



1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LINCOLN**  
2 **CITY, AS FOLLOWS:**

3  
4 **SECTION 1. RECITALS.** The above recitals are true and correct and are incorporated  
5 herein by this reference.

6  
7 **SECTION 2. FINDINGS.**

8  
9 The Council finds and determines that the relevant statutory criteria for disposition of real  
10 property are found in or referenced in ORS Chapter 271 (specifically ORS 271.310) as well as  
11 ORS 221.725.

12  
13 **ORS 271.310. Transfer or lease of real property owned or controlled by**  
14 **political subdivision; Procedure in case of qualified title.**

15  
16 (1) Except as provided in subsection (2) of this section, whenever any political  
17 subdivision possesses or controls real property not needed for public use, or  
18 whenever the public interest may be furthered, a political subdivision may sell,  
19 exchange, convey or lease for any period not exceeding 99 years all or any part  
20 of their interest in the property to a governmental body or private individual or  
21 corporation. The consideration for the transfer or lease may be cash or real  
22 property, or both.

23  
24 \*\*\*

25  
26 (4) Unless the governing body of a political subdivision determines under  
27 subsection (1) of this section that the public interest may be furthered, real  
28 property needed for public use by any political subdivision owning or controlling  
29 the property shall not be sold, exchanged, leased or conveyed under the  
30 authority of ORS 271.300 to 271.360, except that it may be exchanged for  
31 property which is of equal or superior useful value for public use. Any such  
32 property not immediately needed for public use may be leased if, in the  
33 discretion of the governing body having control of the property, it will not be  
34 needed for public use within the period of the lease.

35  
36 **221.725 Sale of city real property; publication of notice; public hearing.**

37  
38 (1) Except as provided in ORS 221.727, when a city council considers it necessary  
39 or convenient to sell real property or any interest therein, the city council shall publish  
40 a notice of the proposed sale in a newspaper of general circulation in the city, and  
41 shall hold a public hearing concerning the sale prior to the sale.

42 (2) The notice required by subsection (1) of this section shall be published at least  
43 once during the week prior to the public hearing required under this section. The  
44 notice shall state the time and place of the public hearing, a description of the

1 property or interest to be sold, the proposed uses for the property and the reasons  
2 why the city council considers it necessary or convenient to sell the property. Proof of  
3 publication of the notice may be made as provided by ORS 193.070.

4 (3) Not earlier than five days after publication of the notice, the public hearing  
5 concerning the sale shall be held at the time and place stated in the notice. Nothing in  
6 this section prevents a city council from holding the hearing at any regular or special  
7 meeting of the city council as part of its regular agenda.

8 (4) The nature of the proposed sale and the general terms thereof, including an  
9 appraisal or other evidence of the market value of the property, shall be fully  
10 disclosed by the city council at the public hearing. Any resident of the city shall be  
11 given an opportunity to present written or oral testimony at the hearing.

12 (5) As used in this section and ORS 221.727, "sale" includes a lease-option  
13 agreement under which the lessee has the right to buy the leased real property in  
14 accordance with the terms specified in the agreement.

15  
16 The Council finds that it has received all information necessary to make a decision based on the  
17 Staff Report, public hearing testimony and the exhibits and evidence received.

18  
19 The Council finds and determines that this proposal to sell the identified real properties meets all  
20 applicable statutory minimum criteria for eligibility to sell real property, as more fully set forth  
21 herein. Further the City Council finds and determines that the proposed disposition of real  
22 property is deemed "necessary or convenient" to the City, and "furthers the public interest" as  
23 the sale will build funds for workforce or affordable housing projects, consistent with the City's  
24 2017 Housing Needs Analysis. The Council further finds and determines that the properties  
25 identified in Section 3 below are not necessary for public use. The findings herein are supported  
26 by competent substantial evidence in the whole record, incorporated herein by this reference.

