

RESOLUTION NO. 1574

A RESOLUTION AUTHORIZING TRANSFER OF OWNERSHIP OF PROPERTY ACQUIRED TO MITIGATE ADVERSE IMPACTS OF THE ELLIGSEN ROAD IMPROVEMENT PROJECT ON THE SUPER 8 MOTEL PARKING LOT

WHEREAS, Resolution No. 1416, A Resolution Authorizing the City of Wilsonville to Negotiate and Acquire Land for the Construction of the Public Improvements Associated with Elligsen Road Widening - Parkway Avenue to Parkway Center, was adopted September 15, 1997; and

WHEREAS, Exhibit A of Resolution No. 1416 included a Description for a Parking Area, attached hereto as Exhibit A and by this reference made a part hereof, to be acquired from Tualatin Valley Fire and Rescue; and

WHEREAS, on April 14, 1999, Partition Plat No. 1999-028, attached hereto as Exhibit B and by this reference made a part hereof, was recorded in Washington County in the State of Oregon and the Parking Area described in Resolution No. 1416 was conveyed to the City of Wilsonville as Tract A on said plat; and

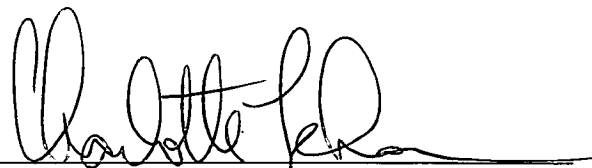
WHEREAS, the Parking Area property was acquired with the intent that it be conveyed to Super 8 ownership as part of a negotiated agreement for required Elligsen Road right-of-way and utility easements; and

WHEREAS, the City of Wilsonville and Peninsula Group, LLC (Super 8 Ownership) have established a negotiated settlement in lieu of condemnation that includes transfer of title of the Parking Area.

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

1. The Mayor is authorized to execute such documents as may be necessary to transfer title of Tract A of Partition Plat No. 1999-028 from the City of Wilsonville to Peninsula Group, LLC, a Washington Limited Liability Company.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of June 1999, 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 Holt	Yes

Exhibit A

August 5, 1997

Description for a Parking Area

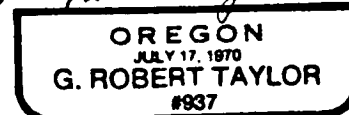
A tract of land located in the southwest $\frac{1}{4}$ of Section 1, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon, and being more particularly described as follows:

Beginning at the southwest corner of that tract of land conveyed to Tualatin Rural Fire Protection District as described in Fee Document No. 79-052501, Washington County Records; thence along the West line of said tract North $01^{\circ} 31' 47''$ East 6.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said West line North $01^{\circ} 31' 47''$ East 105.00 feet; thence South $88^{\circ} 28' 13''$ East 30.00 feet; thence South $01^{\circ} 31' 47''$ West 103.22 feet to the non-radial intersection of a 23.00 foot radius curve; thence 8.65 feet along the arc of said 23.00 foot radius curve to the right through a central angle of $21^{\circ} 33' 31''$ (the long chord of which bears South $80^{\circ} 25' 47''$ West 8.60 feet) to a point of tangency; thence North $88^{\circ} 47' 28''$ West 21.56 feet to the TRUE POINT OF BEGINNING.

Contains 3143 square feet.



G. Robert Taylor



EXPIRES 6-30-98

Prepared by:
DEHAAS & ASSOC., INC.
 SUITE 300 - A.G.C. CENTER
 9450 S.W. COMMERCE CIRCLE
 WILSONVILLE, OREGON 97070
 PHONE: (503) 682-2450
 FAX: 682-4018

PARTITION PLAT

LOCATED IN THE SW 1/4 OF SECTION 1,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST,
 WILLAMETTE MERIDIAN, CITY OF WILSONVILLE,
 WASHINGTON COUNTY, OREGON.

