

A BILL FOR AN ORDINANCE AUTHORIZING AND)
DIRECTING THE MAYOR AND THE RECORDER TO)
ENTER INTO A COOPERATIVE AGREEMENT WITH)
LINN COUNTY RELATING TO RECREATION)
FACILITIES, AND DECLARING AN EMERGENCY.)

ORDINANCE BILL NO. 3
for 1971
ORDINANCE NO. 1396

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. That the Mayor and the Recorder of the City of Lebanon are hereby authorized and directed to enter into a Cooperative Agreement with LINN COUNTY, providing for the performance by the City of Lebanon of certain work in connection with a launching ramp and recreation and parking facilities on the South Santiam River bank at Lebanon in exchange for the County's deeding to the City certain real property on which said facilities are to be constructed. The said Agreement shall be in the following form:

Section 2. That inasmuch as this Agreement is for the improvement of City recreation facilities, it is necessary for the peace, health and safety of the City of Lebanon that said work be done immediately, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 19th day of January, 1971.



Mayor

ATTEST:


Recorder

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT, made and entered into this _____ day of _____, 1971, by and between the CITY OF LEBANON, acting by and through its Mayor and Councilmen, hereinafter referred to as "CITY"; and LINN COUNTY, acting by and through its Board of Commissioners, hereinafter referred to as "COUNTY".

WHEREAS, the City and County are desirous of providing facilities for recreational use, and

WHEREAS, the City and County have determined that public access facilities on the South Santiam River at Lebanon are justified, and

WHEREAS, the City has heretofore acquired title to certain real property, to-wit:

Beginning at a 5/8" iron rod which is East 1224.91 ft. and N. 28° 30' W. 202.80 ft. from the Southwest corner of the James Ridgeway D. L. C. #46 in T. 12 S. R. 2 W. of the W. M. in Linn County, Oregon, thence N. 28° 30' W. 74.34 ft. to a 5/8" iron rod; N. 65° W. 96.61 ft. to a 5/8" iron rod; thence N. 65° 42' W. 62.87 ft.; thence N. 54° 20' W. 69.36 ft. to the most northwesterly corner of a recent vacation of a portion of old Market Road #24; thence N. 80° 01' W. along the Northerly r/w of said road 102.69 ft. to the southerly r/w of the Southern Pacific Railroad; thence N. 45° 22' E. along said r/w 335 ft. more or less to the westerly bank of the South Santiam River; thence Southerly along said river 475 ft. more or less to a point which bears N. 63° 30' E. from the place of beginning; thence S. 63° 30' W. 150 ft. more or less to the place of beginning.

NOW, THEREFORE, in consideration of the promises of the County, hereinafter contained, the City hereby promises and agrees:

- 1) To provide the above described real property for the use of the public as a boat launching and parking area.
- 2) To have constructed on said premises in accordance with plans prepared by the Oregon State Game Commission, a concrete plank boat launching ramp, and parking area for public use.
- 3) To have posted signs on said property designating the access.
- 4) To have necessary litter cans installed and to collect all trash and garbage for disposal and maintain and keep the grounds free of trash and litter.
- 5) To maintain the ramp and parking facilities in a clean, safe

and useful condition.

6) To comply with and meet all criteria established by the Oregon State Highway Department for the use of marine gas tax funds.

The County, in consideration of the promises of the City hereinbefore contained, hereby promises and agrees:

1) To reimburse the City, through its City Recorder, in the total amount of \$2,000.00, upon the completion of the proposed work as the County's approved share in the total development cost. It is further provided, however, that said \$2,000.00 shall be a portion of the Oregon State Highway Department's 1970-71 fiscal year marine gas tax allocation to Linn County. Prior to the County's reimbursement to the City, the City shall comply with and meet all criteria established by the Oregon State Highway Department for the use of the marine gas tax funds. The County shall not reimburse the City for expenses that do not qualify for reimbursement under the Oregon State Marine Gas Tax Fund Program, or that exceeds the amount of \$2,000.00.

IT IS FURTHER AGREED by and between the parties to this Agreement, that final approval of the project will rest with the Linn County Board of County Commissioners and that payment of the aforesaid \$2,000.00 will be contingent upon the approval of the said Commissioners.

IN WITNESS WHEREOF, the parties have caused this Cooperative Agreement to be executed by their duly authorized representatives, the day and year hereabove written.

CITY OF LEBANON

By [Signature]
MAYOR
[Signature]
RECORDER

LINN COUNTY, OREGON

By _____
Chairman

Commissioner

Commissioner

APPROVED AS TO FORM
[Signature]
Linn Co. District Attorney

No. 71-007