

RESOLUTION NO. 2144

A RESOLUTION OF THE CITY OF WILSONVILLE ACCEPTING A STREET DEDICATION FOR A PORTION OF JESSICA STREET ASSOCIATED WITH THE CITY LIBRARY PROPERTY.

WHEREAS, the City of Wilsonville is the owner of real property containing the City Library located at 8200 SW Wilsonville Road, also known as Tax lot 00601 in Section 24, Township 3 South, Range 1 West, Willamette Meridian; and

WHEREAS, portions of Jessica Street have been constructed over the south portion of said property; and

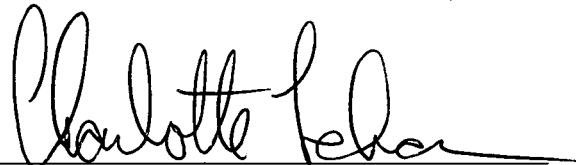
WHEREAS, the City Engineer recommends the transfer of that portion of the real property containing Jessica Street to public right of way; and

WHEREAS, the Public Works Department will continue to operate and maintain the existing City street and infrastructure.

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

1. The street dedication, legal description, and exhibit map, copies of which are marked "Exhibit A", "Exhibit B", and "Exhibit C" respectively, attached hereto and incorporated herein are hereby approved for execution by the City of Wilsonville.
2. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 20th day of October, 2008, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Lehan Excused

Councilor Kirk Yes

Councilor Knapp Yes

Councilor Ripple Yes

Councilor Nunez Yes

**CITY COUNCIL MEETING
STAFF REPORT OR REQUEST FOR ACTION**

RESOLUTION NO. 2144

A Resolution Of The City Of Wilsonville Accepting A Street Dedication For A Portion Of Jessica Street Associated With The City Library Property.

Meeting Date: October 20, 2008
Report Date: October 20, 2008
570-1546
Source of Item: Engineer Department

Contact: Gerald Fisher
Contact Telephone Number:

STAFF'S RECOMMENDATION

Staff respectfully recommends that the City Council approve the dedication of Jessica Street.

SUMMARY

The attached Resolution No. 2144 authorizes transfer of a portion of 8200 SW Wilsonville Road, identified as 31W24__00601 in Clackamas County records, from the City of Wilsonville as the private property owner of the Public Library property to the City of Wilsonville as public right of way for roadway purposes through a Street Dedication. The dedication will transfer property and continue the operation and maintenance of the existing Public Street and infrastructure by the Public Works Department.

BACKGROUND

The Resolution is for the transfer of a southern portion of Tax lot 601 from the City of Wilsonville Library to public right-of-way. This portion of Jessica Street is currently operated and maintained by the Public Works Department. The dedication of this public right-of-way will maintain consistency with other property that has a public roadway constructed upon it. This dedication is a continuation of project #4145 for the dedication of public right-of-way for all streets operated and maintained by the City of Wilsonville.

EXHIBIT A

STREET DEDICATION

Grantor - Corporation

After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
29799 SW Town Center Loop E.
Wilsonville, OR 97070

KNOW ALL MEN BY THESE PRESENTS, that CITY OF WILSONVILLE, a municipal 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 as public way, street and road, forever, certain real property described as follows, to-wit:

SEE EXHIBIT "A" Legal Description AND EXHIBIT "B" 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 the uses and purposes herein above mentioned; provided, however, in the event said premises are not used or cease to be used for public purpose, the premises shall revert to the GRANTOR.

The true and actual consideration paid for the transfer, stated in terms of dollars, is \$ -0-. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

IN WITNESS WHEREOF, the undersigned GRANTOR has executed this easement, this _____ day of _____, 200__.

GRANTOR: City of Wilsonville
(Name of Corporation)

Arlene Loble

City Manager

STATE OF OREGON)
) ss
County of _____)

On this _____ day of _____, 200__, before me, a notary public in and for said County and State, personally appeared _____, known to me to be the person whose name _____ subscribed to the within instrument and acknowledged that _____ executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

APPROVED AS TO FORM
this _____ day of _____, 200__.

