

**RESOLUTION NO. 2205**

**A RESOLUTION OF THE CITY OF WILSONVILLE DECLARING A CITY-OWNED PUBLIC ACCESS EASEMENT ACROSS REAL PROPERTY LOCATED AT 9455 SW WILSONVILLE ROAD AND FURTHER DESCRIBED AS TAX LOT 3S1W14D 01400 AS NO LONGER NEEDED FOR A PUBLIC PURPOSE AND SUBJECT TO QUITCLAIM AND SALE TO THE UNDERLYING PROPERTY OWNER**

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to efficiently and economically dispose of real property that is determined by the City to be surplus; and

WHEREAS, the City owns public access easement across 9455 SW Wilsonville Road and further described as tax lot 3S1W14D 01400, attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the City acquired this public access easement at a time when a future road alignment was anticipated that would connect to this public access easement; and

WHEREAS, the area over which this anticipated road alignment would have crossed has since been developed to its highest and best use thus eliminating the viability of the alignment; and

WHEREAS, the previously proposed road alignment is no longer included in the City's Transportation System Plan; and

WHEREAS, the City has no further public need or use for this public access easement; and

WHEREAS, it is necessary, convenient, and economically beneficial to the City to declare the public access easement as surplus property and dispose of it through quitclaim and sale to the underlying property owner; and

WHEREAS, the City hired PGP Valuation to prepare an appraisal report of this public access easement that established a Market Value of \$36,000; and

WHEREAS, the appraised market value of \$36,000 shall be the minimum acceptable price of this public access easement for the purposes of a sale.

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

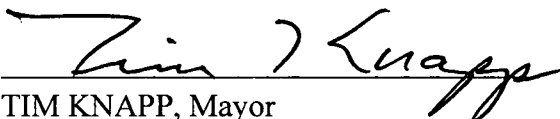
1. The above recitals are incorporated by reference herein as findings and conclusions of the City Council and staff shall carry out the actions set forth therein.

2. The public access easement across 9455 SW Wilsonville Road and further described as tax lot 3S1W14D 01400, attached hereto and incorporated herein as Exhibit A, is hereby declared surplus property and no longer needed by the City of Wilsonville for public use and eligible for disposal through quitclaim and sale.

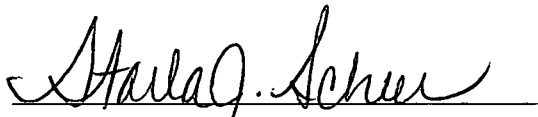
3. The City Council authorizes the City Manager to execute all necessary agreements, documents, and deeds relating to the disposal of this public access easement.

4. This resolution is effective upon adoption.

ADOPTED by the City of Wilsonville at a regular meeting thereof this 21<sup>st</sup> day of September, 2009 and filed with the Wilsonville City Recorder this date.

  
TIM KNAPP, Mayor

ATTEST:

  
Starla J. Schur, CMC, Deputy City  
Recorder

SUMMARY OF VOTES:

Mayor Knapp	<input type="checkbox"/> Yes
Councilor Kirk	<input type="checkbox"/> Yes
Councilor Ripple	Excused
Councilor Núñez	<input type="checkbox"/> Yes
Councilor Hurst	<input type="checkbox"/> Yes

**COMMUNITY DEVELOPMENT**  
**STAFF MEMO**

TO: Honorable Mayor Knapp and Councilors

FROM: Kristin Retherford, Urban Renewal Project Manager

DATE: September 21, 2009

SUBJECT: Public Hearing to Declare the SMART Property Surplus

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Staff recommends that the City Council adopt a resolution declaring a public access easement across 9455 SW Wilsonville Road and further described as tax lot 3S1W14D 01400 as no longer needed for a public purpose. This public access easement is on the west boundary of the subject property which is currently being developed as a storage unit facility.

This public access easement was acquired at a time when a roadway connection to the property to the north was planned. During the intervening decade the property to the north has been developed and the roadway connection is no longer a planned improvement. The public access easement is proposed to be sold to an interested party (the underlying property owner) and utilized for private development purposes.

The City has hired PGP Valuation to prepare a valuation of the public access easement. The appraisal report is dated July 28, 2009 and established a market value of \$36,000.

Staff further recommends that the City Council authorize staff to take necessary action to quitclaim this easement and sell the City's easement interest in the property back to the underlying property owner for the appraised value.