

**RESOLUTION NO. 1545**

**A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO NEGOTIATE AND ACQUIRE LAND FOR THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH THE LEVEL B RESERVOIR (PROJECT NO. 530-49130-5000-327)**

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 Plans, adopted 1998/99 budget and the Five Year Capital Improvement Program 1997-2002; and

WHEREAS, the public improvements associated with Level B Reservoir are duly authorized City Projects to be financed through Water System Development Charges.

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 properties indicated on the legal descriptions and maps attached hereto as Exhibits "A" and "B" 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 and its attorneys are authorized and directed to negotiate with the owners of the real property herein described as to the compensation to be paid 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 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 judgement may be in the best interests of the City.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 1st day of March, 1999, and filed with the Wilsonville City Recorder this date

  
\_\_\_\_\_  
CHARLOTTE LEHAN, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra C. King, City Recorder, CMC

SUMMARY of Votes:

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

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ACCESS EASEMENT DESCRIPTION  
EARLE MAY PROPERTY  
TAX LOT 500, WASHINGTON COUNTY TAX MAP 1-3S1-26

**ACCESS TO WATER STORAGE RESERVOIR**

Appurtenant to that real property conveyed to Earle May and recorded in Book 194, Fee No. 80-035408 in Washington County Record of Deeds, said property being located in Section 1, T3S, R1W, Willamette Meridian, Washington County, Oregon.

The access easement is 10 feet either side of the following described centerline:

Beginning at a point located on the south line of the subject parcel which bears S 0°04'43" E a distance of 1,304.42 feet and N 89°34'40 E a distance of 616.94 feet from the west quarter corner of Section 1, T3S, R1W, W.M.;

thence N 00°07'10" W a distance of 37.33 feet;

thence along a circular curve to the right having a 100 foot radius and a curve length of 80.90 feet;

thence N 46°14'05" E a distance of 91.48 feet;

thence along a circular curve to the left having a 100 foot radius and a curve length of 81.41 feet;

thence N 00°24'34" W a distance of 310.35 feet;

thence along a circular curve to the left having a 100 foot radius and a curve length of 28.87 feet;

thence N 16°56'57" W a distance of 87.66 feet;

thence along a circular curve to the right having a radius of 100 feet and a curve length of 27.53 feet;

thence N 01°10'39" W a distance of 118.42 feet;

thence along a circular curve to the right having a radius of 100 feet and a curve length of 46.87 feet;

thence N 25°40'37" E a distance of 78.89 feet;

thence along a circular curve to the left having a radius of 200 feet and a curve length of 56.95 feet;

thence N 09°21'43" E a distance of 90.69 feet;

thence along a circular curve to the left having a radius of 200 feet and a curve length of 127.96 feet;

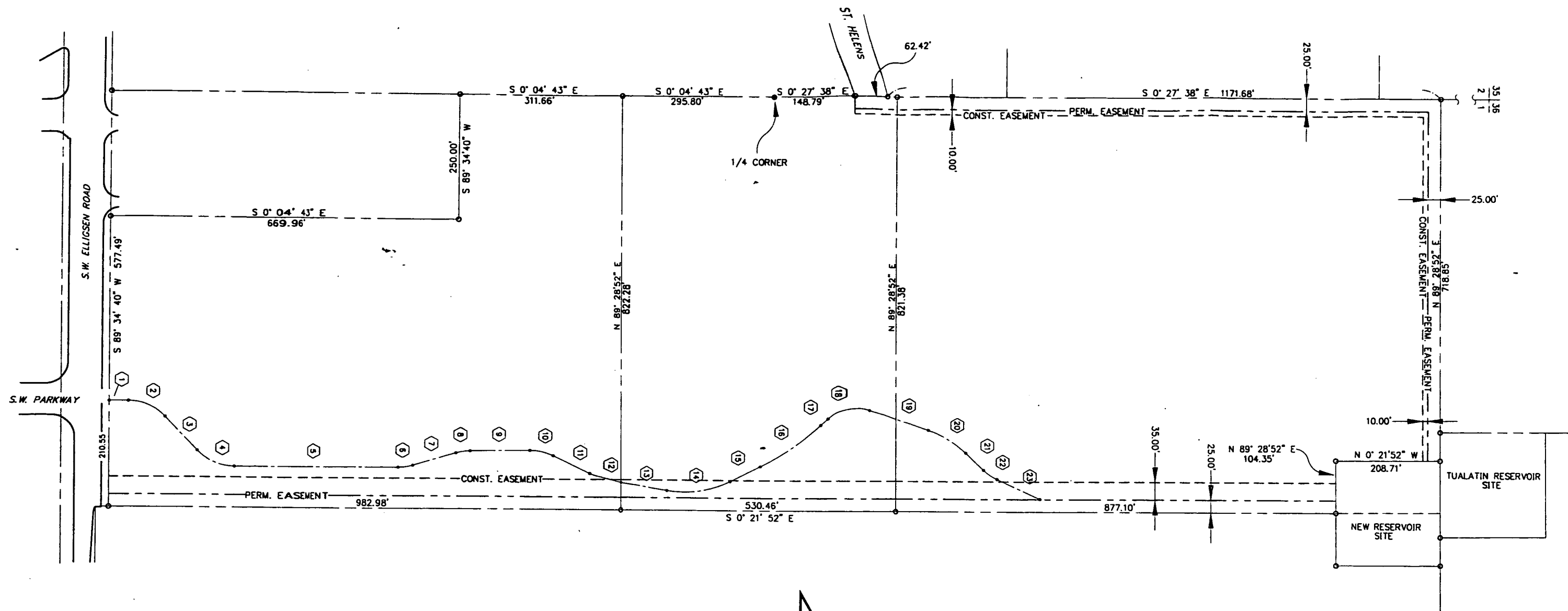
thence N 27°17'49" W a distance of 65.72 feet;

