

RESOLUTION NO. CLXXXIII (183)

A RESOLUTION ADOPTING ENGINEER'S REPORT; CREATING WILSONVILLE ROAD AND BOECKMAN CREEK BRIDGE CROSSING IMPROVEMENT PROJECT (L.I.D. #6) AND DIRECTING THE CITY'S ENGINEER TO PRESENT TO THE CITY COST ESTIMATE FOR THE PREPARATION OF DETAILED PLANS AND SPECIFICATIONS FOR SAID IMPROVEMENT PROJECT.

WHEREAS, the Wilsonville City Council adopted Resolution No. CLXXIX (179) on August 3, 1981, approving the Engineer's report of Westech Engineering, Inc. for the Boeckman Creek bridge crossing improvement project (L.I.D. #6), and declared its intentions to make such improvements, provided the manner and method of carrying out the improvement and set a time for public hearing to consider remonstrances; and

WHEREAS, the public hearing to consider remonstrances against the proposed project was duly and regularly held at the Wilsonville City Hall in Wilsonville, Oregon, commencing at 7:30 o'clock p.m., on Monday, August 17, 1981, after notice thereof was first duly given in the manner and for the time required by said Resolution No. XLXXIX (179) and Ordinance No. 70, which prescribes the methods and procedures for making public improvements in the City of Wilsonville for levying and collecting special assessments therefor and for the creation and enforcement of assessment liens; and

WHEREAS, Paul Schultz, attorney, on behalf of West Linn School District, an owner of property to be assessed for the cost of said improvements, did appear and on the School's Dis-

trict's behalf did remonstrate and object against said improvement project, and there being no other remonstrances or objections on behalf of owners of properties to be assessed for the costs of said improvements, although one City resident, Jim Farrell, did also voice objections to the project, the Council finds that the owners of property remonstrating was less than the necessary two-thirds of the property ownership needed to cause an abandonment of the improvement project; and

WHEREAS, the remaining property ownerships represented by Robert Randall Company, an Oregon corporation; NIKE, Inc., an Oregon corporation; and Stuart Lindquist and Peter Olson have expressed their desire that the City proceed with said project;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF WILSONVILLE that:

1. The report of Westech Engineering, Inc. for the Wilsonville Road and Boeckman Creek Bridge Crossing L.I.D. #6 project consisting of street, bridge, intersection, bike and pedestrian paths and lighting construction dated June 22, 1981, and revised July 27, 1981, and said revised report is further amended as to page 5 with regard to the Engineer's conclusions and recommendations inasmuch as there is a typographical error in the conclusion and recommendations 1 and 2 to the extent that they both reference map #4 instead of map #5 and with that amendment and understanding said reports are hereby approved.

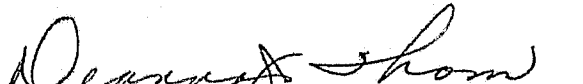
2. The City Council of the City of Wilsonville, Clackamas and Washington Counties, Oregon, hereby ratifies its intention to make the improvements as described in the aforementioned approved Engineer's reports, and hereby creates the Wilsonville Road and Boeckman Creek Bridge Crossing Local Improvement District for street, bridge intersections, bike and pedestrian paths and lighting construction, which said improvement project shall be known as "Wilsonville Road and Boeckman Creek Bridge Crossing L.I.D. #6" and the property it shall include therein are the properties described as set forth in Exhibit "A", attached hereto and incorporated herein as if fully set forth. The above referenced property to be specially benefited by said improvement project is immediately adjacent to said Wilsonville Road and Boeckman Creek Bridge Crossing and the assessment area for each of said properties to the extent of the proposed improvement district is shown in Map #5 in the said Revised Report of Westech Engineering, Inc. of July 29, 1981, which was filed with the Wilsonville City Recorder on July 19, 1981.

3. Westech Engineering, Inc., Consulting Engineers and Planners, of Salem, Oregon, are hereby directed to prepare cost estimates for preparing the detailed plans, specifications and bid documents for said improvement project, together with its recommendations for a consulting engineering firm to do the plans and specifications for the bridge portion of the improvement project.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 8th day of September, 1981, and filed with the Wilsonville City Recorder this same date.

  
WILLIAM G. LOWRIE, Mayor

ATTEST:

  
DEANNA J. THOM, City Recorder

1. Tax Lot 3-1W-24-01100

A portion of the D. Hinkler Donation Land Claim No. 44 in Section 24, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, described as follows:

Beginning at a stone at the North quarter corner of said Section 24; thence South 89 degrees 19' 15" West along the North line of the Northwest quarter of said Section 24, 830.94' to the Northeast corner of Parcel 3 of the "Boozier Tract" as described in Book 361 Page 127; then South 00 degrees 12' 16" East along the East line of said "Boozier Tract" 1081.58' to a 1" iron pipe at the Southwest corner of Parcel 3 of said "Boozier Tract" and the TRUE POINT OF BEGINNING (said point also being the Northwest corner of the "Kolbe Tract" as described in Volume 237 Page 389);

Thence North 89 degrees 27' 49" East along the North line of said "Kolbe Tract" 1093.26' to the West right-of-way line of Rose Lane (formerly Moses Road);

Thence North 00 degrees 22' 16" West along said West right-of-way line 620.47 feet;

Thence leaving said West right-of-way line North 88 degrees 48' 00" West 532.65' to a point on the South right-of-way line of Wilsonville Road (formerly Market Road No. 12);

Thence South 87 degrees 49' 15" West 289.75' along said South right-of-way line to the East line of Parcel 3 of the "Boozier Tract" above described;

Thence following said East line as follows:

South 09 degrees 36' 48" West, 52.73 feet;  
Thence South 50 degrees 21' 48" West, 82.90 feet;  
Thence South 09 degrees 26' 46" East, 360.71 feet;  
Thence South 16 degrees 12' 39" West, 77.18 feet;  
Thence South 67 degrees, 30' 32" West, 251.20 feet to the True Point of Beginning:

This parcel contains approximately 12.69 acres

Owner: Nike, Incorporated

EXHIBIT A

2. Tax Lot 3-1W-24-01191

A portion of the D. Minkler Donation Land Claim No. 44 in Section 24, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, described as follows:

Beginning at a stone at the North quarter corner of said Section 24; thence South 89 degrees 19' 15" West along the North line of the Northwest quarter of said Section 24, 830.94 feet to the Northeast corner of Parcel 1 of the "Boozier Tract" as described in Book 361 Page 127; thence South 00 degrees 12' 16" East along the East line of said "Boozier Tract" 1081.58' to a 1" iron pipe at the Southwest corner of Parcel 3 of said "Boozier Tract" and the True Point of Beginning (said point also being the Northwest corner of the "Kolbe Tract" as described in Volume 237 Page 389);

Thence South 00 degrees 12' 16" East along the West line of said "Kolbe Tract" 1672.39 feet to the high water mark of the Willamette River;

Thence following said high-water mark as follows:

North 54 degrees 55' 44" East, 460.68 feet;  
Thence North 50 degrees 15' 02" East, 262.93 feet;  
Thence North 54 degrees 28' 23" East, 107.96 feet;  
Thence North 50 degrees 52' 33" East, 111.04 feet;  
Thence North 51 degrees 45' 37" East, 193.26 feet to the West line of the Clifford Shaver Tract as described in Book 212, Page 152;

Thence North 00 degrees 22' 16" West along said West line 667.54 feet to the Northwest corner thereof;

Thence North 00 degrees 22' 16" West, 120.00 feet;

Thence North 80 degrees 27' 49" East 188.70 feet to the West right-of-way line of Rose Lane (formerly Moses Road);

Thence North 00 degrees 22' 16" West along said West right-of-way line 208.08 feet to the North line of the above mentioned "Kolbe Tract";

Thence South 89 degrees 27' 49" West along said North line 1093.26 feet to the True Point of Beginning;

Containing 28.847 acres more or less.

Subject to easements and restrictions of record.

