

**RESOLUTION NO. 725**

**A RESOLUTION TRADING OPEN SPACE LAND FOR PUBLIC PARK LAND AND THE ACQUISITION OF ADDITIONAL PROPERTY WITHIN THE SYLVAN SPRINGS PHASE 2c SUBDIVISION TO EXPAND SANTIAM PARK.**

WHEREAS, the City of Stayton approved the Fernridge Properties, LLC development proposal which included residential and commercial development of 87.51 acres of land located North of Fern Ridge and East of Cascade Highway;

WHEREAS, the Fernridge development was divided into two separate development projects now described as Santiam Station and Sylvan Springs;

WHEREAS, the Santiam Station development Conditions of Approval required the dedication of park land now known as Santiam Park;

WHEREAS, the Sylvan Springs development (PUD) Conditions of Approval required the dedication of open space and, Santiam Park borders the Sylvan Spring development;

WHEREAS, the City of Stayton desired to expand the size of Santiam Park, accordingly, the City Council authorized the City to negotiate the acquisition of additional park land to expand Santiam Park;

WHEREAS, the City of Stayton entered into an agreement with Sylvan Springs, LLC to trade 22,348 square feet of open space land in the Sylvan Springs Phase 2c development (formally identified as lots 85, 86, 87 in the Edwards & Cummings Map Version "C" dated February 8, 2002) for 22,298 square feet of property adjacent to Santiam Park (formally identified as Lot 92 in the Edwards & Cummings Map Version "C" dated February 8, 2002) without numeration between the parties;

WHEREAS, the approved Sylvan Springs plat now combines all of said property into one lot now identified as Lot 91 and designated as open space; and

WHEREAS, the agreement between Sylvan Springs, LLC and the City of Stayton, based on a fair market appraisal, includes the City offering Sylvan Springs, LLC \$40,000 to purchase one residential lot (formally identified as Lot 91) adjacent to Santiam Park, deemed to be appropriate acquisition benefit to the public and the Park.

NOW THEREFORE, BE IT RESOLVED that the City Administrator is authorized to completed the trade of said open space property located in the Sylvan Springs Phase 2c development formally designated as open space for public property adjacent to Santiam Park as described herein for the expansion of Santiam Park; and

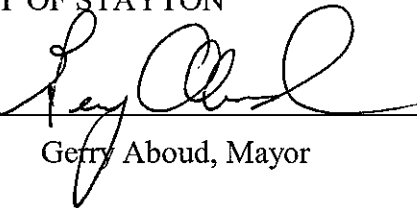
BE IT FURTHER RESOLVED that the City Administrator is authorized to acquire the one lot formally identified as lot 91 for the fair market value of \$40,000 located adjacent to Santiam Park for the expansion of Santiam Park.

This Resolution shall become effective upon adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 21<sup>st</sup> day of April, 2003

CITY OF STAYTON

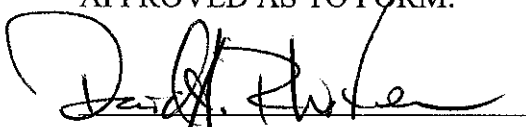
Date: APRIL 22, 2003

By:   
Gerry Aboud, Mayor

Date: April 22, 2003

Attest:   
Chris Childs, Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney