

RESOLUTION NO. 96-042

A RESOLUTION DECLARING TWO PARCELS OF PROPERTY IDENTIFIED AS KINNER #1 AND KINNER #2, WHICH ARE LOCATED ADJACENT TO THE SOUTHERN BOUNDARY LINE OF THE PARCEL IDENTIFIED AS ASSESSOR'S MAP NO. 1N 13 4DC, TAX LOT 4400, AS SURPLUS PROPERTY

WHEREAS, Leon E. and Myrna D. Kinner are the owners of the parcel of property identified as Assessor's Map No. 1N 13 4DC, Tax Lot 4400; and

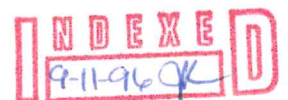
WHEREAS, a recent survey conducted for the Kinnners indicated that the parcels identified as Kinner #1 and #2, on the map attached as Exhibit "A", actually were included in the legal description for Sorosis Park; and

WHEREAS, the City had previously deeded title to Sorosis Park to the Northern Wasco County Parks and Recreation District, with a provision that if any portion of the park property ceased to be used for park purposes, title to that portion would revert to the City; and

WHEREAS, the Parks and Recreation District reconveyed title to the portions identified as Kinner #1 and #2 by a deed recorded as MicroFilm No. 96-1671 in the Wasco County Deed Records; and

WHEREAS, City staff has reviewed the circumstances concerning the status of the parcels identified as Kinner #1 and #2, and determined there is no public need for the parcels; and

WHEREAS, ORS 271.310 provides that a political subdivision may sell, exchange, convey or lease for any period not exceeding 99 years all or any part of its interest in real property, when



that property is not needed for public use, or whenever transfer of the property may further the public interest; and

WHEREAS, the City Council has reviewed the recommendations of staff concerning the proposal to declare the properties surplus; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL AS FOLLOWS:

Section 1. The parcels of land described as Kinner #1 and #2, which are located adjacent to the southern boundary of the parcel identified as Assessor's Map No. 1N 13 4DC, Tax Lot 4400, as shown on Exhibit "A", are declared to be surplus property, not needed for public use. A transfer of the properties will further the public interest based upon the following reasons:

When the Kinners purchased the property described as Assessor's Map No. 1N 13 4DC, Tax Lot 4400, they were under the assumption the lot included the parcels identified as Kinner #1 and #2. The Kinners and their predecessors had maintained and used the parcels as if they owned the parcels outright, and they have paid property taxes upon the parcels. The recent property survey disclosed the error in the property description.

The parcels are physically separated from Sorosis Park by Scenic Drive and are not needed for park purposes. Kinner #1 is essentially used by the Kinners as a driveway and front yard and has no real value except to the Kinners, as owners of Tax Lot 4400. Kinner #2 has potential value as a residential lot; however, the development costs will be significant due to the need to bring sanitary sewer service to the parcel. If Kinner #2

is developed as a separate lot, the property taxes which will be assessed will generate additional revenue for local government.

PASSED AND ADOPTED THIS 9TH DAY OF SEPTEMBER, 1996.

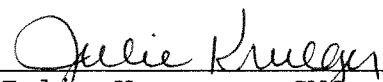
Voting Yes, Councilmembers:	<u>Hill, Briggs, Davis, Van Cleave</u>
Voting No, Councilmembers:	<u>None</u>
Absent, Councilmembers:	<u>Koch</u>
Abstaining, Councilmembers:	<u>None</u>

AND APPROVED BY THE MAYOR THIS 9TH DAY OF SEPTEMBER, 1996.



David R. Beckley, Mayor

Attest:



Julie Krueger, CMC, City Clerk



December 19, 1994
Work Order #8346

Parks and Recreation
to
Leon Kinner

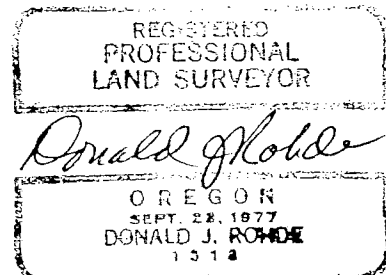
PROPERTY DESCRIPTION

Parcel No. 1

A tract of land lying in the Southwest 1/4 of the Southeast 1/4 of Section 4, Township 1 North, Range 13 East, Willamette Meridian, Wasco County, Oregon.

Beginning at the Southeast corner of Lot 10, Block C of Grant's Addition to the City of The Dalles; thence North $00^{\circ}48'37''$ East along the East line of said Lot 10 a distance of 41.09 feet; thence South $89^{\circ}11'23''$ East 54.29 feet; thence South $23^{\circ}18'37''$ West along an existing wall 120.13 feet to the northerly right-of-way of the redescribed North right-of-way of existing Scenic Drive, said point being North 12 feet at right angles from the face of the existing curb; thence South $88^{\circ}08'03''$ West along the new right-of-way of the existing Scenic Drive 120.13 feet; thence at right angles North $01^{\circ}51'57''$ West 64.23 feet to an intersection with the South line of said Lot 10; thence South $89^{\circ}12'47''$ East along the South line of said Lot 10 a distance of 110.00 feet to the point of beginning.

Contains 0.23 acres, more or less.



Expires 12-31-96

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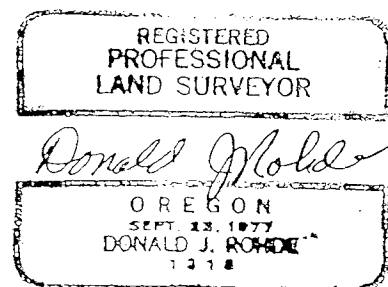
Parcel No. 2

A tract of land lying in the Southwest 1/4 of the Southeast 1/4 of Section 4, Township 1 North, Range 13 East, Willamette Meridian, Wasco County, Oregon.

Commencing at the Southeast corner of said Lot 10 of Block C of Grant's Addition to the City of The Dalles; thence North $89^{\circ}12'47''$ West along the South line of said Lot 10 a distance of 110.00 feet to the true point of beginning of this description; thence South $01^{\circ}51'57''$ East 64.23 feet to the intersection with the redescribed northerly right-of-way of the existing Scenic Drive, said point being 12 feet when measured at right angles from the face of the existing curb; thence continuing along the said northerly redescribed right-of-way of existing Scenic Drive, South $88^{\circ}08'03''$ West 25.92 feet; thence continuing along the said right-of-way on a 412.41 foot radius curve right 113.05 feet (the long chord of which bears North $84^{\circ}00'47''$ West 112.69 feet); thence leaving said right-of-way North $13^{\circ}50'23''$ East 56.61 feet to the Southwest corner of said Lot 10; thence South $89^{\circ}12'47''$ East along the South line of said Lot 10 a distance of 122.36 feet to the point of beginning.

Contains 0.19 acre, more or less.

TOGETHER WITH a 20 foot easement, being 10 feet on either side of the existing waterline which crosses the westerly portion of the above described tract.



Expires 12-31-96