

*Ordinance
B/C*

BOARD OF COUNTY COMMISSIONERS

KLAMATH COUNTY, OREGON

**IN THE MATTER OF THE TRANSFER OF)
COUNTY PROPERTY TO KLAMATH) Ordinance No. 72
HOUSING AUTHORITY)**

WHEREAS, Klamath County is in possession of property on which Klamath Housing Authority desires to develop low income housing; and

WHEREAS, ORS 456.365 gives Klamath County the authority to dedicate, sell or convey any of its property to aid and cooperate in the planning, undertaking, and construction of housing projects; and

WHEREAS, as required by ORS 456.370 and the City of Klamath Falls Land Development Code 32.030 (C) (2) (b), notice was given to all owners of real property within two-hundred fifty feet (250') of the property , Klamath County desires to convey to Klamath Housing Authority; and

WHEREAS, notice of the hearing was published in the Herald and News on two consecutive days prior to the date of the scheduled hearing and was posted not less than twenty (20) days prior to the date of the hearing at the Federal Post Office in Klamath Falls, the Klamath County Courthouse Annex, the Klamath Falls City Hall and the office of the Klamath County Planning Director; and

WHEREAS, a hearing was held on April 2, 1997, at 9:30 a.m. and upon verbal notice the Board of County Commissioners continued the hearing on April 9, 1997, at 9:30 a.m. at the Klamath County Commissioners' Conference Room, 409 Pine Street, 2nd Floor, Suite 200, Klamath Falls, Oregon.

NOW, THEREFORE, THE KLAMATH COUNTY BOARD OF COMMISSIONERS ORDAINS as follows:

1. In exchange for a Quitclaim deed to the property described in No. 2 below, Klamath Housing Authority is to pay the outstanding lien held by the State of Oregon Judicial Department in the amount of One Hundred Dollars and No/100 Dollars (\$100.00); and

2. Upon verification that the lien in paragraph No. 1 has been paid, Klamath County will execute a Quitclaim deed to Klamath Housing Authority for that property described as follows:

Lots 1, 2, 3, 4, 5 and 6, Block 10, Stewart situated in Section 7, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

for developing low income housing within five (5) years from the date of the Quitclaim deed. In the event the grantee does not develop low income housing upon the premises within five (5) years, then the above real property shall revert to the grantor herein; and

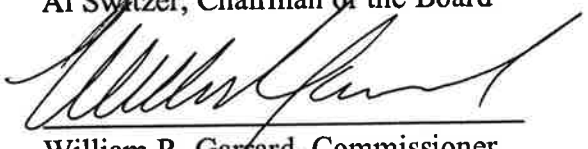
3. The provisions of this Ordinance are severable, and any invalid section, subsection, sentence, clause, phrase or portion of this Ordinance if for any reason is held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not effect the validity of the remaining portions of the Ordinance.

DONE and DATED this 23rd day of April, 1997.

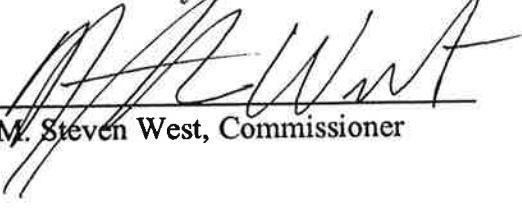
Board of County Commissioner's:



Al Switzer, Chairman of the Board



William R. Garrard, Commissioner



M. Steven West, Commissioner

Approved for Legal Sufficiency:



Reginald R. Davis, Klamath County Counsel