FEBRUARY 19, 1999

Partition Plat No. 1999-028

Recorded as Document No. 99046013

Sheet 1 of 3

Prepared for:
CITY OF WILSONVILLE
 10000 SW TOWN CENTER LOOP EAST
 WILSONVILLE, OREGON 97070
 PHONE: (503) 682-1011
 FAX: (503) 682-1015

ABBREVIATIONS

FD. Found
 RD. Road
 P.U.E. Public Utility Easement
 NO. Number

SHEET INDEX

1. PARTITION PLAT
2. EASEMENT DETAIL
3. CERTIFICATE, DECLARATION APPROVALS & NARRATIVE

Expires 12/31/99

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 16, 1988
 MALCOLM N. CLARK
 601

I hereby certify that this is an exact copy of the original Partition Plat.

Malcolm N. Clark P.L.S. 601

DOCUMENT NO. 92005039

UNDERGROUND DISTRIBUTION
 LINE EASEMENT DOCUMENT
 NO. 78027816

FD. ALUMINUM CAP
 (AT E-E ELLIGSEN ROAD
 AND PARKWAY AVENUE)R

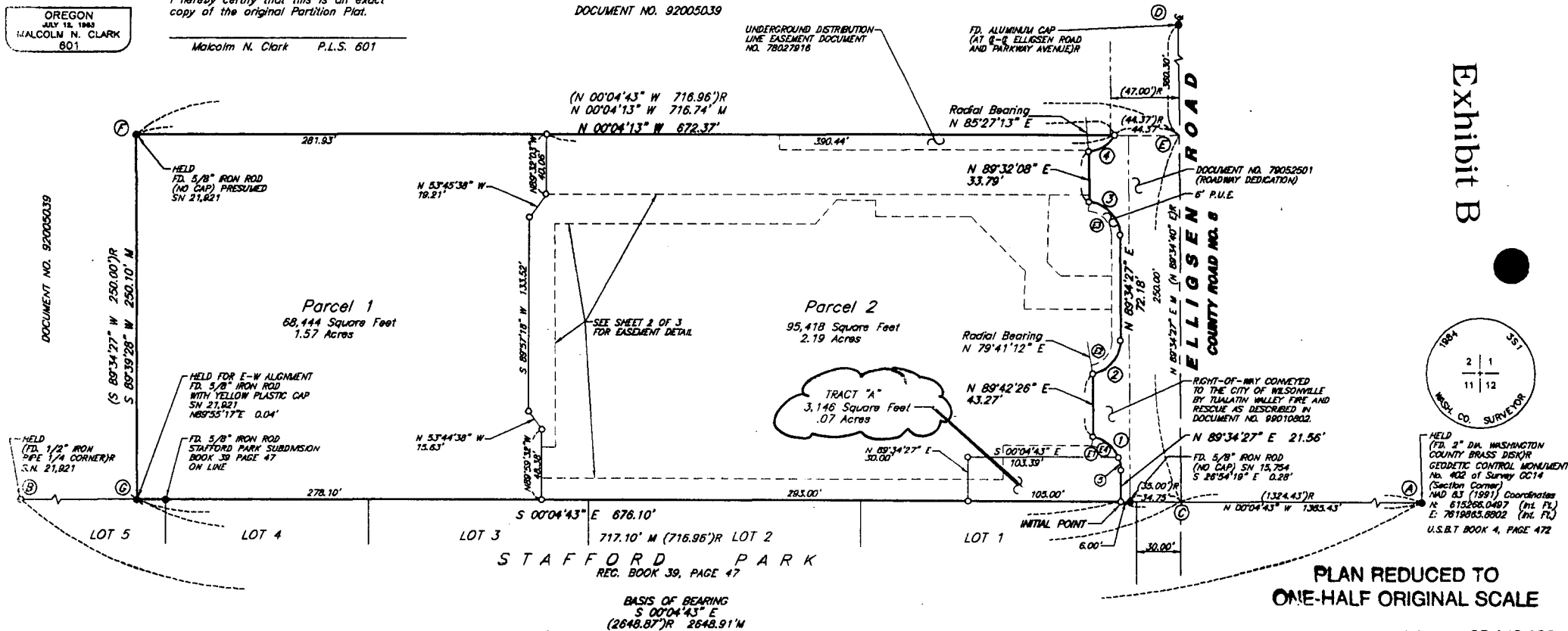


Exhibit B



PLAN REDUCED TO
 ONE-HALF ORIGINAL SCALE

Prepared by:
DEHAAS & ASSOC., INC.
 SUITE 300 - A.G.C. CENTER
 9450 S.W. COMMERCE CIRCLE
 WILSONVILLE, OREGON 97070
 PHONE: (503) 682-2450
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PARTITION PLAT

