

RESOLUTION NO. 1423

**A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO
NEGOTIATE AND ACQUIRE PROPERTY INTERESTS FOR THE CONSTRUCTION
OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH WILSONVILLE ROAD
IMPROVEMENTS, TOWN CENTER LOOP WEST TO TOWN CENTER LOOP EAST**

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 Utility and Transportation Plans; and

WHEREAS, the Wilsonville Road public improvements from Town Center Loop West to Town Center Loop East are a duly authorized City Project; and

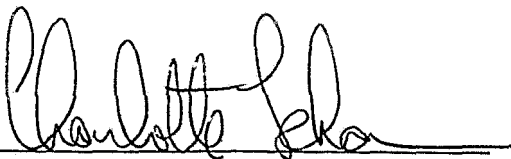
WHEREAS, Ordinance No. 449 amended the City's Transportation Master Plan and adopted relevant conditions of approval regarding the referenced improvements to Wilsonville Road; and

WHEREAS, in comparing the cost amounts for the aforementioned construction and the easements along with the existing and proposed uses of the subject properties the alternative presented herein reflects the least amount of easements and construction costs to ensure safe, efficient and adequate public improvements.

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

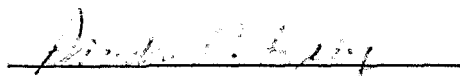
1. There is needed and required for the public purpose of providing public improvements for the residents of the City of Wilsonville acquisition of property interests indicated on the attached Exhibits "A" and "B" by this reference made a part hereof.
2. The easements are required for the aforementioned 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 and its attorneys are authorized and directed to attempt to agree with the owners of the real property herein described as to the compensation to be paid for the appropriation of the property and in the event that an agreement cannot be reached, then to commence and prosecute to final determination such condemnation proceeding as may be deemed necessary to acquire the real property.
4. Upon trial of an 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 the City of Wilsonville at a regular meeting thereof this 6th day of October, 1997 and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, CMC, City Recorder

SUMMARY OF Votes:

| | |
|------------------|---------|
| Mayor Lehan | Yes |
| Councilor Kirk | Yes |
| Councilor Helser | Yes |
| Councilor Barton | Yes |
| Councilor Luper | Excused |

ALPHA ENGINEERING, INC.

Exhibit A

JOB NO. 355-005

JULY 9, 1997

LEGAL DESCRIPTION

PUBLIC UTILITY EASEMENT

NORTHWEST CORNER TOWN CENTER LOOP WEST AND WILSONVILLE ROAD

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WILSONVILLE ROAD (44.00 FEET NORTH OF CENTERLINE) AND WEST RIGHT-OF-WAY LINE OF TOWN CENTER LOOP WEST (36.00 FEET WEST OF CENTERLINE) FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION BEARS SOUTH 01° 37' 56" WEST 44.00 FEET AND SOUTH 88° 25' 09" EAST 410.34 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE NORTH 88° 25' 09" WEST 18.01 FEET; THENCE LEAVING SAID LINE NORTH 46° 53' 54" EAST 14.09 FEET; THENCE NORTH 1° 37' 56" EAST 67.93 FEET; THENCE SOUTH 88° 22' 04" EAST 8.00 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID LINE SOUTH 01° 37' 56" WEST 77.83 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 672 SQUARE FEET.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael R. Gates

OREGON
JULY 25, 1990
MICHAEL R. GATES
2449

Valid until 6/30/99

EXHIBIT "B"

PUBLIC UTILITY EASEMENT

POINT OF BEGINNING

TOWN CENTER
LOOP WEST

N 01°37'56" E

WILSONVILLE ROAD

S 88°25'09" E

SCALE: 1" = 40'



ALPHA ENGINEERING INC.
PLANNING • DEVELOPMENT SERVICES • SURVEYING

OFFICE 503-462-8003 • FAX 503-462-8043
PLAZA WEST • SUITE 250 • 9800 SW OAK • PORTLAND, OR 97223

DRAWN BY: MHH DATE: 7/8/97

REVIEWED BY: MRG DATE: 7/8/97

PROJECT NO.: 355-005

SCALE: 1" = 40'

SURVEY\ESMTSKTC3.DWG

SKETCH TO ACCOMPANY LEGAL DESCRIPTION



ALPHA ENGINEERING, INC.

