

RESOLUTION 959

A RESOLUTION AUTHORIZING CONDEMNATION OF PROPERTY OWNED BY PETER AND PATSY APPERSON.

RECITALS:

- A. Pursuant to the laws of the State of Oregon, the City of Prineville is duly authorized and empowered to locate, acquire, construct, reconstruct, alter, enlarge, renew, replace, operate and maintain a sewer system and facilities as in the judgment of the City of Prineville are necessary or expedient.
- B. Pursuant to the laws of the State of Oregon, the City of Prineville may acquire, by condemnation, private property deemed necessary for rights of way for sewer purposes.
- C. To serve the City of Prineville and for the health, safety, benefit, and general welfare of the public, the City of Prineville plans to expand the City of Prineville's sewage collection and disposal system and facility.

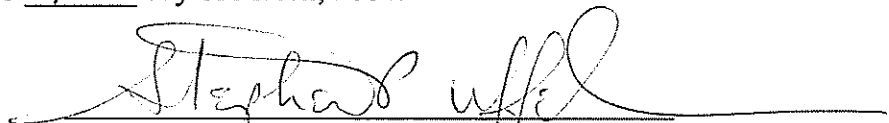
BASED UPON THE ABOVE RECITALS, THE CITY OF PRINEVILLE RESOLVES AS FOLLOWS:

1. The City of Prineville does hereby find and declare that there is needed and required for the location, construction, operation, maintenance, repair, expansion, and improvement of the City of Prineville Sanitary Sewer System and Facility a 50 foot strip of real property owned by Peter and Patsy Apperson, said 50 foot strip being the north westerly 50 feet of Apperson's property described on Crook County Tax Assessor's Map 1416-36, Tax Lot 3300, and more particularly described at Exhibit A attached hereto and by this reference made a part hereof.
2. The location, construction, operation, maintenance, repair, expansion and improvement of the City of Prineville Sanitary Sewer System and Facility for which the real property and interest therein described in Exhibit A is required and is being taken as necessary in the public interest in that the expansion of the sewer system and facility has been planned, designed, located, and will be constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.
3. The City of Prineville through its employees and agents are hereby authorized to attempt to agree with the owners and other persons in interest in the real property and interest therein described on Exhibit A as to the compensation to be paid for the appropriation of the property; and, in the event that no

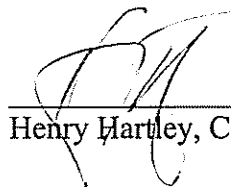
satisfactory agreement can be reached, then the attorney for the City of Prineville be and the same hereby is directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the real property and interest therein and that upon the filing of such proceeding, possession of the real property and interest therein may be taken immediately.

4. This Resolution is effective immediately upon its passage.

PASSED AND ADOPTED THIS 9th day of March, 2004.


STEPHEN P. UFFELMAN, Mayor

ATTEST:


Henry Hartley, City Recorder