

RESOLUTION NO. 1591

A RESOLUTION ACCEPTING A DEED OF DEDICATION FROM WILSONVILLE MEADOWS HOMEOWNERS' ASSOCIATION FOR A PUBLIC PARK IN WILSONVILLE MEADOWS.

WHEREAS, the City of Wilsonville has an adopted Parks Master Plan, including a plan for neighborhood parks; and

WHEREAS, Randall Realty Corp., the developer of Wilsonville Meadows, dedicated a public recreation easement for Wilsonville Meadows Park, a neighborhood park, and caused ownership in the Wilsonville Meadows Park to be in the Wilsonville Meadows Homeowners' Association (WMHA); and

WHEREAS, the WMHA has duly approved and authorized the dedication of the Wilsonville Meadows Park land to the City, as shown in Deed of Dedication with attached WMHA authorizing resolution, a copy of which is attached hereto as "Exhibit 1" and incorporated by reference herein, and in keeping with the WMHA letter of November 16, 1998, to the City's Community Services Director, a copy of which is attached hereto as "Exhibit 2" and incorporated by reference herein; and

WHEREAS, the City has performed the work set forth in paragraph numbers 2, 3 and 4 in Exhibit 2; and

WHEREAS, the conditions of approval for the development of Wilsonville Meadows 7 required that the WMHA be responsible for maintaining the park; and WMHA has acknowledged in Exhibit 2 its responsibility to continue to maintain the park after dedication; and

WHEREAS, the Community Services staff and the Finance Director have reviewed and found that the requirements of the City's Land Acquisition Policies set forth in the City's Fiscal Management Policy for acceptance of land have been met and a

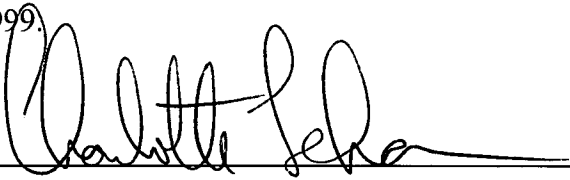
public benefit will be enjoyed by acquisition of this land, which Land Acquisition Policies are attached hereto as "Exhibit 3" and incorporated by reference herein;

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

1. Based upon the above recitals, the City of Wilsonville accepts the dedication of Wilsonville Meadows Park for use of the public as set forth in the Deed of Dedication from the Wilsonville Meadows Homeowners' Association, and the Mayor is hereby authorized to sign the acceptance on said Deed of Dedication; and

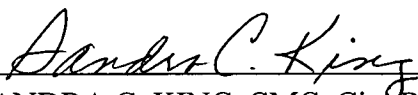
2. The City's acceptance of the Deed of Dedication does not void, change or modify the responsibilities of the Wilsonville Meadows Homeowners' Association for maintaining the park as a condition of development approval of Wilsonville Meadows 7.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 20th day of September, 1999.



CHARLOTTE LEHAN, Mayor

Attest:



SANDRA C. KING, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Holt	<u>Yes</u>

DEED OF DEDICATION
Grantor - Nonprofit Corporation

Exhibit 1

KNOW ALL MEN BY THESE PRESENTS, that **WILSONVILLE MEADOWS HOMEOWNERS' ASSOCIATION, INC.**, an Oregon nonprofit corporation, hereinafter referred to as "Grantor", does hereby dedicate, grant, transfer and convey to the **CITY OF WILSONVILLE** and its assigns for the use of the public, forever, certain real property described as follows, to-wit:

Tract "A", WILSONVILLE MEADOWS NO. 7, in the City of Wilsonville, County of Clackamas and State of Oregon;
SEE "Exhibit A" Locational Map attached hereto, and incorporated by reference as if fully set forth herein.

TO HAVE AND TO HOLD the above described and dedicated premises unto the City of Wilsonville for the Public forever for open space, park and recreation, and such other public purposes as the City may determine; provided, however, in the event said premises are not used or cease to be used for a public purpose, the premises shall revert to the GRANTOR.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$-0-.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

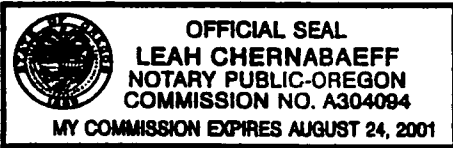
IN WITNESS WHEREOF, the undersigned GRANTOR has executed this dedication this 16 day of AUGUST, 1999.

