

RESOLUTION NO. 2514

A RESOLUTION ESTABLISHING PROCEDURES FOR THE DISPOSAL OF CITY OWNED REAL PROPERTIES.

WHEREAS, the City of Albany may, from time to time, determine that certain properties owned by the City are not needed for public use, and

WHEREAS, the City of Albany has obtained properties through the foreclosure of delinquent liens or assessments and the sale of said property is necessary to satisfy the bonded indebtedness.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany may sell, exchange, convey, or lease all or part of its interest that it possesses or controls in real property not needed for public use, and

BE IT FURTHER RESOLVED, that the procedures set forth in Exhibit "A" attached hereto are in addition to procedures set forth in ORS 271.300-271.400 and ORS 271.510-271.540 and all other State statutes pertaining to the sale or exchanging of City property.

BE IT FURTHER RESOLVED that Resolution No. 855 is hereby repealed.

DATED this 28th day of November, 1984



Mayor

ATTEST:



City Recorder

Section 1: The Albany City Council may at its discretion authorize the services of a licensed real estate broker to negotiate the sale of any City owned property.

Section 2: Those properties obtained through the foreclosure of delinquent liens or assessments and are pledged as bonded debt security, and on which the City has clear title following the one year redemption period, must be sold for no less than the unpaid lien, interest, penalty cost, taxes, and direct costs by the City. Proceeds from the sale of the property must be deposited in the Bancroft Debt Service Fund for the purpose of paying off the bonded indebtedness that had been secured by said liens. Properties sold to satisfy outstanding bonded indebtedness do not require an appraisal of the property to be sold.

On all property obtained by the City through foreclosure, the City will maintain adequate insurance. The expense for maintaining and protecting the property will be considered a direct cost and will be added to the cost of the property for sale.

Section 3: All other City property offered for sale and not sold through a licensed real estate broker must be advertised in a newspaper of general circulation within the City for at least two consecutive weeks prior to the sale. City owned property that is determined to be excess and was not obtained through the foreclosure on delinquent liens or assessments to satisfy a bonded indebtedness must be sold for no less than the market price as determined by an independent licensed real estate appraiser or by the Linn or Benton County Assessor's Office.

Section 4: The City of Albany may negotiate to sell, exchange, convey, or lease land it has determined to be in excess to City needs when the City Council believes it's in the public's best interest. The City may negotiate with private persons, firms or corporations, the United States of America or any Oregon State agency. In order to make the transfer, the City Council must adopt a resolution declaring their intent. The resolution must set a time and place for a public hearing on the proposal. The hearing must be held within six weeks of the date the resolution is adopted. For two consecutive weeks before the hearing, the City Recorder must publish in a newspaper of general circulation within the City, a notice of the date, time, and location of the hearing. The notice must also describe the property the City wants to transfer and the property to be received if it is an exchange of property. After the hearing, the City Council must find that the properties to be exchanged are of equal value. The Council also must find that the exchange is in the best interest of the City.