

**RESOLUTION NO.1744**

**A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO NEGOTIATE AND ACQUIRE LAND FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THE PARKWAY AVENUE IMPROVEMENTS NORTH OF BOECKMAN ROAD**

WHEREAS, under and by virtue of the laws of the State of Oregon and under its charter, the City of Wilsonville is duly authorized and empowered to construct, operate, maintain, reconstruct and repair the street, water, sanitary sewer, and storm drain systems public improvements within the City and to provide rights-of-way and easements for such public utilities; and

WHEREAS, in order to carry out its public purpose in providing for the aforementioned public improvements for its street, water, sanitary sewer and storm drain systems as defined herein, the City may acquire such real property as may be deemed necessary and proper for such public purpose; and

WHEREAS, the City of Wilsonville is lawfully empowered to construct certain planned public improvements projects, and to acquire land necessary and proper for such public purposes and to do so in conjunction with the City of Wilsonville's Master Transportation and Utility Plans and the adopted 2001/02 budget; and

WHEREAS, the public improvements associated with the Parkway Avenue Improvements North of Boeckman Road are a duly authorized City Project; and

WHEREAS, in comparing the cost amount for project construction and the property interest along with the existing use of the subject property, the alternative presented herein reflects the least amount of property interest to ensure safe, efficient and adequate public improvements.

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

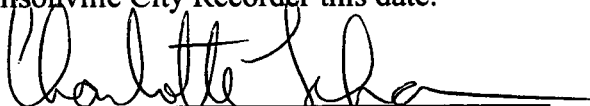
1. There is needed and required, for the public purpose of providing public improvements for residents of the City of Wilsonville, acquisition of property interest of that property identified as Exhibit 1 attached hereto and by this reference made a part hereof.

2. The real property is required for the aforementioned public improvements, and the improvements have been planned and located in a manner most compatible with the greatest public good and the least private injury.

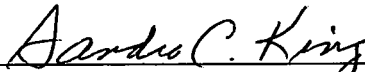
3. The City staff and its attorneys are authorized and directed to negotiate with the owners of the real property herein described as to the compensation to paid for the acquisition of the property and, in the event agreement cannot be reached, then to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the real property or property interest.

4. Upon trial of and action of condemnation, the attorneys for the City are authorized to make such stipulation, agreement or admission as in their judgment may be in the best interests of the City.

ADOPTED by the City Council of Wilsonville Council at a regular meeting thereof this 3<sup>rd</sup> day of December 2001, and filed with the Wilsonville City Recorder this date.

  
CHARLOTTE LEHAN, Mayor

ATTEST:

  
SANDRA C. KING, City Recorder

SUMMARY of Votes:

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Holt	Yes

**Olson Engineering, Inc.**  
Land Surveyors Engineers  
(360) 695-1385  
1111 Broadway  
Vancouver, WA 98660

Exhibit 1  
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**LEGAL DESCRIPTION FOR EBY INVESTMENTS**  
Street Dedication ~ T. L. 700

**April 30, 2001**

A parcel of property situated in the Southeast quarter of Section 11, Township 3 South, Range 1 West of the Willamette Meridian in Clackamas County, Oregon, described as follows:

COMMENCING at the Northerly Northwest corner of Parcel 2, Partition Plat 2000-089, said point being on the Easterly right-of-way line of Parkway Avenue 30.00 feet East of, when measured at right angles to, the centerline of said Parkway Avenue;

THENCE South  $10^{\circ} 29' 01''$  East along the Easterly right-of-way line of said Parkway Avenue a distance of 679.96 feet to a point on a 2261.83 foot radius curve to the left;

THENCE South  $79^{\circ} 30' 59''$  West a distance of 61.00 feet to a point on the Westerly right-of-way line of Parkway Avenue, said point being 31.00 feet Westerly of, when measured at right angles to, the centerline of Parkway Avenue and being on a 2322.83 foot radius curve to the left having a tangent bearing of South  $10^{\circ} 29' 01''$  East into said curve at this point and the TRUE POINT OF BEGINNING;

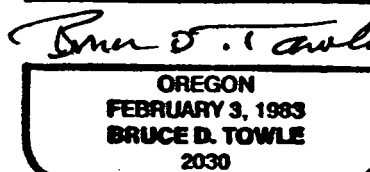
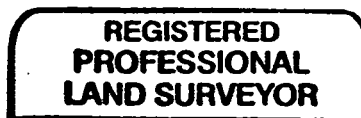
THENCE along said right-of-way line around said 2322.83 foot radius curve to the left through a central angle of  $06^{\circ} 48' 22''$  (the long chord of which bears South  $13^{\circ} 53' 13''$  East a distance of 275.77 feet) a distance of 275.93 feet to a point on 410.00 foot radius curve to the right having a tangent bearing of North  $26^{\circ} 13' 33''$  West into said curve at this point;

THENCE around said 410.00 foot radius curve to the right through a central angle of  $15^{\circ} 23' 53''$  (the long chord of which bears North  $18^{\circ} 31' 36''$  West a distance of 109.85 feet) a distance of 110.19 feet;

THENCE North  $10^{\circ} 49' 40''$  West a distance of 166.51 feet to the TRUE POINT OF BEGINNING.