Grantor: **WILSONVILLE MEADOWS HOMEOWNERS' ASSOCIATION, INC.**

By Gerson A. Pickett
(Name of Duly Authorized Representative)
PRESIDENT
Title

STATE OF OREGON)
County of Washington) ss

This instrument was acknowledged before me on the 16th day of August 1999, by Grea Duckett as President (title) of Wilsonville Meadows Homeowners' Association, Inc.

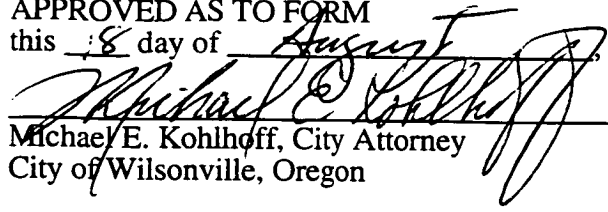


[Signature]
Notary Public for Oregon
My Commission Expires: Aug. 24, 2001

After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
30000 SW Town Center Loop, E.
Wilsonville, OR 97070

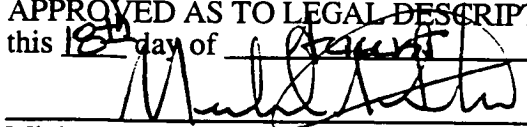
Until further notice, send all tax statements to:
SAME

APPROVED AS TO FORM
this 8 day of August, 1999.



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

APPROVED AS TO LEGAL DESCRIPTION
this 18 day of August, 1999.



Michael A. Stone, P.E., City Engineer
City of Wilsonville, Oregon

ACCEPTED on behalf of the City of Wilsonville, Oregon
this ____ day of _____, 1999.

Arlene Loble, City Manager

ATTESTED TO:

Sandra C. King, City Recorder

Date

CHICAGO



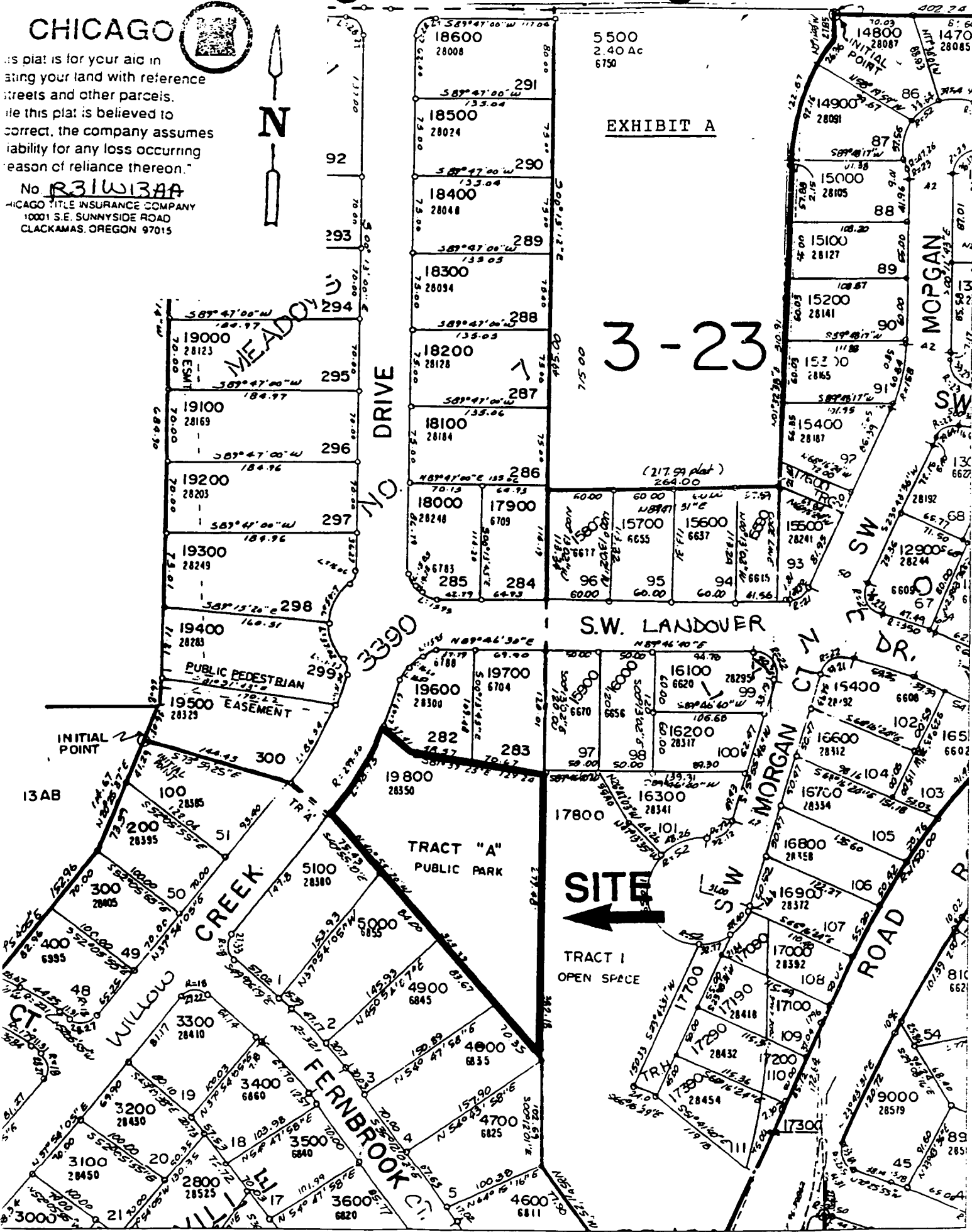
This plat is for your aid in locating your land with reference to streets and other parcels. This plat is believed to be correct. The company assumes no liability for any loss occurring by reason of reliance thereon.