Owner: Nike, Incorporated

3. Tax Lot 3-1W-13-0300

PARCEL I: Beginning at a point 4.27 chains South 82° 45' East from the quarter section corner between Sections 13 and 24 in Township 3 South, of Range 1 West of the Willamette Meridian; thence North 27.72 chains to a stake; thence North 89° 03' East 15.33 chains to a pipe in the center of the County Road; thence South 13° 30' West 13.37 chains following the center line of the present traveled road to an iron pipe; thence South 4° West 8.65 chains along the center line of said road to an iron pipe; thence South 60° West 13.35 chains to the place of beginning.

PARCEL II: Beginning at a point 17.48 chains west (in the center of the county road to an iron pipe) from the quarter section corner on the East boundary of Section 13, on the Willamette Meridian, in Township 3 South, Range 1 West of the Willamette Meridian; thence South 13° 30' West 13.50 chains to an iron pipe; thence South 89° 03' West 15.33 chains to a stake; thence North 13.00 chains to a stake; thence North 89° 03' East 18.65 chains to the center of the County Road and to the place of beginning.

EXCEPTING from the above that portion within roads.

This parcel contains 51.5 acres more or less

Owner: Stiller, Frank F. and Stiller, Charles R. and Reva L.

4. Tax Lot 3-1W-13-00100

A tract of land situated in Section 13, T.3S., R.1W, of the Willamette Meridian and being a part of that certain tract of land conveyed to G. R. Cumberland, and recorded in Book 299, Page 269, Deed Records, Clackamas County, Oregon, being more particularly described as follows, to-wit:

Beginning at a 3/4" by 36" bolt which bears north 0 degrees 26' 30" West (Deed North 0 degrees 37' East) 150.00 feet from the Southeast corner of said Glen Cumberland property. From said place of beginning; thence North 74 degrees 42' 45" West 1588.90 feet to a 5/8" by 30" iron rod; thence north 82 degrees 30' 45" West 31.13 feet to the point of intersection of the centerline of Market Road No. 12, a 60.00 foot right-of-way; thence North 12 degrees 48' 25" East along said centerline of Market Road No. 12, 1778.54 feet to a brass screw set in the north line of said Glen Cumberland Tract; thence leaving said centerline of Market Road No. 12, North 88 degrees 21' 40" East along the north line of said Cumberland Tract, 31.87 feet to a 5/8" by 30" iron rod in the easterly right-of-way line of Market Road No. 12; thence continuing North 88 degrees 21' 40" east along said Northerly line of Cumberland, 1119.70 feet to the 1/4 corner in the East line of said Section 13, T.3S, R. 1W., of the Willamette meridian; thence South 0 degrees 28' 03" East (Deed South 0 degrees 37' West) 2190.19 feet to the place of beginning.

Owner: Cumberland, Myrtle and G. R.

Contract Purchaser: West Linn School District No. 3



5. A portion of Tax Lot 3-1W-13A-01800

Part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the Northwest corner of that tract conveyed to Louis H. Bruck et ux, as recorded in Book 432, page 532, Clackamas County Deed Records, said Northwest corner being on the West line of said Northeast quarter, South 0° 32' West, 715.00 feet from the North quarter corner of said section; thence N 0 degrees - 32' E 224.37 feet along the west boundary of said parcel, thence N 89 degrees 52' 00" E 1347.79 feet more or less to the east line of said parcel; thence S 23 degrees 58' 30" W 245.80 feet more or less along said east boundary to the SE corner of said parcel; thence along the South boundary of said parcel S 89 degrees 52' W 1250.00 feet to the true point of beginning.

The area described above covers 6.69 acres more or less.

Owner: Louis H. Bruck

Contract Purchaser: Gesellschaft Development Inc.

6. Tax Lot 3-1W-13A-01801

Part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a point on the westerly line of Market Road, said point being South 89° 52' West 1192.2 feet distant from the quarter corner of the East line of said Section 13; thence North 89° 52' West along the quarter section line, said line also being the North line of the Daniel Minkler D.L.C., a distance of 841.19 feet, more or less, to the Southeast corner of that tract of land conveyed to Oliver A. Wetten by Recorder's Fee No. 68-13419, Clackamas County Records; thence North 0° 32' East along the East line of said Wetten tract 912.54 feet to an iron rod at the Southwest corner of a 50 foot public road; thence East along the South line of said road 1239 feet, more or less, to a point on the Westerly line of Market Road No. 12; thence South 23° 58' 30" West along said westerly line to the point of beginning.

