

RESOLUTION NO. 5839

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT TO ALLOW THE CITY OF ALBANY TO JOIN WITH THE CITY OF MILLERSBURG IN THE PURCHASE OF REAL PROPERTY TO BE USED FOR WETLANDS DEVELOPMENT.

WHEREAS, it is in the public interest that the cities of Albany and Millersburg develop and improve wetlands adjacent to the sanitary treatment works to further process and cool treated wastewater prior to its discharge into the Willamette River; and

WHEREAS, an appropriate site has been identified, appraised and been the subject of Levels I and II environmental testing and analysis; and

WHEREAS, it appears that the proposed site, owned by ADJ Properties and A.J. Crushing, are the most appropriate site for the wetlands development project; and

WHEREAS, the sellers of the proposed wetlands site are willing to sell their land for a price which matches its appraised value upon terms which have been reviewed by the Albany City Council in executive and public sessions.

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Albany is authorized to execute a Purchase and Sale Agreement to allow the City of Albany to join with the City of Millersburg in the purchase of 59.97 acres of land for wetlands development purposes for the purchase price of \$4,630,000 payable upon such terms as the City Manager deems appropriate.

BE IT FURTHER RESOLVED THAT the City Manager, with the advice of the City Attorney, is authorized to complete the aforesaid purchase with such additional terms and conditions as may, in his judgment, be in the best interest of the City.

DATED AND EFFECTIVE THIS 26 DAY OF AUGUST, 2009.



Mayor

ATTEST:



City Clerk