

RESOLUTION NO. 1200

A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO NEGOTIATE AND ACQUIRE LAND FOR THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH LOCAL IMPROVEMENT DISTRICT LID #11-94-ST (PROJECT #540-49130-5000-435)

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 and LID #11-94-ST; and

WHEREAS, the public improvements associated with LID #11-94-ST are duly authorized City Projects to be financed through LID #11-94-ST; and

WHEREAS, the City Engineer has determined and recommended in documents dated February, 1995, on file and part of this record, that certain portions of the indicated drawings be adopted by the City Council, as the preferred alternative for the construction of the improvements which will maintain a safe route for the public improvements and makes the best use of the available funding; and

WHEREAS, in comparing the costs amounts for the aforementioned construction and the right-of-way/easements along with the existing and proposed uses of the subject properties the alternative presented herein reflects the least amount of right-of-way, easements and construction costs, given the present mix of developable properties with undeveloped properties needed to insure the safe, efficient and adequate public improvements.

NOW, THEREFORE, THE CITY OF WILSONVILLE CITY COUNCIL 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 as indicated on the attached Exhibit "A" 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 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 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 of Wilsonville at a regular meeting thereof this 26th day of June, 1995, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, MAYOR

ATTEST:


SANDRA C. KING, CITY RECORDER

SUMMARY OF VOTES:

MAYOR KRUMMEL	<u>Yes</u>
COUNCILOR LEHAN	<u>Yes</u>
COUNCILOR HAWKINS	<u>Yes</u>
COUNCILOR LEO	<u>Yes</u>
COUNCILOR LEAHY	<u>Yes</u>

Donna to provide Ex. A.