

RESOLUTION NO. 2640

Introduced by All Commissioners

A RESOLUTION APPROVING THE SALE OF CERTAIN REAL PROPERTY TO COMMUNITY ACTION TEAM INCORPORATED OF COLUMBIA COUNTY, OREGON

WHEREAS, the City of Warrenton owns certain real property, commonly known as the Head Start building and located at 200 SW 3rd St., Warrenton, OR 97146, a legal description of which is attached hereto as Exhibit A (the Property); and

WHEREAS, the Property has been used as a Head Start facility since 1996; and

WHEREAS, ORS 221.725 sets forth certain requirements for a city desiring to sell real property, including public notice, a public hearing, and certain disclosures; and

WHEREAS, notice of the propose sale and public hearing was published in The Astorian on February 7, 2023, consistent with ORS 221.725; and

WHEREAS, the City Commission held a public hearing on this proposed sale on February 14, 2023, at which any resident of the city was given an opportunity to present written or oral testimony, consistent with ORS 221.725; and

WHEREAS, the nature of the proposed sale and the general terms thereof, and evidence of the market value of the Property, are described in this resolution and have been disclosed as required by ORS 221.725; and

WHEREAS, ORS 271.310 sets forth certain additional provisions relating to sale by a city of real property, including those relating to consideration being in the form of cash or real property, notice to the Oregon Department of Transportation (ODOT) in certain circumstances, and a finding that the public interest may be furthered by the sale; and

WHEREAS, the consideration for the proposed sale is cash, consistent with ORS 271.310; and

WHEREAS, notice was provided to ODOT on December 27, 2022 (acknowledged on January 3, 2023), consistent with ORS 271.310; and

WHEREAS, it appears to the City Commission that selling said Property to Community Action Team Incorporated of Columbia County, Oregon (CAT) is necessary or convenient in order to transfer ownership and responsibility for repairs and maintenance of the building and property to CAT, rather than continue City ownership of a building that has not been operated by the City for over 25 years; and

WHEREAS, after considering all of the information and testimony presented at the public hearing, it appears to the City Commission that the public interest may be furthered by the proposed sale; and

WHEREAS, on January 10, 2023, the City Commission approved Resolution No. 2638, finding that the Property has no real market value pursuant to Warrenton Municipal Code Section 3.40.020, and is therefore not subject to the requirements of City Charter Chapter XI;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Warrenton that:

City Manager Esther Moberg is hereby authorized to act on behalf of the City Commission and the City of Warrenton to execute a deed and take all other steps necessary and appropriate to effectuate a sale of the property described in Exhibit A, attached hereto and incorporated herein by reference, for consideration of cash in the amount of \$1 (one dollar), subject to a reversionary clause for the benefit of the City in the event the property is no longer used as a Head Start facility, and subject to an easement that would allow the City to use the parking lot on the property.

Adopted by the City Commission of the City of Warrenton this 14 day of February 2023.

This resolution shall take effect immediately upon its passage.

APPROVED


Henry A. Balensifer III, Mayor

ATTEST


Dawne Shaw, CMC, City Recorder

LEGAL DESCRIPTION**Property Line Adjustment****Tax Lot 81021BD04100, City of Warrenton, Oregon**

A tract of land located in the North one half and the Northwest one quarter of the Southeast one quarter of Section 21, Township 8 North, Range 10 West, Willamette Meridian, City of Warrenton, Clatsop County, Oregon, being a portion of that real property as described in Bargain and Sale Deed in Book 441, at page 629, Clatsop County records, being further described as follows:

All lots contained in Blocks 16, and 17, of "W. C. Smith's Warrenton", a duly recorded plat, Clatsop County, Oregon

TOGETHER WITH the following portions of Vacated S.W. Birch Avenue as described in City of Warrenton Ordinance 730-A recorded in Book 581, page 130, Clatsop County records, being those portions of said vacated street lying 40 feet east of Lots 1 through 6, Block 16, and those portions of said vacated street lying 40 feet west of Lots 11 through 16, Block 17, "W. C. Smith's Warrenton".

EXCEPTING THEREFROM Lots 1 through 10, Block 17, Lots 7 through 10, Block 16, and the East 45.56 feet of Lots 11 through 16, Block 17, of said "W. C. Smith's Warrenton" plat in Clatsop County, Oregon.

ALSO EXCEPTING THEREFROM the following portions of vacated streets as described in City of Warrenton Ordinance 730-A recorded in Book 581, page 130, Clatsop County records, being those portions of Vacated S.W. Birch Street lying west of Lots 9 and 10, Block 17, and lying east of Lots 7 and 8, Block 16, and those portions of Vacated S.W. 4th Street lying 30 feet south of Lots 8 and 9, Block 16, extended westerly 30 feet to the intersection of S.W. 4th Street S.W. Birch Court and continuing east to the intersection of S.W. Birch Avenue and S.W. 4th Street, and lying 30 feet south of Lots 9 and 10, Block 17 from the intersection of S.W. Birch Avenue and S.W. 4th Street east to the intersection of S.W. 4th Street and S.W. Alder Court, and those portions of Vacated S.W. Alder Court lying east of Lots 1 through 8, Block 17 from the intersection of S.W. 4th Street and S.W. Alder Court north to the south right of way line of S.W. 3rd Street, "W. C. Smith's Warrenton".

Containing 2.24 acres more or less.