

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40

RESOLUTION NO. 2023-01

**A RESOLUTION OF THE CITY OF LINCOLN CITY AUTHORIZING AND
DIRECTING DISPOSITION OF CITY REAL PROPERTY TO NORTHWEST
COASTAL HOUSING FOR TINY HOME PROJECT**

RECITALS

- A. The City owns real property east of NE Keel Ave. and NE 10th Street Intersection in Lincoln City, Oregon, consisting of City-owned Tax lot 07-11-10-DD-12300-00 [R299582] and associated immediately adjacent vacated right-of-way, if any, [adjacent to Coast Vineyard Church 1505 NE 6TH DR], being more particularly described and shown in Exhibit A attached hereto and made a part hereof by this reference.
- B. On January 23, 2023, the Lincoln City City Council, at the Council Chambers at 801 SW Highway 101, Lincoln City, Oregon conducted an advertised public hearing on the proposed sale / conveyance of the subject property pursuant to ORS 221.725, ORS 271.310 and ORS 271.330.
- C. The advertised purpose of the conveyance / sale, and the reason the City Council finds it necessary or convenient to sell the property, to the domestic non-profit organization "Northwest Coastal Housing" is the City Council's desire to provide affordable housing (Tiny home development) to the City of Lincoln City's homeless population, including wildfire victims.
- D. The nature of the sale / conveyance was advertised as a conveyance to a domestic non-profit corporation of a \$154,050.00 City-owned property with a deed restriction (*fee simple determinable*) that the property must be used for income restricted tiny home project consistent with Dev REV 2023-01, to benefit the City's homeless population, – and if not, the property automatically reverts to the City. As additional security, the City shall retain a note, guaranty and trust deed for the purchase price (property value) of \$154,050 and require an annual payment of +/- \$15,000,00 per year which payment shall be waived annually if the non-profit entity operates an income restricted tiny home project on the subject property meeting the development approval [DEV REV 2023-01] requirements and income restrictions. Operator will also be require to apply income restrictions, stay current on any City or Urban Renewal loans, and maintain not-for profit status.

1 E. The January 23, 2023 City Council Public Hearing and Resolution staff reports,
2 including findings included therein, are incorporated herein by this reference. All
3 evidence of market value was fully disclosed and entered into the record at the
4 public hearing on January 23, 2023.

5
6 F. Pursuant to ORS 221.725, any resident of the City was provided with an
7 opportunity to present oral or written testimony on the subject of the sale to the
8 City Council at the public hearing.

9
10 G. After hearing the staff report and public input, Council closed the hearing and
11 record. On January 23, 2023, after due deliberation, Council made the findings of
12 fact set forth herein and directed the sale / conveyance of the real property with
13 the conditions identified in the staff report and this Resolution.

14
15 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
16 **LINCOLN CITY, AS FOLLOWS:**

17
18 **SECTION 1. RECITALS.** The above recitals are true and correct and are
19 incorporated herein by this reference.

20
21 **SECTION 2. FINDINGS.**

22
23 The Council finds and determines that the relevant statutory criteria for disposition
24 of City real property are found in or referenced in ORS Chapter 271 (specifically ORS
25 271.310 and ORS 271.330) as well as ORS 221.725.

26
27 **ORS 271.310. Transfer or lease of real property owned or controlled**
28 **by political subdivision; Procedure in case of qualified title.**

29
30 (1) Except as provided in subsection (2) of this section, whenever any
31 political subdivision possesses or controls real property not needed for
32 public use, or whenever the public interest may be furthered, a political
33 subdivision may sell, exchange, convey or lease for any period not
34 exceeding 99 years all or any part of their interest in the property to a
35 governmental body or private individual or corporation. The
36 consideration for the transfer or lease may be cash or real property, or
37 both.

38
39 ***

1 (4) Unless the governing body of a political subdivision determines under
2 subsection (1) of this section that the public interest may be furthered,
3 real property needed for public use by any political subdivision owning or
4 controlling the property shall not be sold, exchanged, leased or conveyed
5 under the authority of ORS 271.300 to 271.360, except that it may be
6 exchanged for property which is of equal or superior useful value for
7 public use. Any such property not immediately needed for public use may
8 be leased if, in the discretion of the governing body having control of the
9 property, it will not be needed for public use within the period of the
10 lease.