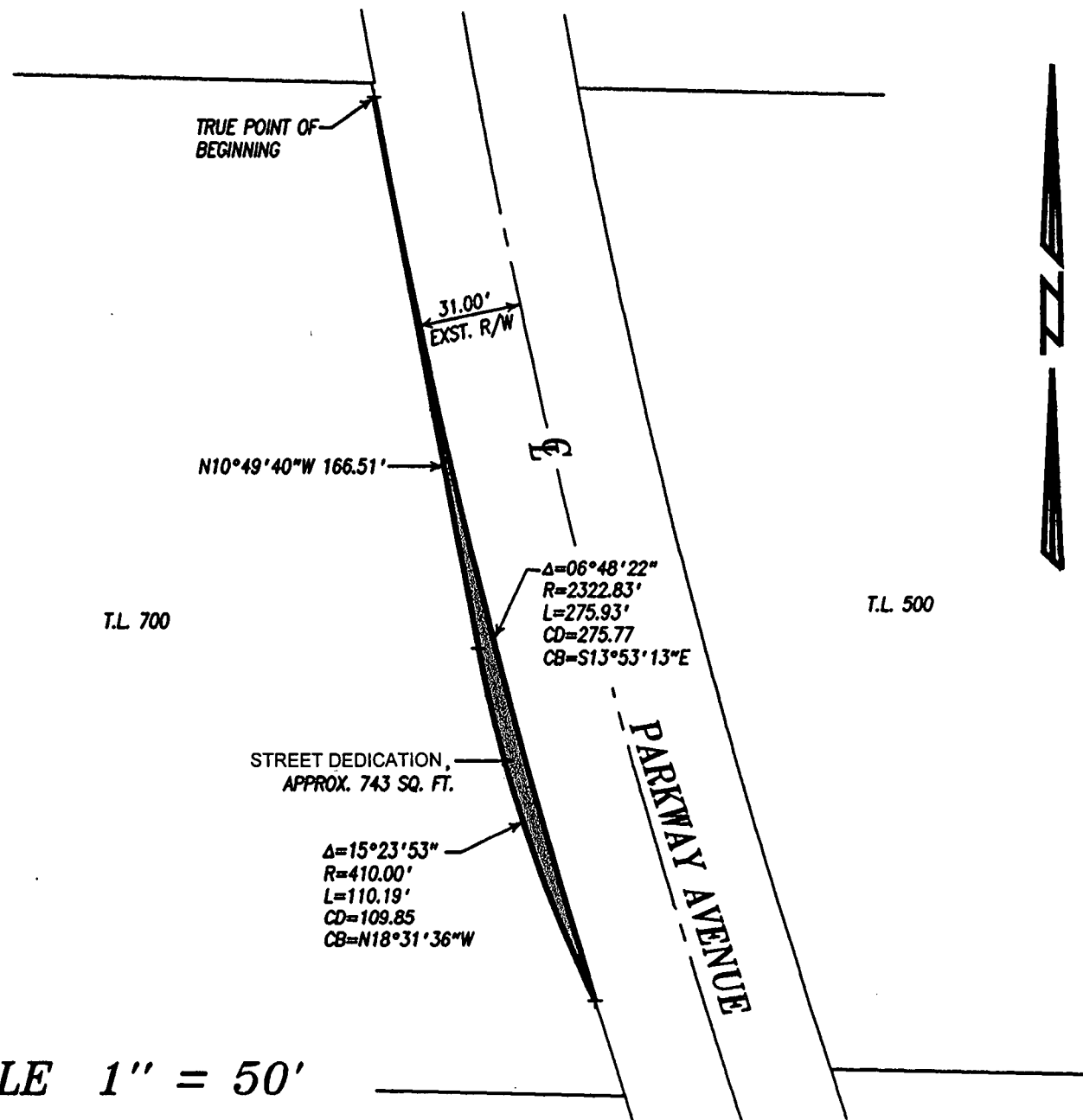
Containing 743 square feet, more or less.

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DLW/dtw



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RENEWAL DATE: 6/30/02



SCALE 1" = 50'



Exhibit 1  
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