



Supplemental City Council Meeting Agenda
February 14, 2023
6:30 PM

ORDINANCES

1.5 THE MATTER OF APPROVING ORDINANCE NO. 992, "AN ORDINANCE DEDICATING TAX MAP AND LOT NO. 15S04W15CA03100 AS THE SOUTHERN EXTENSION OF 9TH ST. WITHIN THE CITY OF HARRISBURG", AND AUTHORIZING THE MAYOR TO SIGN THE BARGAIN AND SALE DEED

STAFF REPORT:

Exhibit A: Ordinance No. 992

Exhibit B: Bargain and Sale Deed for Dedication

Exhibit C: Vol 488, page 442, Conveyance of Tax Foreclosed

Property from Linn County.

Exhibit D: Map Showing Location of 9th St. & GIS Map

ACTION: MOTION TO APPROVE ORDINANCE NO. 992, "AN ORDINANCE DEDICATING TAX MAP AND LOT NO. 15S4W15CA03100 AS THE SOUTHERN EXTENSION OF 9TH ST. WITHIN THE CITY OF HARRISBURG", AND AUTHORIZING THE MAYOR TO SIGN THE BARGAIN AND SALE DEED.

Agenda Bill
Harrisburg City Council
Harrisburg, Oregon

THE MATTER OF APPROVING ORDINANCE NO. 992, “AN ORDINANCE DEDICATING TAX MAP AND LOT NO. 15S04W15CA03100 AS THE SOUTHERN EXTENSION OF 9TH ST. WITHIN THE CITY OF HARRISBURG”, AND AUTHORIZING THE MAYOR TO SIGN THE BARGAIN AND SALE DEED

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- Exhibit A: Ordinance No. 992
- Exhibit B: Bargain and Sale Deed for Dedication
- Exhibit C: Vol 488, page 442, Conveyance of Tax Foreclosed Property from Linn County.
- Exhibit D: Map Showing Location of 9th St. & GIS Map

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THIS AGENDA BILL IS DESTINED FOR: Supplemental Agenda – Feb 14, 2023

BUDGET IMPACT		
COST	BUDGETED?	SOURCE OF FUNDS
N/A	N/A	N/A

STAFF RECOMMENDATION:

Staff recommends Council Approve Ordinance No. 992, and Authorize the Mayor to Sign the Bargain and Sale Deed on Behalf of the City.

BACKGROUND INFORMATION:

Staff was happy to announce that Public Works opened up S. 9th St. which is now conveying traffic from the end of S. 9th in the Max Hammer Subdivision, to Sommerville Loop. Lately, while working in the Linn County GIS system, Staff noticed that the property wasn’t appearing correctly on the GIS maps.

After doing some research, it was discovered that the property had never been dedicated as a City street. Approving Ordinance No. 992 and authorizing the Mayor to sign the deed will complete the process once the City Recorder finalizes recording the deed.

REVIEW AND APPROVAL:



Michele Eldridge, City Administrator Date

ORDINANCE NO. 992

AN ORDINANCE DEDICATING TAX MAP AND LOT NO. 15S4W15CA03100 AS THE SOUTHERN EXTENTION OF 9TH ST. WITHIN THE CITY OF HARRISBURG

WHEREAS, consistent with Oregon Revised Statute 92.175 and during a regularly scheduled public meeting on February 14, 2023, the City Council of the City of Harrisburg did review the Conveyance of Tax Foreclosed Property in Vol 488, Page 442, which transferred said property from Linn County to the City of Harrisburg; and,

WHEREAS, the portion of 9th St. to be forever dedicated as a public road is described further as follows; and,

THE LANDS DESCRIBED IN DEED 488, PAGE 442 AS RECORDED ON DECEMBER 14, 1988 IN THE LINN COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

THE WEST 50.00 FEET OF THE EAST 302.78 FEET OF LOT 14, HIGHVIEW ADDITION TO THE CITY OF HARRISBURG, LINN COUNTY, OREGON.

WHEREAS, the Extension of S. 9th St. was the next street project listed on the Capital Improvement Plan, relieves traffic congestion in the Sommerville Loop area, and allows development of adjacent residential properties:

NOW, THEREFORE, The City Council dedicates that portion of S. 9th St. described as follows:

Section 1. The City Council dedicates that portion of S. 9th described as:

THE LANDS DESCRIBED IN DEED 488, PAGE 442 AS RECORDED ON DECEMBER 14, 1988 IN THE LINN COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

THE WEST 50.00 FEET OF THE EAST 302.78 FEET OF LOT 14, HIGHVIEW ADDITION TO THE CITY OF HARRISBURG, LINN COUNTY, OREGON.