11
12 **271.330 Relinquishing title of property not needed for public use.**

13
14 * * *

15
16 (2)(a) Any political subdivision is granted express power to relinquish the
17 title to any of the political subdivision's property to a qualifying nonprofit
18 corporation or a municipal corporation for the purpose of providing any of the
19 following:

20 (A) Low income housing;

21 (B) Social services; or

22 (C) Child care services.

23 (b) As used in this subsection:

24 (A) "Qualifying nonprofit corporation" means a corporation that is a public
25 benefit corporation as defined in ORS 65.001 (35) and that has obtained a
26 ruling from the federal Internal Revenue Service providing that the corporation
27 is exempt from federal income taxes under section 501(c)(3) of the Internal
28 Revenue Code.

29 (B) "Social services" and "child care services" include but are not limited to
30 education, training, counseling, health and mental health services and the
31 provision of facilities and administrative services to support social services and
32 child care services.

33
34 **221.725 Sale of city real property; publication of notice; public hearing.**

35
36 (1) Except as provided in ORS 221.727, when a city council considers it
37 necessary or convenient to sell real property or any interest therein, the city
38 council shall publish a notice of the proposed sale in a newspaper of general
39 circulation in the city, and shall hold a public hearing concerning the sale prior
40 to the sale.

1 (2) The notice required by subsection (1) of this section shall be published
2 at least once during the week prior to the public hearing required under this
3 section. The notice shall state the time and place of the public hearing, a
4 description of the property or interest to be sold, the proposed uses for the
5 property and the reasons why the city council considers it necessary or
6 convenient to sell the property. Proof of publication of the notice may be
7 made as provided by ORS 193.070.

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

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

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

21
22 The Council finds that it has received all information necessary to make a decision based
23 on the Staff Report, public hearing testimony and the exhibits and evidence received.
24 The Staff Report and the findings therein are specifically incorporated herein by this
25 reference.

26
27 The Council finds and determines that this proposal to sell / convey the subject property
28 to "Northwest Coastal Housing," a "Qualifying non-profit corporation", with the imposition
29 of conditions as noted herein, meets all applicable statutory minimum criteria for
30 eligibility to sell real property, as more fully set forth herein. Further the City Council
31 finds and determines that the proposed disposition of real property, with conditions,
32 is deemed "necessary or convenient" to the City, and "furthers the public interest" as
33 the sale will further the City Council's desire to provide affordable housing options to the
34 City of Lincoln City's homeless population, including fire victims. The property shall be
35 income restricted consistent with 271.330(2)(a) A. No vacation rental or vacation home
36 use is authorized. The Council further finds and determines that the property identified
37 herein is not necessary for City use. The findings herein are supported by competent
38 substantial evidence in the whole record, incorporated herein by this reference.
39

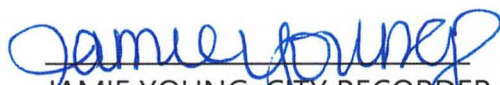
1 **SECTION 3. ORDER.** Based on the above Findings set forth or incorporated herein
2 and based upon the evidence in the whole record, the City Council hereby
3 approves and directs the sale / conveyance of the subject property to Northwest
4 Coastal Housing, subject to all identified conditions, included or referenced herein
5 (e.g. Staff Report conditions, (1) deed restriction (2) forgivable promissory note (3)
6 guaranty (4) trust deed). The real property sale / conveyance is delegated to the
7 City Manager and City Attorney who are authorized to execute such purchase and
8 sale agreements, contracts, security instruments (trust deed, guaranty and note),
9 deeds restrictions and covenants and other documents necessary to complete the
10 sale / conveyance. The City Attorney must approve all documents as to form. The
11 Manager is expressly delegated the authority to sign documents for the City. The
12 Manager and Attorney are authorized to expend funds necessary to effectuate the
13 sale/conveyance, including but not limited to purchase of real estate and title
14 company services and products. When not specifically allocated to a party, closing
15 costs are split between the parties. Closing shall occur within 90 days or this
16 authorization of this Resolution shall be null and void. The sale/conveyance is
17 subject to final land use approval, including all appeals. The real property sale is, as
18 is, and subject to all encumbrances of record.

19
20 **SECTION 4. EFFECTIVE DATE.** This resolution is effective as of the date of its
21 adoption and signature by the Mayor.