Paul A. Lee, Assistant City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION
this _____ day of _____, 200__.

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

ACCEPTED on behalf of the City of Wilsonville,
OR, this _____ day of _____, 200__.

Arlene Loble, City Manager

ATTESTED TO:

Sandra C. King, MMC, City Recorder
Date: _____

STATE OF OREGON)
) ss
County of Clackamas)

On this _____ day of _____, 200__, before me personally appeared _____, personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that she executed the same.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

EXHIBIT B

1197-05
JESSICA STREET DEDICATION
PROPERTY DESCRIPTION
JULY 14, 2008
SHEET 1 OF 1

EXHIBIT "A"

A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN DEED DOCUMENT 69-11979, RECORDED JUNE 27, 1969, CLACKAMAS COUNTY DEED RECORDS, SITUATE IN THE NORTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 5, PLAT OF "MAIN STREET VILLAGE", RECORDED AS PLAT NO. 3642, PLAT BOOK 119, PAGE 14, CLACKAMAS COUNTY PLAT RECORDS, SAID POINT BEING ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED DOCUMENT NO. 69-11979, ALSO BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF JESSICA STREET, SAID POINT BEING 29.5 FEET FROM THE CENTERLINE, WHEN MEASURED AT RIGHT ANGLES; THENCE LEAVING SAID WEST LINE, SOUTH $62^{\circ}18'38''$ EAST, A DISTANCE OF 151.18 FEET; THENCE NORTH $80^{\circ}00'39''$ EAST, A DISTANCE OF 15.28 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF MEMORIAL DRIVE AND A POINT OF NON-TANGENT CURVATURE, A RADIAL LINE THROUGH SAID POINT BEARS NORTH $47^{\circ}40'05''$ WEST; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND THE ARC OF A 730.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF $6^{\circ}35'58''$ (THE CHORD OF WHICH BEARS SOUTH $39^{\circ}01'56''$ WEST, 84.04 FEET), AN ARC DISTANCE OF 84.08 FEET TO A POINT OF NON-TANGENCY, A RADIAL LINE THROUGH SAID POINT BEARS NORTH $54^{\circ}16'03''$ WEST, SAID POINT BEING THE MOST EASTERLY NORTHEAST CORNER OF THE PLAT OF "VILLAGE ESTATES CONDOMINIUM SUPPLEMENTAL PLAT NO. 1: ANNEXATION OF STAGE 2"; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE NORTH LINE OF SAID PLAT, NORTH $13^{\circ}37'17''$ WEST, A DISTANCE OF 18.71 FEET; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH $62^{\circ}18'38''$ WEST, A DISTANCE OF 105.99 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN DEED DOCUMENT NO. 69-11979, SAID POINT ALSO BEING ON THE SOUTH RIGHT-OF-WAY LINE OF JESSICA STREET, SAID POINT BEING 29.5 FEET FROM THE CENTERLINE, WHEN MEASURED AT RIGHT ANGLES; THENCE LEAVING SAID NORTH LINE AND SOUTH RIGHT-OF-WAY LINE, ALONG SAID WEST LINE, NORTH $01^{\circ}59'02''$ EAST, A DISTANCE OF 65.48 FEET TO THE POINT OF BEGINNING.

CONTAINS 8,422 SQUARE FEET, MORE OR LESS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