LOCATED IN THE SW 1/4 OF SECTION 1,
 TOWNSHIP 3 SOUTH, RANGE 1 WEST,
 WILLAMETTE MERIDIAN, CITY OF WILSONVILLE,
 WASHINGTON COUNTY, OREGON.

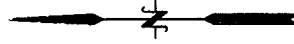
FEBRUARY 19, 1999

Partition Plat No. 1999-028

Recorded as Document No. 99046013

Sheet 2 of 3

Prepared for:
CITY OF WILSONVILLE
 30000 SW TOWN CENTER LOOP EAST
 WILSONVILLE, OREGON 97070
 PHONE: (503) 682-1011
 FAX: (503) 682-1015



Scale: 1"=30'

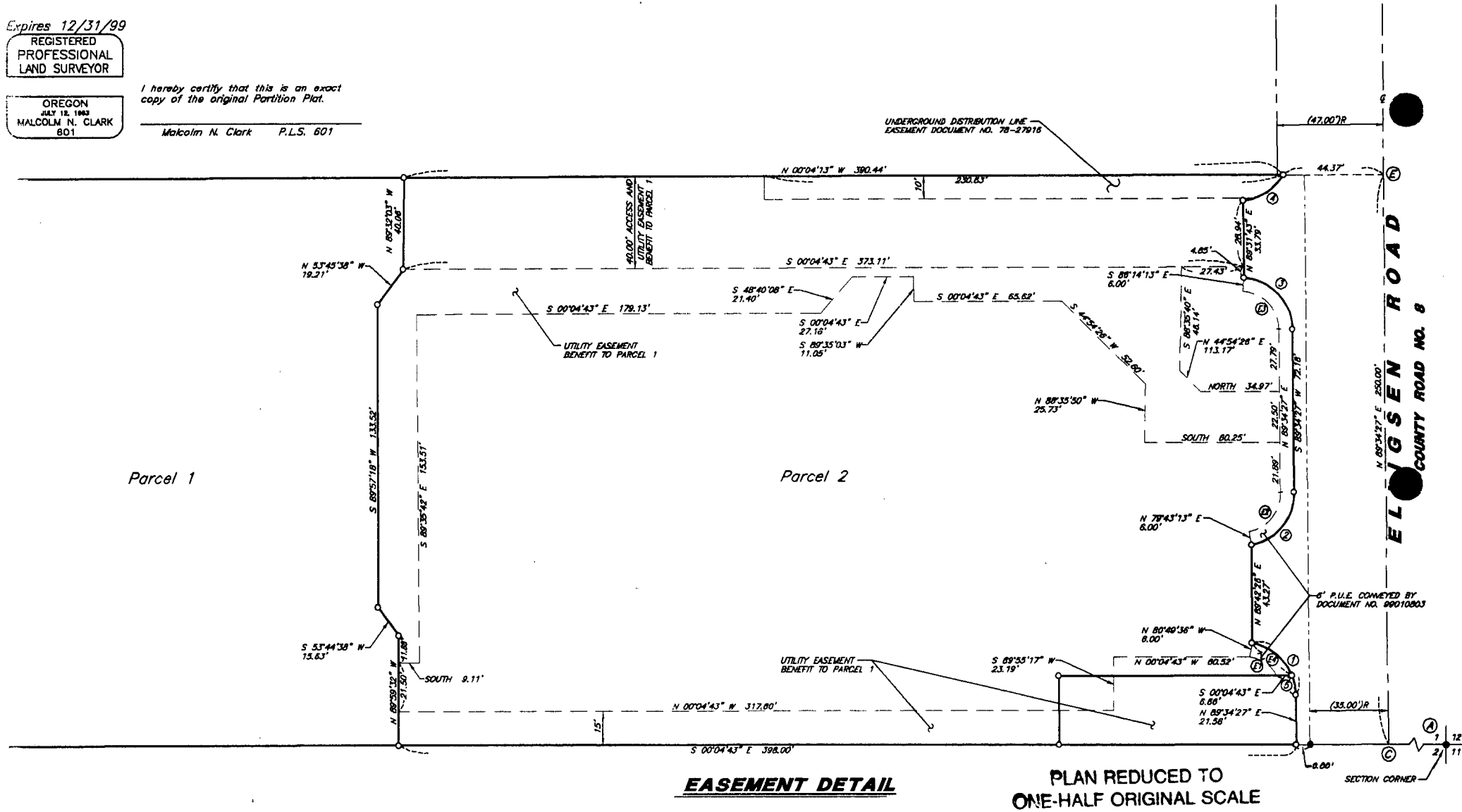
Expires 12/31/99

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

I hereby certify that this is an exact
 copy of the original Partition Plat.

Malcolm N. Clark P.L.S. 601

OREGON
 JULY 12, 1983
 MALCOLM N. CLARK
 601



Prepared by:
DEHAAS & ASSOC, INC.
SUITE 300 - A.G.C. CENTER
9450 S.W. COMMERCE CIRCLE
WILSONVILLE, OREGON 97070
PHONE: (503) 682-2450
FAX: 682-4018

PARTITION PLAT

LOCATED IN THE SW 1/4 OF SECTION 1,
TOWNSHIP 3 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN, CITY OF WILSONVILLE,
WASHINGTON COUNTY, OREGON.

FEBRUARY 19, 1999

Partition Plat No. 1999-028
Recorded as Document No. 99046013

Sheet 3 of 3

Prepared for:
CITY OF WILSONVILLE
30000 SW TOWN CENTER LOOP EAST
WILSONVILLE, OREGON 97070
PHONE: (503) 682-1011
FAX: (503) 682-1015

SURVEYOR'S CERTIFICATE

I, Malcolm N. Clark, hereby certify and say that I have correctly surveyed and marked with proper monuments, according to Chapter 92 of the Oregon Revised Statutes, the land represented on this partition plat, the boundaries being described as follows:

Beginning at the INITIAL POINT, being a 5/8 inch iron rod with a yellow plastic cap marked DEHAAS & ASSOCIATES, INC. on the west line of Section 1, Township 3 South, Range 1 West, Willamette Meridian in the City of Wilsonville, County of Washington and the State of Oregon that bears North 00°04'43" West, 