

**BEFORE THE CITY COUNCIL
FOR THE CITY OF LAFAYETTE, OREGON**

A Resolution of Intent to Acquire Real Property)
for Public Purposes and to Exercise the Right of) **RESOLUTION NO. 2015-12**
Eminent Domain under ORS Chapter 35 if Necessary)

THE CITY COUNCIL (the "Council") OF THE CITY OF LAFAYETTE, OREGON (the "City") sat for the transaction of City business on August 13, 2015, at 6:30 p.m. in the Council Chambers at City Hall and considered and approved the following Resolution.

WHEREAS, the City Council has evaluated options for the siting of a new Lafayette Fire Station and other public facilities; and

WHEREAS, the City will need to acquire certain private property parcels to provide these essential public facilities; and

WHEREAS, the City intends to negotiate with current owners in good faith for the acquisition at fair market value of such properties that are determined to be needed for the stated public purposes; and

WHEREAS, the City has preliminarily determined that the following properties might be suitable for such acquisition:

*Lot 2, Block 6, TOWN OF LAFAYETTE,
in the County of Yamhill, State of Oregon*
435 E. 4th Street, Lafayette, OR 97217, Tax Lot 8100, Map 4.3.06CC, 8,000 sq ft
Owner: Donald K. Leard and Janice S. Leard, as Tenants by the Entirety

*Lot 1, Block 6, ORIGINAL TOWN OF LAFAYETTE,
in the County of Yamhill, State of Oregon*
388 N. Jefferson Street, Lafayette, OR 97217, Tax Lot 8101, Map 4.3.06CC, 8,000 sq ft
Owner: Don Leard

*Lots 3 and 4, Block 29, ORIGINAL TOWN OF LAFAYETTE,
in the County of Yamhill, State of Oregon*
592 E. 3rd Street, Lafayette, OR 97217, Tax Lot 8800, Map 4.3.06CC, 1,600 sq ft
Owner: Don Leard and Janice Leard, as Tenants by the Entirety
Trust Deed: For Benefit of Zorada J. Hanks

Other properties might come under consideration as the City continues its analysis and due diligence for siting the public facilities: and

WHEREAS, the City has not made official contact with any owners as yet, or determined the fair market value of any property, tasks that will come in due course. It is the City's intent to acquire any necessary property, including those identified above, by purchase and sale, and to exercise the power of eminent domain only as a last result where good faith negotiations and fair price offers do not produce a purchase.

NOW, THEREFORE, BE IT RESOLVED by the Council for the City of Lafayette as follows:

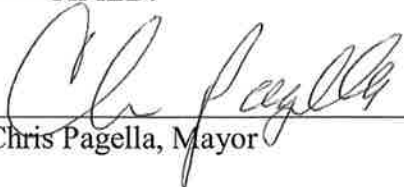
1. The City is authorized to make a determination of properties that are suitable and necessary for expansion of city facilities, including the Lafayette Fire Station, City Hall, and necessary road improvements; and
2. The City is authorized to make a determination of the fair market value of any such real property so identified; and
3. The City is authorized to negotiate in good faith with the owners of any identified real property; and
4. The City is authorized to initiate eminent domain to acquire any such property that it is unable to acquire by good faith negotiations and the offering of fair market value therefore; and
5. Mayor Chris Pagella, or the City Administrator as his designee, is hereby authorized to execute any and all documents necessary to carry forward the mandates of this resolution; and
6. Any purchase of real property will be determined by a majority vote of the Council in a public meeting.

This Resolution shall be and is effective from and after its passage by the Council.

APPROVED by the City Council of the City of Lafayette this 13th day of August 2015.

VOTE: Ayes: 4 Nays: 0 Abstentions: 0 Absent: 2

CERTIFIED:


Chris Pagella, Mayor

ATTESTED:


Angela Speier, Assistant City Administrator