

RESOLUTION NO. 2047

A RESOLUTION OF THE CITY OF WILSONVILLE APPROVING THE TOLLING OF DAN REEVES' BALLOT MEASURE 37 CLAIM M37-002-006 UNTIL JUNE 18, 2007.

WHEREAS, Dan Reeves, has filed an ORS 197.352 (Ballot Measure 37) claim for loss of value of certain property owned in the City due to restrictive land use regulations since acquisition of the property, a copy of the claim is on file with the City Recorder; and

WHEREAS, the City is prepared to proceed with the public hearing as scheduled on April 16, 2007, (attached is the preliminary staff report);

WHEREAS, Dan Reeves has requested through his attorney William T. Buckley, by letter of April 11, 2007; a postponement of the public hearing; and

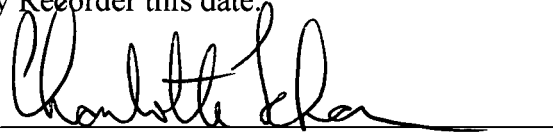
WHEREAS, the claimant has agreed to toll the City of Wilsonville's 180 day limit under ORS 197.352 for an additional sixty-six (66) days; and

WHEREAS, staff recommends that the set over/tolling request be accommodated.

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

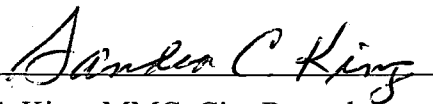
1. The above recitals are incorporated by reference as findings as if fully set forth herein;
2. At the request of the claimant the hearing shall be postponed until the June 18, 2007 City Council meeting;
3. The tolling agreement is a compromise of a disputed claim agreed upon by the parties with conditions and is not a land use regulation;
4. This resolution shall take effect upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 16th day of April, 2007, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes
Councilor Núñez	Yes

Attachment: Exhibit A

Letter dated April 11, 2007 from William T. Buckley, Attorney at Law, for Dan Reeves



Resolution NO. 2047
Exhibit A

Three Centerpointe Drive, Suite 250
Lake Oswego, OR 97035
Telephone (503) 620-8900
Facsimile (503) 620-4878
Web: www.buckley-law.com
Email: wtb@buckley-law.com

William T. Buckley, Attorney at Law
Megan D. Roché, Attorney at Law
Kevin L. Mohler, Legal Assistant

April 11, 2007

Via US Mail

Mayor Charlotte Lehan and City Council for City of Wilsonville
C/O City Recorder
29799 SW Town Center Loop East
Wilsonville, OR 97070

Re: Ballot Measure 37 Claim M37 002-006
Claimant: Dan Reeves
Hearing Scheduled for Monday, April 16, 2007

Ladies and Gentlemen of the City of Wilsonville:

On behalf of the Claimant, our client, we request an extension of time for the hearing scheduled for Monday, April 16, 2007. We have discussed this issue with Paul Lee, Assistant City Attorney, and agreed that the hearing will be re-scheduled to June 18, 2007 so that we may have adequate time to prepare for the hearing and work with the City of Wilsonville to resolve any issues. We also agree to toll the City of Wilsonville's 180-day limit under ORS 197.352 for an additional sixty-six (66) days.

We appreciate your cooperation and look forward to working with the City of Wilsonville to resolve our client's Ballot Measure 37 Claim.

Very Truly Yours,

BUCKLEY LeCHEVALLIER P.C.

William T. Buckley
Attorney at Law

WTB/mdr

Cc: Paul Lee, Assistant City Attorney
Client