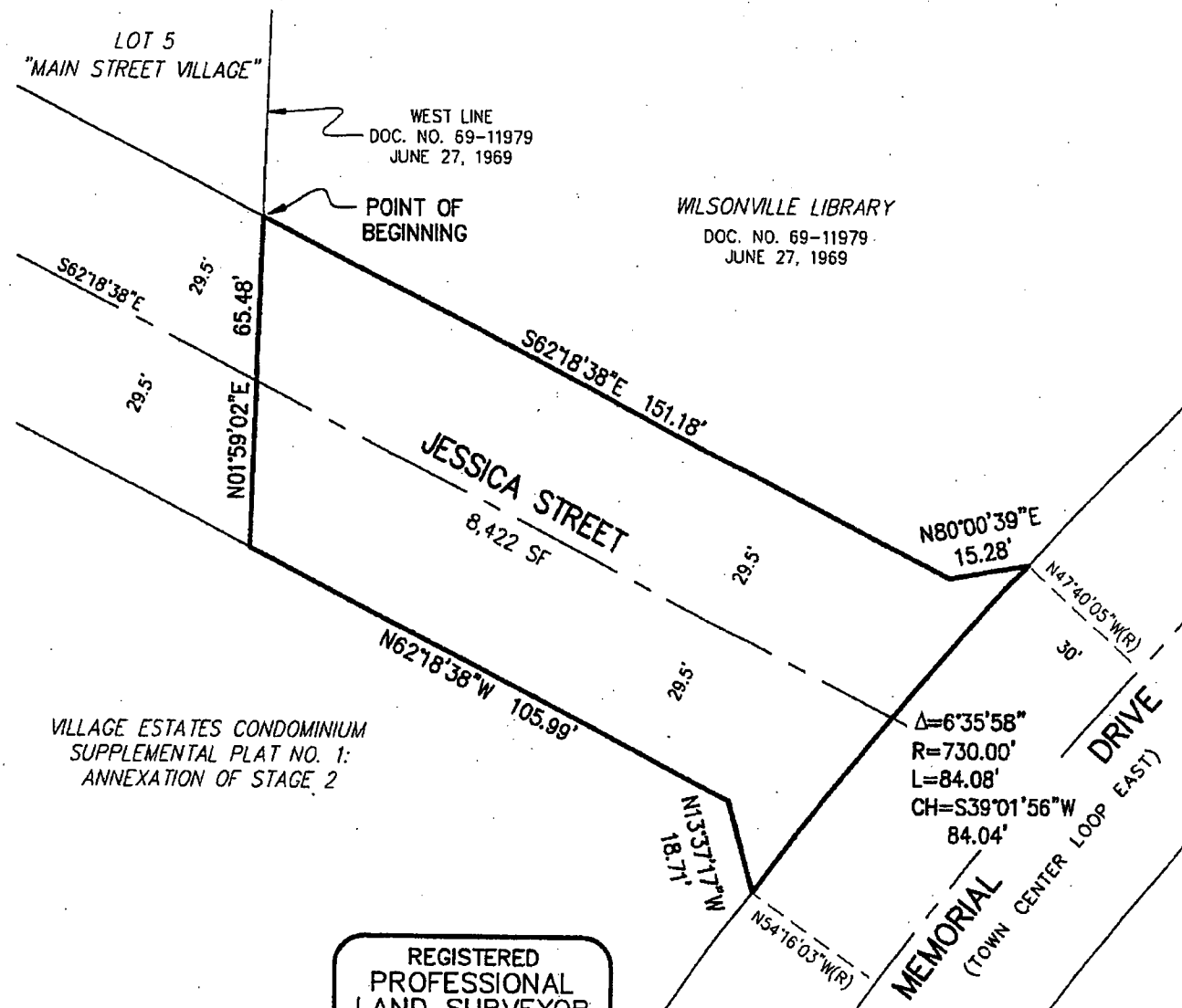
John P. Tacchini
OREGON
JANUARY 15, 1987
JOHN P. TACCHINI
2267

6/30/10
RENEWAL

EXHIBIT C

EXHIBIT "B"

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 24,
TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON
JULY 14, 2008



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John P. Tacchini
OREGON
JANUARY 15, 1987
JOHN P. TACCHINI
2267



SCALE: 1" = 30'

LEGEND

- SF SQUARE FEET
- (R) RADIAL
- DOC. NO. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
- 06-30-10 RENEWAL

WESTLAKE
CONSULTANTS, INC

ENGINEERING • SURVEYING • PLANNING

PACIFIC CORPORATE CENTER
15116 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157