Section 2. Within 10 days following the effective date of this ordinance, the City Recorder shall file a certified copy of this dedication Ordinance for record with the Linn County Clerk.

PASSED BY THE COUNCIL: _____

APPROVED BY THE MAYOR: _____

EFFECTIVE DATE: _____

ATTEST:

Mayor Robert C. Duncan

Lori Ross, City Recorder

BARGAIN AND SALE DEED

Tax Map & Lot Numbers: 15-04-15-CA TL:3100
(on the date of execution)

KNOW ALL BY THESE PRESENTS, that City of Harrisburg, a Municipal Corporation of the State of Oregon, Grantor(s), in Consideration of the acceptance by the City of Harrisburg, Oregon, Grantee, and the use or holding of said property for present or future public use by Grantee, Grantor hereby grants, bargains, sells and conveys unto the said Grantee, its successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Linn and State of Oregon, bounded and described as follows:

(SEE EXHIBIT A)

THE SAME IS HEREBY and forever dedicated to the public to be used as **PUBLIC ROAD**.

TO HAVE AND HOLD, the above described and granted premises unto the said Grantee, its successors and assigns forever.

THE CONSIDERATION for this conveyance is other than monetary.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the Grantors above named have hereunto set their hands and seals on

_____, 2023.

SIGNATURE: _____
(TITLE & COMPANY)

PRINT NAME: _____

STATE OF OREGON }
COUNTY OF LINN } SS

This instrument was acknowledged before me on _____, 2023 by
_____ Of _____.

Notary Public for Oregon

THE CONVEYANCE set forth in this instrument conveying title or interest to the City of Harrisburg, a Municipal Corporation of the State of Oregon, is hereby approved, and the title or interest conveyed therein is hereby accepted.

CITY OF Harrisburg

By: _____ Date _____

RETURN TO: CITY OF HARRISBURG
PO BOX 378
HARRISBURG, OREGON 97446

SEND TAX STATEMENT TO:
CITY OF HARRISBURG
PO BOX 378
HARRISBURG, OREGON 97446



EXHIBIT A
LEGAL DESCRIPTION

THE LANDS DESCRIBED IN DEED 488, PAGE 442 AS RECORDED ON DECEMBER 14, 1988 IN THE LINN COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS:

THE WEST 50.00 FEET OF THE EAST 302.78 FEET OF LOT 14, HIGHVIEW ADDITION TO THE CITY OF HARRISBURG, LINN COUNTY, OREGON.

12-14-88

1.

VOL 488 PAGE 442

CONVEYANCE OF TAX FORECLOSED PROPERTY

KNOW ALL MEN BY THESE PRESENTS, that LINN COUNTY, a political subdivision of the State of Oregon, Grantor, pursuant to ORS 275.110 to 275.170, does grant, bargain, sell and convey to the City of Harrisburg, Grantee, the following described real property situated in the County of Linn, State of Oregon:

The West 50 feet of East 302.78 feet of Lot 14, Highview Addition to the City of Harrisburg, Linn County, Oregon.

This transfer is without consideration.

This conveyance is made pursuant to an Order of the Linn County Board of County Commissioners dated November 30, 1988, and recorded at Volume 125, Page 482, of the County Commissioners Journal; the property conveyed was acquired by the County by foreclosure of delinquent real property tax liens; the title conveyed is the title conveyed by foreclosure; this conveyance is subject to easements of record.

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses.

IN WITNESS WHEREOF, LINN COUNTY, OREGON, the Grantor above named, has caused this Deed to be executed by its Board of County Commissioners this 30th day of November, 1988.

ATTEST:

Linn County Clerk

LINN COUNTY BOARD OF COMMISSIONERS

Vernon Schrock, Chairperson

Richard Stach, Commissioner

Larry J. Johnson, Commissioner

Subscribed and sworn to before me this 30th day of November, 1988.