No. **R31W13AA**
CHICAGO TITLE INSURANCE COMPANY
10001 S.E. SUNNYSIDE ROAD
CLACKAMAS, OREGON 97015



EXHIBIT A

3-23



NO. DRIVE

S.W. LANDOVER

SITE

TRACT I
OPEN SPACE

TRACT "A"
PUBLIC PARK

WILLOW CREEK

FERNBROOK CT

MORGAN

ROAD

13AB

INITIAL POINT
PUBLIC PEDESTRIAN
EASEMENT

(217.99 Plat)
264.00

MEADOW

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WILSONVILLE MEADOWS HOMEOWNERS ASSOCIATION
c/o Northwest Community Management
7320 SW Hunziker St., Suite #320
Tigard, Oregon 97223
(503) 670-8111

August 11, 1999

City of Wilsonville
30000 SW Town Center Loop E
Wilsonville, Oregon 97070

Subject: Tract "A" Wilsonville Meadows No. 7

Resolved that a majority of the voting membership of Wilsonville Meadows Homeowners Association having approved conveyance of Tract "A", WILSONVILLE MEADOWS NO. 7 from Wilsonville Meadows Homeowners Association to the City of Wilsonville for use as a city park; and be it further resolved that the Board of Directors of the Wilsonville Meadows Homeowners Association does hereby authorize Greg Puckett to execute all documents necessary to convey the Tract "A", WILSONVILLE MEADOWS NO. 7 to the City of Wilsonville for use as a park, pursuant to Article VII, Section 6, Bylaws of Wilsonville Meadows Homeowners Association, Inc. dated 12/5/89.

Dated this 11th Day of August 1999.



Greg Puckett, President



Rick Martin, Secretary



Deborah Melville, Director

WILSONVILLE MEADOWS HOMEOWNERS ASSOCIATION
c/o Northwest Community Management
7320 SW Hunziker St., Suite #320
Tigard, Oregon 97223
(503) 670-8111

August 11, 1999

City of Wilsonville
30000 SW Town Center Loop E
Wilsonville, Oregon 97070

Subject: Tract "A" Wilsonville Meadows No. 7

Resolved that a majority of the voting membership of Wilsonville Meadows Homeowners Association having approved conveyance of Tract "A", WILSONVILLE MEADOWS NO. 7 from Wilsonville Meadows Homeowners Association to the City of Wilsonville for use as a city park; and be it further resolved that the Board of Directors of the Wilsonville Meadows Homeowners Association does hereby authorize Greg Puckett to execute all documents necessary to convey the Tract "A", WILSONVILLE MEADOWS NO. 7 to the City of Wilsonville for use as a park, pursuant to Article VII, Section 6, Bylaws of Wilsonville Meadows Homeowners Association, Inc. dated 12/5/89.

Dated this 11th Day of August 1999.



Greg Puckett, President



Rick Martin, Secretary



Deborah Melville, Director

Wilsonville Meadows Homeowners Association
c/o Northwest Community Management
P.O. Box 23099
Tigard, Oregon 97261-3099
Phone: (503) 870-8111

Exhibit 2

November 16, 1998

Cathy Harrington
Community Services Director
City of Wilsonville
30000 SW Town Center Loop E
Wilsonville, Oregon 97070

RE: Wilsonville Meadows
Park Completion Agreement

Dear Ms. Harrington:

The Board of Directors of the Wilsonville Meadows Homeowners Association ("Association") has accepted the city's proposal for the park located on Willow Creek Road.

