

RESOLUTION NO. 1094

A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM RHODEN'S INVESTMENTS, INC.

RECITALS:

- A. By Real Estate Sale Agreement dated December 26, 2008, City of Prineville Railway agreed to purchase from Rhoden's Investments, Inc., approximately seven acres of real property being that part of Parcel 2 of Partition Plat No. 1993-05, lying easterly of Bus Evans County Road and located in the E½ of Section 23 in Township 14S, Range 15E of the Willamette Meridian, Crook County, Oregon (the "Property") to be used as part of the City of Prineville Railway Freight Depot.
- B. Pursuant to the Real Estate Sale Agreement there were three contingencies to be met before the sale could be completed: a) verification that the property was zoned HM industrial; b) a level one environmental assessment on the Property satisfactory to the City; and c) completion of a boundary adjustment transferring the Property to the City.
- C. Two of the three contingencies have been met. It has been verified the Property is zoned HM industrial and a level 1 environmental assessment of the Property satisfactory to the City has been completed. The boundary adjustment application has been filed with Crook County and is awaiting approval.

NOW, THEREFORE, the City of Prineville Resolves as follows:

1. Upon approval by Crook County of the boundary adjustment allowing the Property to be transferred to the City of Prineville, the City of Prineville shall complete the purchase of the Property pursuant to the Real Estate Sale Agreement.
2. Mike Wendel as Mayor of the City and Wayne Van Matre as Interim City Manager/Recorder of the City are authorized to execute any and all documents necessary or convenient to complete the City's purchase of the Property from Rhoden's Investments, Inc.

Passed by the City Council this _____ day of February, 2009.

Signed by the Mayor this _____ day of February, 2009.

Mike Wendel, Mayor

ATTEST:

Wayne Van Matre, Interim City Manager/Recorder