

RESOLUTION NO. 2558

A RESOLUTION APPROVING THE SALE OF CITY REAL PROPERTY, OLD CITY HALL.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the Old City Hall Building, located at 104 SE Kibling Avenue, is 99 years old, having been constructed in 1923, and has exceeded the reasonable expected life of the structure, and remains of only sentimental value, providing no functional useful City purpose.
2. That since April 2012 the building has been vacant, and a vocal and passionate community interest group has advocated for an Old City Hall solution which would save the building.
3. That September 22, 2020, through Resolution No. 2516 approving the 2020 City Council Priorities and Tactical Direction, staff was directed to explore options for sale of Old City Hall property to a developer with some conditions and incentives for renovating the building.
4. That consistent with the Council goal the Economic Development Staff have negotiated a Purchase and Sale Agreement (PSA) for the Old City Hall property which retain, repurpose, and reuse the building and adjacent lot.
5. That the City Council adopted Resolution No. 2546 on September 14, 2021 which declared the Old City Hall real property as surplus property and determined that the declaration serves a valuable and necessary public purpose and is an authorized public purpose.
6. That the City finds it to be necessary, expedient, beneficial to the community, and in the best interests of the City, to sell the Old City Hall property to the potential buyer to remodel the old building and redevelop the property with the intended uses of a restaurant, bar, and beer brewing operation and distribution activities.
7. That the Notice of Public Hearing in accordance with the requirements of Oregon Revised Statute (ORS) 221.725 has been published in the Gresham Outlook on January 14 and 19, 2022, and on the City's website, providing the time, date, and place for the hearing, the real property to be sold, the reasons for the sale, and the proposed use.

8. That on January 25, 2022 a Public Hearing in accordance with the requirements of ORS 221.725 was held where any resident of the City was provided with an opportunity to present oral or written testimony on the subject of the sale to the City Council at the public hearing.

9. That pursuant to ORS 221.725 the nature of the proposed sale was advertised, and appraisal or other evidence of market value was fully disclosed and entered into the record at the public hearing on January 25, 2022.

10. That in accordance with the requirements of ORS 221.725 the advertised purpose of the sale is to the potential buyer to remodel the old building and redevelop the property with the intended uses of a restaurant, bar, and beer brewing operation and distribution activities, which is the reason the City Council finds it necessary and convenient to sell the property in support of the adopted Council goals, economic redevelopment and that the sale will serve a valuable, necessary, and authorized public purpose.

11. That the accordance with the requirements of ORS 221.725 the market value as determined by appraisal is Four Hundred Thirty Five Thousand Dollars (\$435,000.00).

12. That the City is the owner of the real property located at 104 SE Kibling Avenue, further identified as Tax Lot 01800 on Multnomah County Tax map 1N 3E 25CA (building) and the real property located at 436 E Hist Columbia River Hwy further identified as Tax Lot 01700 on Multnomah County Tax map 1N 3E 25CA (Davis property), which is collectively known as the Old City Hall Property.

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

Section 1. Based on the above findings set forth herein and upon the evidence in the whole record, the City Council hereby approves the *Purchase and Sale Agreement by and Among the City of Troutdale, and ENT VENTURES XIV LLC*, for the sale of real property in the amount of Four Hundred Thirty Five Thousand Dollars (\$435,000.00) and the other terms and conditions of the Purchase and Sale Agreement (PSA) as in substantial conformity with Exhibit A of the Staff Report, but with any changes the City Official may determine necessary.

Section 2. The real property sold through the PSA is identified as Tax Lot 01800 on Multnomah County Tax map 1N 3E 25CA (building), and identified as Tax Lot 01700 on Multnomah County Tax map 1N 3E 25CA (Davis property).

Section 3. The City Council finds that in accordance with the authority granted in Oregon Revised Statute (ORS) 271.310 the sale of the real property will serve a valuable, necessary and authorized public purpose which will further the public interest.

Section 4. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are designated to act individually and/or jointly, on behalf of and in the best interest of the City and without further action by the City Council, and are hereby, authorized empowered and directed to execute the PSA and such deeds necessary to complete the sale on behalf of the City, and any and all other required and necessary documents to complete the sale, implement the intent of the PSA, and this resolution.

Section 5. Conveyance shall occur only after the conditions to closing set forth in the PSA are satisfied or waived, including but not limited to the order of approval by the Troutdale Planning Commission of the application for conditional use.

Section 6. The City Official is hereby authorized to execute, acknowledge and deliver the PSA and including any deeds, title reports, certificates of acceptance, and deliver any subsequent addendums, extensions, revisions, modification, or successor documents of the PSA, and any 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 PSA, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 7. Further, consistent with intent and upon satisfactory fulfillment of the terms of the PSA, and in the best interest of the City, the City Official is authorized empowered and directed to execute the Quitclaim Deed Release of Reversionary Interest and any other documents and actions, as necessary to release and relinquish the reversionary right, title, and interest of the City in the Property arising from the City's right of re-entry reversionary interest reserved in the Special Warranty Deed to the City.

Section 8. Further, as applicable, to comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration and implementation of the PSA, and to take any other action as may be advisable, convenient, necessary, or appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 9. Further, consistent with intent of the PSA, and in the best interest of the City, the City Official is authorized empowered and directed to prepare the necessary ordinances, resolutions, debt instruments, intergovernmental agreements, and other

documents and actions, as necessary for implementation of the property sale, for consideration and approval by the City as appropriate.

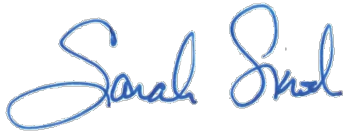
Section 10. That the Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 11. This Resolution shall take effect immediately upon adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0



Randy Lauer, Mayor
Date: January 26, 2022



Sarah Skroch, City Recorder
Adopted: January 25, 2022