27  
28 **SECTION 3. ORDER.** Based on the above Findings set forth herein and based upon the  
29 evidence in the whole record, the City Council hereby approves and directs the sale of the  
30 following real properties:

- 31
- 32 • Tax lot # 06-11-35-00-00403-00 Address: Vacant – Approx. 1.25-acre portion of  
33 property NW of NE Port Drive.
  - 34 • Tax lot # 06-11-35-BB-11200-00 Address: Vacant - West of 6495 NE Sal La Sea DR
  - 35 • Tax lot # 07-11-15-DD-01900-00 Address: Vacant – North of 1025 SW Hwy 101
  - 36 • Tax lot # 07-11-15-DD-02100-00 Address: Vacant – North of 1025 SW Hwy 101
  - 37 • Tax lot # 07-11-15-DD-02200-00 Address: Vacant – North of 1025 SW Hwy 101
  - 38 • Tax lot # 07-11-15-DD-02300-00 Address: Vacant – North of 1025 SW Hwy 101
  - 39 • Tax lot # 07-11-15-DD-02400-00 Address: Vacant – North of 1025 SW Hwy 101
  - 40 • Tax lot # 07-11-27-AB-00700-00 Address: 3230 SE Fleet Ave.
  - 41 • Tax lot # 07-11-22-CD-13505-00 Address: Vacant – SE Corner of SW Coast Ave.  
42 and SW 29<sup>th</sup> St.
- 43

44 The real property sale is delegated to the City Manager and City Attorney who are authorized

1 to execute such deeds and other documents necessary to complete the sale. The Manager and  
2 Attorney are authorized to expend funds necessary to effectuate the sale, including but not  
3 limited to purchase of real estate and title company services and products. All sales are subject  
4 to approval, if needed, of applicable land use actions (e.g. partition). The real property sale is  
5 subject to all encumbrances of record and the sale is for cash. If other consideration is offered  
6 (exchange of real property), the Manager may return to Council in an advertised public hearing if  
7 in the Manager's sole discretion, the offer is worthy of consideration.

8 **SECTION 4. EFFECTIVE DATE.** This resolution is effective as of the date of its adoption and  
9 signature by the Mayor.

10  
11 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 24<sup>th</sup> day of June,  
12 2024.

13  
14  
15 *Susan Kay Wahlke*

16 \_\_\_\_\_  
17 SUSAN WAHLKE, MAYOR

18  
19 ATTEST:

20  
21 *Jamie Young*

22 \_\_\_\_\_  
23 JAMIE YOUNG, CITY RECORDER

24  
25  
26 APPROVED AS TO FORM:

27  
28 *David James Robinson*

29 \_\_\_\_\_  
30 DAVID JAMES ROBINSON

Title	Res 2024-20 Directing Sale of City Prop
File name	Res_2024-20_Res_D...rty-Corrected.doc
Document ID	75fadbd589f8d7aa7fb8f04a3a483145354ea71
Audit trail date format	MM / DD / YYYY
Status	● Signed

---

### Document History



**06 / 25 / 2024**  
15:59:57 UTC

Sent for signature to Susan Wahlke (swahlke@lincolncity.org), David James Robinson (drobinson@lincolncity.org) and Jamie Young (jyoung@lincolncity.org) from jyoung@lincolncity.org  
IP: 206.192.237.34



**06 / 25 / 2024**  
16:00:32 UTC

A new document has been created based off of an existing document with ID 75fadbd589f8d7aa7fb8f04a3a483145354ea71  
IP: 206.192.237.34



**06 / 25 / 2024**  
16:00:32 UTC

Edited by Jamie Young (jyoung@lincolncity.org)  
IP: 206.192.237.34



**06 / 25 / 2024**  
16:00:32 UTC

Signature request resent by Jamie Young (jyoung@lincolncity.org)  
IP: 206.192.237.34

Title	Res 2024-20 Directing Sale of City Prop
File name	Res_2024-20_Res_D...rty-Corrected.doc
Document ID	75fadfdc589f8d7aa7fb8f04a3a483145354ea71
Audit trail date format	MM / DD / YYYY
Status	● Signed

---

## Document History



**06 / 25 / 2024**  
21:30:35 UTC

Viewed by Susan Wahlke (swahlke@lincolncity.org)  
IP: 206.192.237.34



**06 / 25 / 2024**  
21:32:24 UTC

Signed by Susan Wahlke (swahlke@lincolncity.org)  
IP: 206.192.237.34



**06 / 25 / 2024**  
21:40:45 UTC

Viewed by David James Robinson (drobinson@lincolncity.org)  
IP: 47.33.175.206



**06 / 25 / 2024**  
21:41:16 UTC

Signed by David James Robinson (drobinson@lincolncity.org)  
IP: 47.33.175.206



**06 / 25 / 2024**  
21:54:53 UTC

Viewed by Jamie Young (jyoung@lincolncity.org)  
IP: 206.192.237.34



**06 / 25 / 2024**  
21:55:17 UTC

Signed by Jamie Young (jyoung@lincolncity.org)  
IP: 206.192.237.34



**06 / 25 / 2024**  
21:55:17 UTC

The document has been completed.