1. The Association agrees to transfer title to the City of Wilsonville for the park site.
2. The City will assume the liability for the park and provide for new and additional trees, a park bench, plant materials and clear away the invasive weeds and vegetation. Said work to be in accordance with the plan attached hereto.
3. The City will assist in the planting effort, but the primary labor will be supplied by the Association.
4. The City will cause to be replaced the nine (9) dead trees now in the park, and to have a picnic bench installed on a concrete pad.
5. The park will be public, subject to standard City park regulations.
6. The Association will be responsible for maintenance of the park, and agrees that any changes to the park will be submitted to the City for review and approval in advance.

This agreement is hereby approved by the undersigned members of the Board of Directors.

Robert Weaver
Robert Weaver, President

11/17/98
Date

Greg Puckett, Secretary

Date

Jim Collins, Treasurer

Date

Michael Gangle, Director

Date

Michael Coffey, Director

Date

FISCAL MANAGEMENT POLICY

consultants and the various services and fee structures available from independent financial advisors, investment banking firms and commercial banks. The city shall carefully review and keep to a minimum all costs associated with the issuance of debt. The city will balance its need to keep these costs to a minimum with its goal of conducting business with stable, low risk and credit worthy firms.

ACCOUNTING POLICIES**A. Maintenance of Accounting Records**

The city shall establish and maintain its accounting systems in accordance with Generally Accepted Accounting Principles (GAAP) and shall adhere to the principles and standards promulgated by the Government Finance Officers Association (GFOA), Government Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB). The city shall maintain an accurate and current record of its fixed assets in order to factor its investment in these fixed assets into the fees the city charges for its services.

B. External Audit

An annual audit shall be performed by an independent public accounting firm, which will issue an official opinion on the annual financial statements, along with a management letter identifying areas needing improvement, if necessary. The annual audit report is presented to the City Council by the city's independent public accounting firm.

C. Financial Reporting

1. A Comprehensive Annual Financial Report (CAFR) shall be submitted to present the results, financial position, and operations of the city for the prior fiscal year.
2. Comprehensive Monthly Financial Reports (CMFR) will be presented to the city manager and department heads (by the 15th working day of the subsequent month). Such reports will enable the city manager and department heads to be informed as to the financial status of the city. On a quarterly basis, a comprehensive financial report will be sent to the City Council.

LAND ACQUISITION POLICIES**A. Scope**

These policies will cover the following types of land acquisition transactions: park land, open spaces and land for city facilities and buildings. These policies cover the aforementioned types of land acquisitions regardless of how the land was acquired by the city (purchase, lease, condemnation, donation, etc.) These policies exclude easements, right-of-ways and liens.

B. Approval of Land Acquisitions

The City Council needs to approve all land acquisitions entered into by the city. The city will consider opportunistic purchases of land to serve anticipated future needs.

C. Checklist

To facilitate the City Council's review/approval process, the following questions/issues need to be addressed by the sponsor of each proposed land acquisition:

1. A detailed description of the property being acquired, including an identification of what the land will be used for by the city
2. A detailed analysis of why this is the right time to acquire this land.
3. A title report.
4. The full cost of the land acquisition needs to be provided including the following:
 - a. purchase price
 - b. funding source (dedicated funds, debt, no debt, lease with purchase option)
 - c. estimated annual operating costs to be borne by the city for a five year period following the date of acquisition
 - d. estimated revenue loss (property taxes) for the five year period following the date of acquisition
 - e. associated costs such as taxes owed or lien removals
5. State whether this land acquisition was included in both the city's five-year strategic financial plan and its current budget, if not where are the funds coming from and what's the effect on the city's plan and budget.
6. State that the land is in the city's comprehensive plan. Also, list its zoning designation.
7. State whether this land acquisition was contemplated by the appropriate master plan - if not - why is this acquisition being made.
8. State whether a phase I environmental assessment of the land being acquired needs to be performed and if so, at whose cost. This assessment includes a review of the historical use of the land
9. State whether there are any applicable legal issues, such as effects of covenants that run with the land or status regarding tax exemptions.
10. State whether there are any repair, maintenance, ADA or code enforcement issues that may be associated with any improvements on the land.

D. Review by Staff and Finance Director

All submissions submitted to the City Council related to land acquisitions will be accompanied by staff and Finance Director review and recommendation.