

RESOLUTION NO. 2218

A RESOLUTION APPROVING ADDENDUM NO. 2 TO THE DISPOSITION AND DEVELOPMENT AGREEMENT FOR CREEKSIDE WOODS SENIOR HOUSING, A LOW-INCOME APARTMENT DEVELOPMENT OWNED AND OPERATED BY CREEKSIDE WOODS LIMITED PARTNERSHIP

WHEREAS, the City of Wilsonville, the City of Wilsonville Urban Renewal Agency, and Northwest Housing Alternatives, Inc. entered into that certain Disposition and Development Agreement (DDA) for a senior affordable housing project, also known as Creekside Woods, made as of December 15, 2008; and

WHEREAS, the DDA contemplated a revised legal description exhibit upon recording of the plat; and

WHEREAS, plat has been duly recorded in Clackamas County deed records; and

WHEREAS, Addendum No. 2 to the Disposition and Development Agreement serves to replace Exhibit A, Legal Description in full with the revised Exhibit A, Legal Description.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

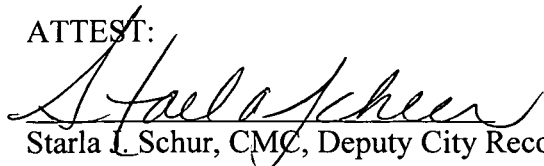
1. The City of Wilsonville approves Addendum No. 2 to Disposition and Development Agreement and authorizes the City Manager to execute the Addendum on behalf of the City.
2. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7th day of December, 2009, and filed with the Wilsonville City Recorder this date.



Alan Kirk, City Council President

ATTEST:



Starla L. Schur, CMC, Deputy City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Excused
Councilor Kirk	Yes
Councilor Nunez	Yes
Councilor Ripple	Yes
Councilor Hurst	Yes

Attachment:

Exhibit A – Addendum No. 2 to Disposition and Development Agreement

**ADDENDUM NO. 2 TO DISPOSITION AND
DEVELOPMENT AGREEMENT**
**Amending the Disposition and Development Agreement
by Replacing Exhibit A, Legal Description, with
a revised Exhibit A, Legal Description**

This Addendum No. 2 ("Addendum") to the Disposition and Development Agreement ("DDA") is made as of December 7, 2009, by and between the City of Wilsonville, an Oregon Public Body Corporate and Politic (in such capacity, the "City"); City of Wilsonville Urban Renewal Agency, an Oregon Public Body Corporate and Politic ("Agency"); and Northwest Housing Alternatives, Inc., an Oregon nonprofit corporation ("Nonprofit Developer"). City Agency and Nonprofit Developer are jointly referred to in this Addendum as "Parties" and individually as a "Party".

RECITALS

WHEREAS, the Parties previously entered into that certain Disposition and Development Agreement (DDA) for a senior affordable housing project, also known as Creekside, made as of December 15, 2008; and

WHEREAS, the DDA contemplated a revised legal description exhibit upon recording of the plat; and

WHEREAS, plat has been duly recorded in Clackamas County deed records;

NOW, THEREFORE, the Parties agree that Exhibit A, Legal Description, to the DDA is deleted and is replaced in full by the revised Exhibit A, Legal Description, attached hereto and incorporated herein by reference, effective as of December 7, 2009.

IN WITNESS WHEREOF, the Parties have hereunto set their signatures and seals to this Addendum No. 2 as of the date first above written.

AGENCY:

CITY OF WILSONVILLE URBAN
RENEWAL AGENCY

By: _____

Print name: _____

Title: _____

NONPROFIT DEVELOPER:

NORTHWEST HOUSING
ALTERNATIVES, INC.

By: _____

Print name: _____

Title: _____

**ADDENDUM NO. 2 TO DISPOSITION AND
DEVELOPMENT AGREEMENT (continued)**

CITY:

CITY OF WILSONVILLE

By: _____

Name: _____

Title: _____

APPROVED AS TO FORM

This ____ day of December, 2009

Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

EXHIBIT:

Exhibit A, Legal Description

**ADDENDUM NO. 2 TO DISPOSITION AND
DEVELOPMENT AGREEMENT (continued)**

EXHIBIT A

DESCRIPTION OF PROPERTY

Parcel 2, PARTITION PLAT NO. 2009-072, in the City of Wilsonville, County of Clackamas, and State of Oregon.

SUBJECT TO the easements as set forth on the aforementioned parcel as platted, and the encumbrances as set forth in Chicago Title Insurance Company of Oregon's Sixth Supplemental Preliminary Title Report, Order No. 466163, dated November 19, 2009.