.82 feet from the Northeast corner of Block 2 of Wassom's Addition to the City of Lebanon, in Section 10, Township 12 South, Range 2 West, W.M., Linn County, Oregon and being on the Easterly right-of-way of the Santiam Highway (U.S. Highway No. 20); thence South 89°38'58" East 289.21 feet to a point on the arc of a circular curve concave to the Northwest; thence Easterly and Northeasterly along the arc of said curve having for its elements a radius of 303.70 feet and a central angle of 70°13'02" for 372.19 feet to the point of tangency and herein called "POINT U"; thence North 20°07'55" East 240.00 feet to a point herein called "POINT H"; thence continuing 47.35 feet to the point of curvature of a circular curve concave to the West; thence Northerly along the arc of said curve having for its elements a radius of 425.32 feet and a central angle of 19°52'58" for 147.59 feet to a point of reverse curvature of a circular curve concave to the East; thence Northerly along the arc of said curve having for its elements a radius of 865.00 feet and a central angle of 6°10'35" for 27.31 feet to a point herein called "POINT L"; Thence continuing 65.94 feet to a point herein called "POINT A" being a point of reverse curvature of a circular curve concave to the West; thence Northerly along the arc of said curve having for its elements a radius of 2039.75 feet and a central angle of 6°03'57" for 215.95 feet to a point of tangency; thence North 00°16'11" East 178.38 feet to the terminus of the herein described centerline and a point herein called "POINT J".

SEGMENT "C"
(Railroad Spur from POINT U to POINT T)

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the center line hereof, and described as follows:

BEGINNING at that point on the arc of a curve having for its elements a radius of 303.70 feet and a central angle of $70^{\circ}13'02''$ above identified in SEGMENT "B" as POINT "U"; thence continuing Northerly along the arc of a compound curvature of a circular curve concave to the West, said curve having for its elements a radius of 617.80 feet and a central angle $18^{\circ}11'24''$ for 196.14 feet to the point of tangency; thence North $02^{\circ}10'49''$ East 111.49 feet to the terminus of this segment of the herein described centerline and a point designated "POINT T".

SEGMENT "D"
(Railroad Spur from POINT H through POINT G to POINT F)

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the center line hereof, and described as follows:

BEGINNING at a point being the point of curvature of a circular curve concave to the Southeast and above identified in SEGMENT "B" as POINT H" of the herein described easement; thence Northerly and Northeasterly along the arc of said curve having for its elements a radius of 250.85 feet and a central angle of $26^{\circ}22'04''$ for 115.44 feet to the point of tangency; thence North $46^{\circ}21'17''$ East 455.14 feet to the point of curvature of a circular curve concave to the Northwest; thence Northeasterly along the arc of said curve having for its elements a radius of 587.23 feet and a central angle of $5^{\circ}22'44''$ for 55.13 feet to "POINT G"; Thence continuing Northeasterly along the arc of said curve having for its elements a radius of 587.23 feet and a central angle of $26^{\circ}19'52''$ for 269.87 feet to "POINT F".

SEGMENT "E"
(Railroad Spur from POINT A to POINT B)

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the center line hereof, and described as follows:

BEGINNING at a point of tangency and a point above identified in SEGMENT "B" as "POINT A"; thence North $11^{\circ}40'15''$ East 101.21 feet to the point of curvature of a circular curve concave to the Southeast; thence Northeasterly along the arc of said curve having for its elements a radius of 522.27 feet and a central angle of $37^{\circ}50'12''$ for 344.89 feet to the point of tangency; thence North $49^{\circ}28'17''$ East 543.54 feet to a point designated as "POINT B".