Notary Public for Oregon

My Commission expires 4-9-91

Until further notice, all tax statements shall be sent to:

The City of Harrisburg
P.O. Box 378
Harrisburg, OR 97446

After Recording return to:

☒ The City of Harrisburg
P.O. Box 378
Harrisburg, OR 97446

ENTERED DEC 14 1988

At 8:30 O'clock a.m.
STEVE DRUCKENMILLER
Linn County Clerk

STATE OF OREGON
County of Linn

I hereby certify that the attached was
received and duly recorded by me in
Linn County records:

Volume: MF 488 Page: 442

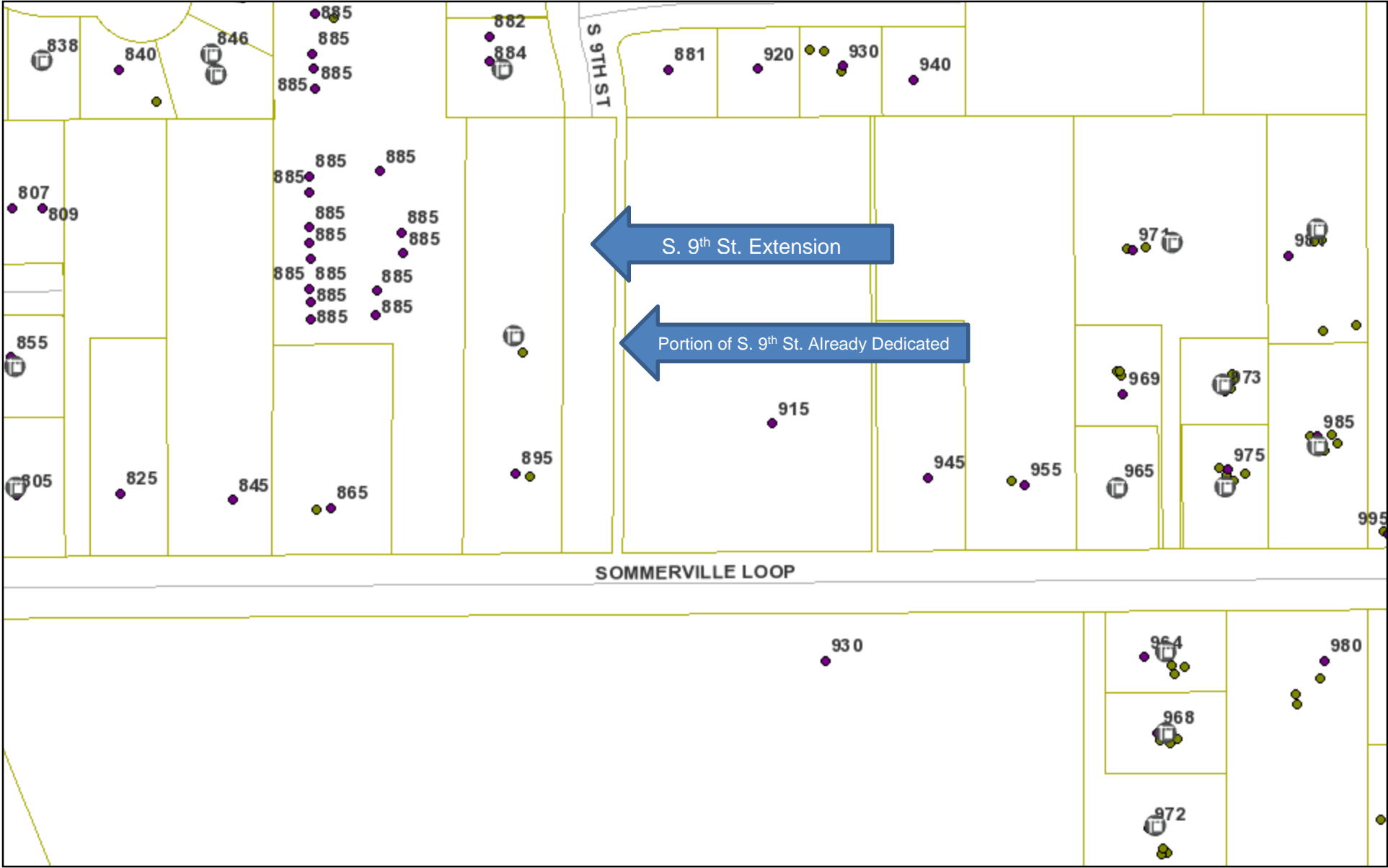
By [Signature], Deputy

DEC 14 1988

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Linn County Planning Application

1.



2/13/2023, 12:27:31 PM

- Sales
- Address
- Elevation Certificates
- LOMAs
- Highways
- Roads
- Tax Lots
- County Boundary