Exhibit B

JOB NO. 355-005

JULY 9, 1997

LEGAL DESCRIPTION

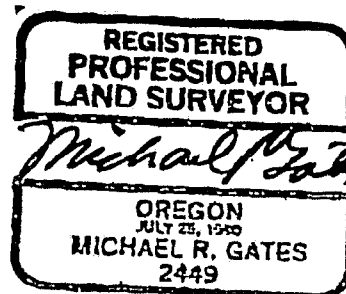
PUBLIC UTILITY EASEMENT

NORTHEAST CORNER TOWN CENTER LOOP WEST AND WILSONVILLE ROAD

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON, DESCRIBED AS FOLLOWS:

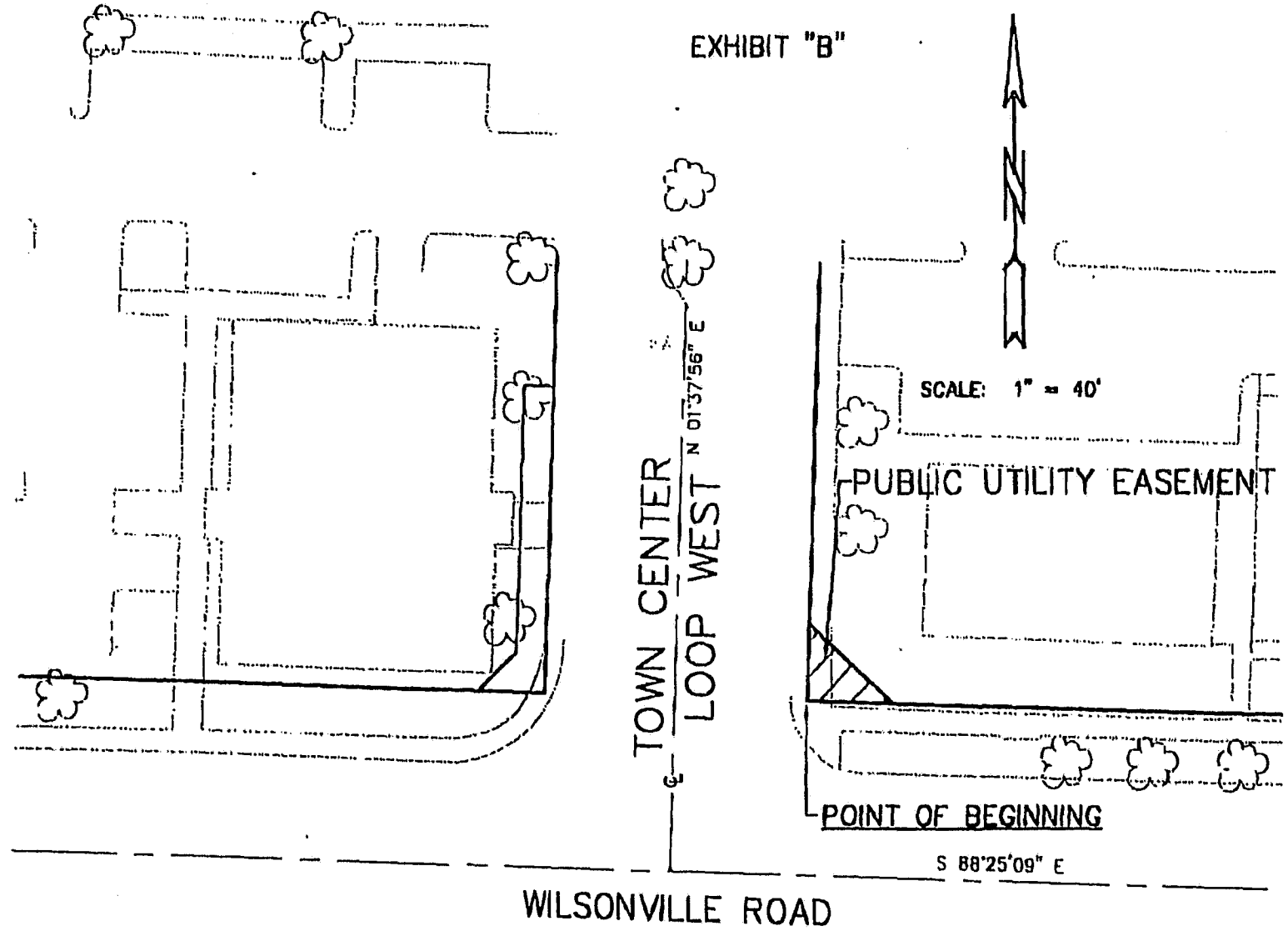
BEGINNING AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF WILSONVILLE ROAD (44.00 FEET NORTH OF CENTERLINE) AND THE EAST RIGHT-OF-WAY LINE OF TOWN CENTER LOOP WEST (36.00 FEET EAST OF CENTERLINE) FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION BEARS SOUTH $01^{\circ} 37' 56''$ WEST 44.00 FEET AND SOUTH $88^{\circ} 25' 09''$ EAST 338.34 FEET; THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE SOUTH $88^{\circ} 25' 09''$ EAST 23.18 FEET; THENCE LEAVING SAID LINE NORTH $48^{\circ} 30' 56''$ WEST 30.19 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE ALONG SAID LINE SOUTH $01^{\circ} 37' 56''$ WEST 19.37 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 224 SQUARE FEET.



Valid until 6/30/99

EXHIBIT "B"



SKETCH TO ACCOMPANY LEGAL DESCRIPTION



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