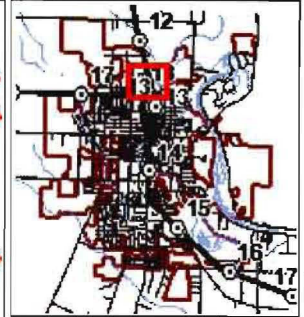
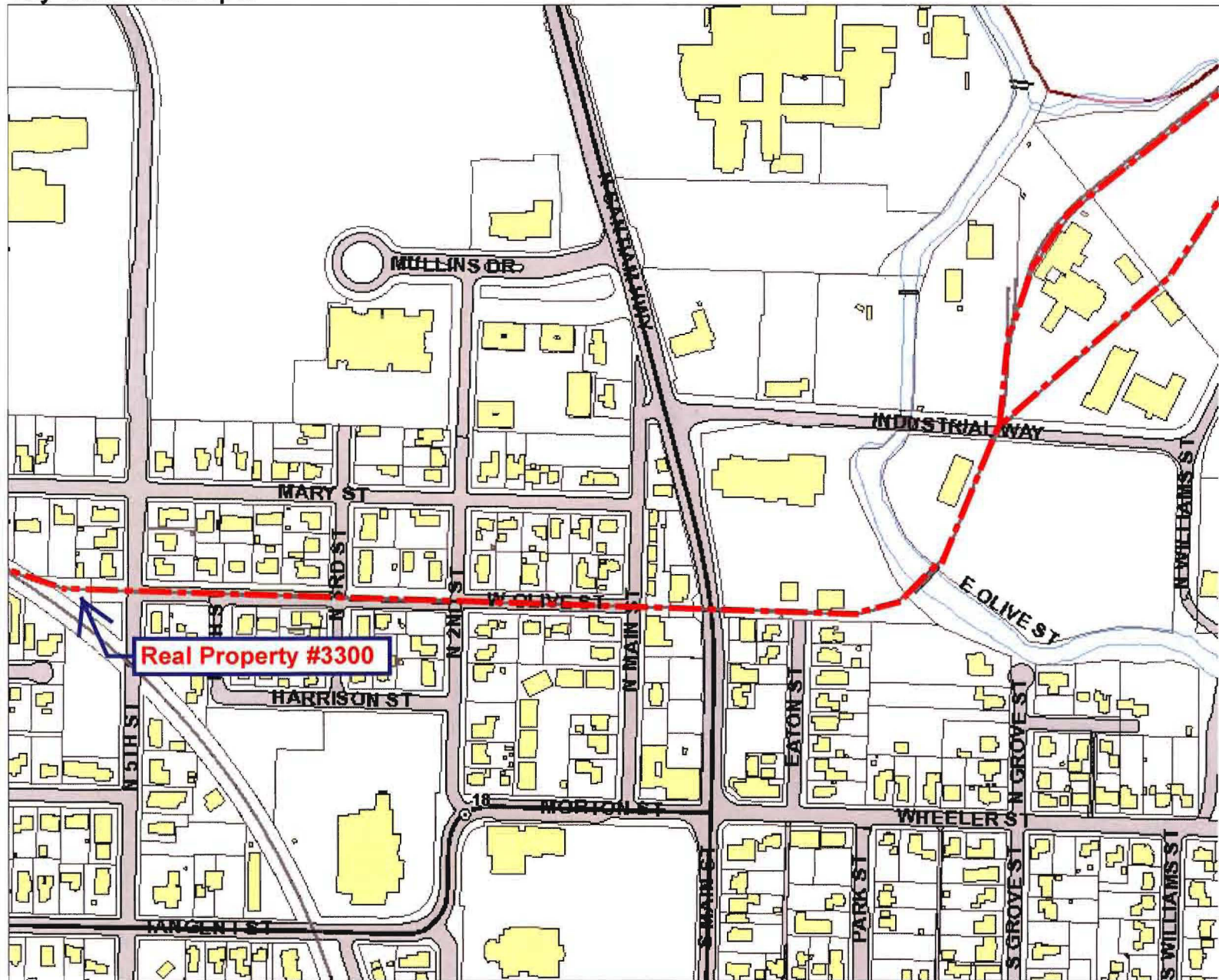
SEGMENT "F"
(Railroad Spur from POINT L to POINT J)

An easement on a strip of land 20.00 feet in width being 10.00 feet on each side of, when measured at right angles to, the center line hereof, and described as follows:


BEGINNING at a point of tangency and a point above identified in SEGMENT "B" as "POINT L"; Thence North $00^{\circ}34'35''$ West 224.98 feet to the terminus of this segment of the herein described centerline and a point designated "POINT K".

All as shown on Plat marked Exhibit B, being a reduced scale reproduction of a portion of DEVCO ENGINEERING Project Drawing 84-44 dated 3-15-85 as revised,, attached hereto and by this reference made a part hereof.

City-Owned Rail Spur



Real Property #3300


 Approx. Scale 1:4,471
 1 in = 373 ft

Coordinate System: State Plane OR North
 Horizontal Datum: NAD 83/91 (HARN)
 Vertical Datum: NAVD88
 Aerial Photo: March 2005



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Comments:

This map is for informational purposes only. The City of Lebanon makes no representations as to the accuracy, completeness and timeliness of the information displayed.