22
23 PASSED AND ADOPTED by the City Council of the City of Lincoln City this 23rd day of
24 January, 2023.

25
26 
27 _____
28 SUSAN WAHLKE, MAYOR

29
30 ATTEST:

31
32
33 
34 _____
35 JAMIE YOUNG, CITY RECORDER

36 APPROVED AS TO FORM:

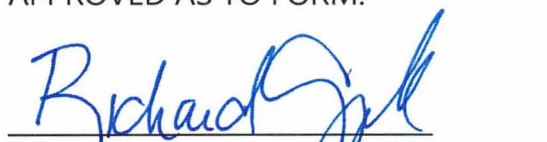
37 
38 _____
39 RICHARD APPICELLO, CITY ATTORNEY
40
41

EXHIBIT A
LEGAL DESCRIPTION

1
2
3
4
5

RAYMOND TOWNSITE, BLOCK 37, LOT 6 & 7, PTNS OF DV137-0077

Property Owner Property Address
 R299582 CITY OF LINCOLN CITY -

2023 In Process Real Market Value
\$154,050

2023 GENERAL INFORMATION

Property Status A Active
 Property Type RP Residential
 Legal Description RAYMOND TOWNSITE, BLOCK 37, LOT 6 & 7,PTNS OF, DV137-0077
 Alternate Account Number -
 Neighborhood LNNB: NORTH LINCOLN CITY RESIDENTIAL LAND
 Map Number 07-11-10-DD-12300-00
 Property Use 940: EX - CITY VACANT
 Levy Code Area 402
 Zoning R-M

RELATED PROPERTIES

Linked Properties -

Print property information

2023 OWNER INFORMATION

Owner Name CITY OF LINCOLN CITY
 Mailing Address PO BOX 50 LINCOLN CITY, OR 97367

EXEMPTIONS/DEFERRALS

EXEMPTION CODE	EXEMPTION DESCRIPTION	EXPIRATION YEAR
CITY	CITY: CITY OWNED	-

2023 LAND SEGMENTS

STATE CODE	SEGMENT TYPE	LAND SIZE
L1	LU: UNDEV RES LOT	0.28 Acres

L2	LU: UNDEV RES LOT	0.28 Acres
----	-------------------	------------

TOTALS 24393.60 Sq. ft / 0.56 acres

CERTIFIED / IN PROCESS VALUES

YEAR	IMPROVEMENTS	LAND	RMV	SPECIAL USE	ASSESSED VALUE	
2023 (In Process)		\$0	\$154,050	\$154,050	\$0	\$0
2022		\$0	\$154,050	\$154,050	\$0	\$0
2021		\$0	\$107,540	\$107,540	\$0	\$0
2020		\$0	\$96,040	\$96,040	\$0	\$0
2019		\$0	\$96,040	\$96,040	\$0	\$0
2018		\$0	\$100,040	\$100,040	\$0	\$0
2017		\$0	\$80,140	\$80,140	\$0	\$0
2016		\$0	\$74,120	\$74,120	\$0	\$0

SALES HISTORY

SALE DATE	SELLER	BUYER	INST #	SALE PRICE	INST TYPE
	CITY OF OCEANLAKE	CITY OF LINCOLN CITY	M-8152	-	MISC MISCELLANEOUS

• If applicable, the described property is receiving special valuation based upon its use. Additional rollback taxes which may become due based on the provisions of the special valuation are not indicated in this listing.

TAX SUMMARY

Effective Date: 1/12/2023 [Details](#)

TAXYEAR	TOTAL BILLED	AD VALOREM	SPECIAL ASMT	PRINCIPAL	INTEREST	DATE PAID	TOTAL OWED
2022	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2021	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00

TOTAL TAXES DUE

Current Year Due	\$0.00
Past Years Due	\$0.00
Total Due	\$0.00

2020	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2019	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2018	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2017	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2016	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2015	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2014	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2013	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2012	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2011	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2010	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2009	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2008	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2007	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2006	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2005	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2004	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2003	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2002	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2001	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
2000	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
1999	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
1998	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00
1997	\$0.00	\$0.00	\$0	\$0.00	\$0.00	-	\$0.00

Payment History for R299582 not found.

Please contact the Assessor's office if you have further questions.