1365.43 feet of the Section Corner common the Sections 1, 2, 11 and 12 of said Township and Range; thence along the northerly right-of-way of Ellipsen Road North 89°34'27" East, 21.56 feet to a point of curvature; thence 32.26 feet along the arc of a 23.00 foot radius curve to the left through a central angle of 80°22'22" (the long chord of which bears North 49°23'31" East, 29.68 feet) to a point; thence leaving said curve non-tangent North 89°42'26" East, 43.27 feet to a non-tangent intersection with a 23.00 foot radius curve; thence 32.16 feet along the arc of said 23.00 foot radius curve to the left through a central angle of 80°06'49" (the long chord of which bears South 50°22'12" East, 29.80 feet) to a point of tangency; thence North 89°34'27" East 72.18 feet to a point of curvature; thence 34.45 feet along the arc of a 23.00 foot radius curve to the left through a central angle of 85°48'40" (the long chord of which bears North 46°40'07" East, 31.32 feet) to a point; thence leaving said curve non-tangent North 89°32'08" East, 33.79 feet to a non-tangent intersection with a 23.00 foot radius curve; thence 21.86 feet along the arc of said 23.00 foot curve to the left through a central angle of 54°28'00" (the chord of which bears South 31°46'46" East, 21.05 feet) to the East line of that tract of land conveyed to the Tuakatin Rural Fire Protection District in Document No. 79-052501, Washington County Documents; thence along the easterly boundary of said Document North 00°04'13" West, 672.37 feet to a 5/8" iron rod at the northeast corner of said tract; thence along the northerly line of said tract South 89°39'28" West, 250.10 feet to said East line of Section 1; thence along the West line of said Section 1 South 00°04'43" East, 678.10 feet to the INITIAL POINT, containing 3.83 acres more or less.