The area described above covers 21.81 acres more or less.

Owner: W. F. Jawurek

Contract Purchaser: Gesellschaft Development Inc

7. Tax Lot 3-1W-13-2700

Beginning at the Southwest corner of Section 13, Township 3 South of Range 1 West, Willamette Meridian, running thence North 0° 03' East along the West line of said Section 1905.83 feet to an iron pipe for a true point of beginning; thence South 0° 03' West 742.60 feet to an iron pipe; thence South 89° 25' West 587.67 to an iron pipe; thence South 0° 03' West 221.0 feet to an iron pipe; thence North 89° 25' East 425.68 feet to an iron pipe; thence South 0° 03' West 488.4 feet to an iron pipe; thence South 89° 25' West 654.03 feet; thence North 0° 03' East 150.0 feet; thence South 89° 25' West 1000 feet; thence North 0° 03' East 377 feet more or less; thence North 89° 25' East 375 feet more or less; thence North 0° 03' East 280 feet more or less; thence North 11° 19' East 397.7 feet more or less; thence North 29° 30' East 300 feet more or less; thence North 89° 25' East 40.68 feet to the point of beginning.

SUBJECT to a perpetual right-of-way and easement for a private road on, over, and across the following: Beginning at the Southeast corner of the last hereinabove described tract, thence North 0° 03' East 488.4 feet; thence South 89° 25' West 40 feet to a point; thence South 0° 03' West 488.4 feet to the South line of the last hereinabove described tract; thence North 89° 25' East 40 feet to the point of beginning.

Save and except that portion lying west of Boeckman Creek

\* For entire parcel

Owner: Richard Stangel

Contract Purchaser: Stuart Lindquist

8. Tax Lot 3-1W-13-2600

Beginning at the Southwest corner of Section 13, Township 3 South of Range 1 West, Willamette Meridian, running thence North 0° 03' East along the West line of said section 1452.0 feet to an iron pipe; thence North 89° 25' East 1905.83 feet to an iron pipe for a true point of beginning; thence from said true point of beginning North 89° 25' East 1013.35 feet to an iron pipe; thence South 0° 03' West 963.6 feet to an iron pipe; thence South 89° 25' West 425.68 feet to an iron pipe; thence North 0° 03' East 221.0 feet to an iron pipe; thence South 89° 25' West 587.67 feet to an iron pipe; thence North 0° 03' East 742.60 feet to the true point of beginning, containing 19.438 acres, more or less;

Together with a perpetual right-of-way and easement for a private road on, over, and across the following: Beginning at the Southeast corner of the hereinabove described tract, thence South 0° 03' West 488.4 feet; thence South 89° 25' West 40 feet to a point; thence North 0° 03' East 488.4 feet to the South line of the hereinabove described tract; thence North 89° 25' East 40 feet to the point of beginning.

Save and except that portion lying west of Boeckman Creek

\* For entire parcel

Owner; Richard Stangel

Contract Purchaser; Stuart Lindquist

9. Tax Lot 3-1W-13-03100

Part of the Southwest quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, County of Clackamas, State of Oregon, beginning at the Southwest corner of the Richard Stangel tract described in Book 500, page 92, Deed Records Clackamas County; which point is on the South boundary line of said Section 13; 1,265.15 feet East of the Southwest corner of said Section; from said beginning point thence North 0° 03' East 150 feet; thence North 89° 25' East 1,000 feet; thence South 0° 03' West 150 feet to the South line of said Section 13; thence South 89° 25' West 1,000 feet along the South line of said section, to the place of beginning.

SUBJECT to an easement for private road purposes over and across the Westerly 40 feet of the above described premises.

Save and except that portion lying west of Boeckman Creek

\* For entire parcel

Owner: Richard Stangel

Contract Purchaser: Stuart Lindquist