thence along a circular curve to the left having a radius of 500 feet and a curve length of 143.53 feet;

thence N 43°44'38" W a distance of 18.74 feet;

thence along a circular curve to the right having a radius of 75 feet and a curve length of 80.78 feet;

thence N 17°58'06" E a distance of 122.60 feet;  
thence along a circular curve to the right having a radius of 200 feet and a curve length of 87.79 feet;  
thence N 43° 07'04" E a distance of 49.03 feet;  
thence along a circular curve to the left having a radius of 100 feet and a curve length of 32.20 feet;  
thence N 24°40'06" E a distance of 93.24 feet to a point on the east line of the permanent easement described in Fee #89-03961.



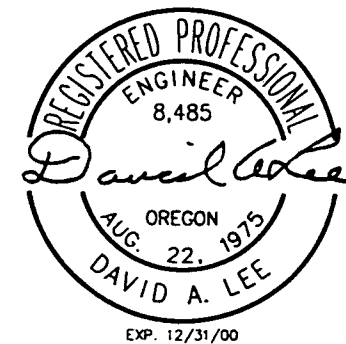
**PLAN**

1" = 200'



LABEL	LENGTH	BEARING/RADIUS
1	37.33	N 00°07'10" W
2	80.80	100.00
3	91.48	N 46°14'05" E
4	81.41	100.00
5	310.35	N 00°24'34" W
6	28.87	100.00
7	87.66	N 16°56'57" W
8	27.53	100.00
9	118.42	N 01°10'39" W
10	46.87	100.00
11	78.89	N 25°40'37" E
12	56.95	200.00
13	90.69	N 09°21'43" E
14	127.96	200.00
15	65.72	N 27°17'49" W
16	143.53	500.00
17	18.74	N 43°38" W
18	80.78	75.00
19	122.60	N 17°58'06" E
20	87.79	200.00
21	49.03	N 43°07'04" E
22	32.20	100.00
23	93.24	N 24°40'06" E

NOTE:  
THIS MAP IS FOR DISCUSSION PURPOSES ONLY.  
PLEASE SEE SHEET 1 OF 2 OF PROPERTY SURVEY  
#21.921 FOR THE COMPLETE RECORD OF SURVEY.



OWNER: <b>CITY OF WILSONVILLE</b>	<b>LEE ENGINEERING, INC.</b> 1300 JOHN ADAMS ST. OREGON CITY, OR, 97045
DWG TITLE: <b>UTILITY EASEMENT AND EXISTING PROPERTY LINES</b>	DATE: 02/26/99 FILE NO: 1630PL
	REVISED: <b>1630PL</b>