Expires 12/31/99

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 18, 1983
MALCOLM N. CLARK
801

I hereby certify that this is an exact copy of the original Partition Plat.

Malcolm N. Clark P.L.S. 801

NARRATIVE

PURPOSE:

To partition that tract conveyed to Tuakatin Rural Fire Protection District as described in Fee No. 79-052501, Washington County Documents.

BEARING BASE:

The West line of Section 1, Township 3 South, Range 1 West, of the Willamette Meridian in Washington County, Oregon, as shown on Survey Number 21,921 between the Southwest Section Corner and the West One-quarter Corner of Section 1.

PROCEDURE:

The West line of Section 1, Township 3 South, Range 1 West, Willamette Meridian was established by tying the monuments at (A) and (B) and holding the line and bearing between said points as per SN 21,921.

The South 1/16 line, also the center line of Ellipsen Road was established at record distance from (A) at (C) and tying the monument found at (D) per SN 21,921.

The East line of Fee No. 79-052501 was established by holding Deed distance from (C) to (E) and going record bearing and distance to the monument at (F).

The North line of Fee No. 79-052501 was established by intersecting the line from (F) through (G) with the West section line (A) to (B).

The South property line was established from Deed calls per Document No. 99-010802.

The partition lines were established at locations as directed by client and August 1, 1993 Intergovernmental Agreement between Tuakatin Valley Fire and Rescue and the City of Wilsonville.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS that Tuakatin Valley Fire and Rescue, a rural fire protection district, successor by merger to the Tuakatin Rural Fire Protection District, is the owner of the land represented on the annexed map, and more particularly described in the accompanying Surveyor's Certificate, and has caused the same to be partitioned and surveyed into parcels as shown on the annexed map, according to the provisions of Chapter 92, Oregon Revised Statutes, and does hereby grant all easements as shown or noted for the benefit of Parcel 1. Tract A is hereby conveyed to the City of Wilsonville.

Tuakatin Valley Fire and Rescue
Jeffrey D. Johnson
Fire Chief/Administrator

ACKNOWLEDGEMENT

STATE OF OREGON)
COUNTY OF WASHINGTON) JSS

Know all people by these presents, on this _____ day of _____, 19____, before me, a Notary Public in and for said State and County, appeared Jeffrey D. Johnson, who being duly sworn, did say that he is the Fire Chief/Administrator of said Tuakatin Valley Fire and Rescue and that the Declaration was executed on behalf of said Tuakatin Valley Fire and Rescue, and that he executed said instrument freely and voluntarily.

Notary Public for the State of Oregon

My Commission Expires _____

NOTES

This partition is subject to the conditions of approval contained in the City of Wilsonville Land Use Case File Number 98 AR 75.

APPROVALS

Approved this _____ day of _____, 19____

By: _____
City of Wilsonville Community Planning Director

By: _____
City of Wilsonville Community Development Director

Approved this _____ day of _____, 19____

Washington County Surveyor

All taxes, fees, assessments or other charges as provided by O.R.S. 92.095 have been paid as of _____, 19____
Director, Division of Assessment & Taxation
Washington County, Oregon.

By: _____
Deputy

State of Oregon)
County of Washington) S.S.

I do hereby certify that this partition plat was received for record on this _____ day of _____, 19____ at _____ o'clock _____ M and recorded in the County Clerks Records.

By: _____
Deputy County Clerk

State of Oregon)
County of Washington) S. S.

I do hereby certify that this tracing is a copy certified to me by the Surveyor of this Partition Plat, to be a true and exact copy of the original and that was recorded on the _____ day of _____, 19____ at _____ O'Clock _____ M and recorded in the County Clerk Records.

By: _____
Deputy County Clerk

PLAN REDUCED TO
ONE-HALF ORIGINAL SCALE

Job No. 98.142.192