**EXHIBIT "B"**

**LEGAL DESCRIPTION**

**PIPELINE EASEMENT  
EARLE MAY PROPERTY**

**EASEMENT DESCRIPTION**

**EARLE MAY PROPERTY**

**TAX LOT 500, Washington County Tax Map 1-351-26**

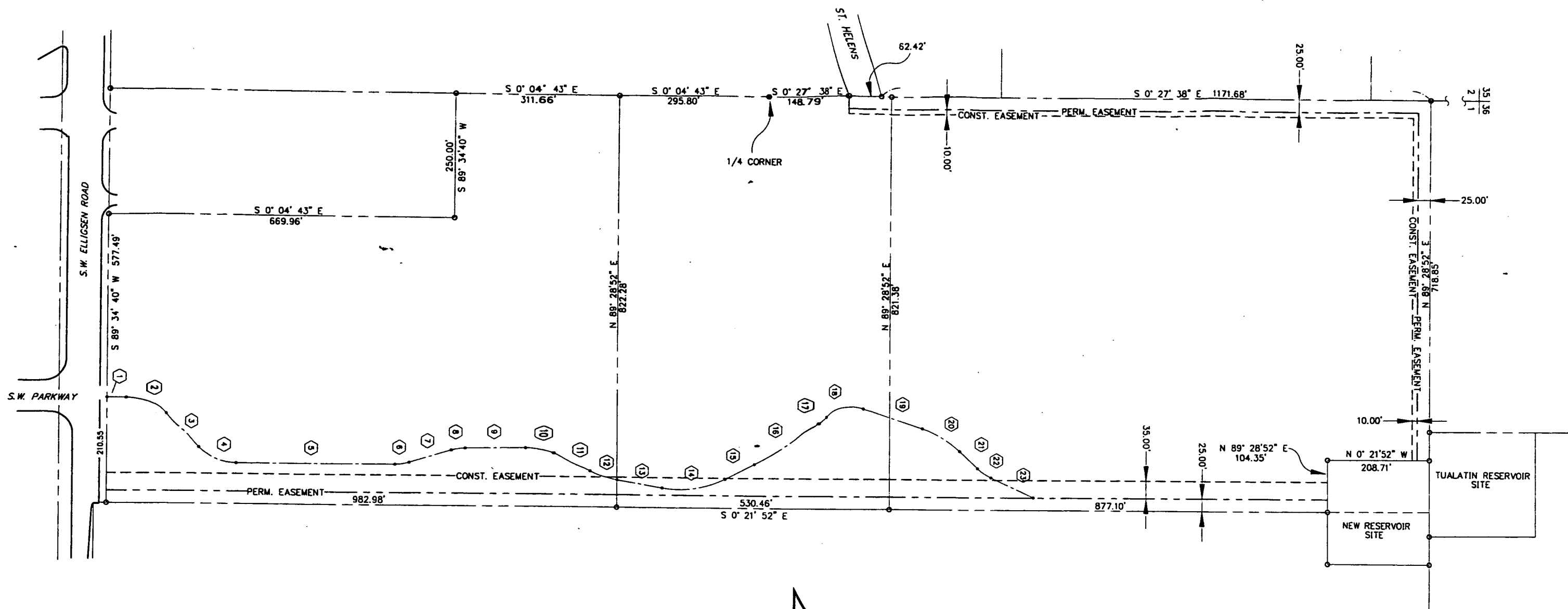
**WATER PIPELINE EASEMENT**

Appurtenant to that real property conveyed to Earle May and recorded in Book 194, Fee No. 80-035408 of Washington County Records of Deeds, said property being located in Section 1, T3S, RIW, Willamette Meridian, Washington County, Oregon.

The permanent easement is more particularly described as follows:

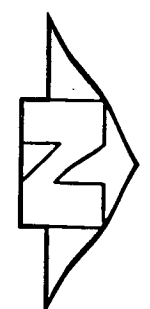
Beginning at a point which bears N 0° 27' 38" W a distance of 148.79 feet from the west quarter corner of Section 1, T3S, RIW, WM, thence north along the west line of Section 1 (N 0° 27' 38" W) 1171.68 ft. to the northwest corner of the May property, thence N 89° 28' 52" E a distance of 718.85 ft. to the northwest corner of that parcel conveyed to the City of Wilsonville and recorded in Book 1005, Page 5094510, thence S 0° 21' 52" E, a distance of 25.0 ft., thence S 89° 28' 52" W a distance of 693.81 ft, thence S 0° 27' 38" E, a distance of 1146.68 ft. thence S 89° 28' 52" W a distance of 25.0 ft to the point of beginning.

Along with a temporary construction easement which is 10 ft. in width and is both parallel to and immediately east and south of the above described easement.



# PLAN

1" = 200'



LABEL	LENGTH	BEARING/RADIUS
1	37.33	N 00°07'10" W
2	80.90	100.00
3	91.48	N 46°14'05" E
4	81.41	100.00
5	310.35	N 00°24'34" W
6	28.87	100.00
7	87.66	N 16°56'57" W
8	27.53	100.00
9	118.42	N 01°10'39" W
10	46.87	100.00
11	78.89	N 25°40'37" E
12	56.95	200.00
13	90.69	N 09°21'43" E
14	127.96	200.00
15	65.72	N 27°17'49" W
16	143.53	500.00
17	18.74	N 43°38" W
18	80.78	75.00
19	122.60	N 17°58'06" E
20	87.79	200.00
21	49.03	N 43°07'04" E
22	32.20	100.00
23	93.24	N 24°40'06" E

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DWG TITLE: <b>UTILITY EASEMENT AND EXISTING PROPERTY LINES</b>	DATE: 02/26/99 FILE NO: 1630PL REVISED: <b>1630PL</b>

Resolution No. 1545  
Exhibit B