

RESOLUTION NO. 2416

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTEREST RELATED TO CONSTRUCTION OF AN INFILL SEGMENT OF SIDEWALK ALONG WILLAMETTE WAY EAST.

WHEREAS, there is currently a missing pedestrian link along Willamette Way East that leaves a gap in the sidewalk and trail system between Morey's Landing and the park at the Water Treatment Facility to the south and schools, Graham Oaks and Villebois to the north; and

WHEREAS, this gap in connectivity is identified in the 2006 Bicycle Pedestrian Master Plan as project C22, which calls for infill in this area to provide safe routes to school, and also as project R2, which is a segment of the Ice Age Tonquin Trail; and

WHEREAS, owners of the Fox Chase Apartments, expected to be constructed this summer at the corner of Willamette Way East and Wilsonville Road, have been conditioned to construct a 10-foot wide trail segment as a part of their development to fill in part of this missing link; and

WHEREAS, after construction of the Fox Chase Apartment segment, there will be a 550 foot long gap on the east side of Willamette Way East on the Autumn Park Apartment property; and

WHEREAS, the City has an upcoming project (CIP #2091) that will construct sewer line improvements at Autumn Park Apartments this spring and summer; and

WHEREAS, to minimize disruption to the Autumn Park Apartments with additional construction in the future, staff would like to proceed with acquisitions needed to construct this section of sidewalk infill during the same construction season as the sewer project and construction of the Fox Chase Apartments; and

WHEREAS, this project will serve a dual purpose of providing a safe route to schools on the north side of Wilsonville Road, and also provide another local segment of the regional Ice Age Tonquin Trail; and

WHEREAS, this project is supports Council's goal to improve connectivity in the community; and

WHEREAS, the needed sidewalk easements and temporary construction easements are described in legal descriptions attached hereto and fully incorporated herein as Exhibits A and B; and

WHEREAS, this bicycle and pedestrian infill project is not currently included in the capital project budget for fiscal year 2012/13 or in the proposed 2013/14 budget and a supplementary budget adjustment will be needed; and

WHEREAS, the cost estimate for this project is \$145,000 including overhead costs; and

WHEREAS, construction is scheduled to occur in the late summer of 2013 as soon as the necessary property rights have been obtained and a construction contract has been awarded; and

WHEREAS, the City acquires real property in accordance with guidelines set forth in its Urban Renewal Agency's adopted "*Appraisal and Acquisition Policies*"; and

WHEREAS, in comparing the cost amount for the aforementioned construction and the property interest along with the existing use of the subject property, the alternative presented herein reflects the least amount of property interest to ensure safe, efficient and adequate public improvements; and

WHEREAS, title to the acquired property interest shall vest directly in the name of the City of Wilsonville to provide for necessary care, maintenance and public safety authority.

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

1. There is needed and required for the public purpose of providing needed public improvements the acquisition of real property interest as described on the attached Exhibits A, B and C, incorporated herein by this reference.
2. The property interest is acquired as a result of 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. City staff and attorneys are authorized and directed to negotiate with the owners of the real property herein described as to the compensation to be paid for the acquisition of the property including but not limited to, obtaining a negotiated right-of-entry to begin construction while negotiating full acquisition and, in the event agreement cannot be reached, then to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the real property or property interest.

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.

5. City staff anticipates it will acquire the above-described property in the summer of 2013.

6. Title to the acquired right of way shall vest directly in the name of the City of Wilsonville.

7. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 6th day of May, 2013, and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor Goddard	Yes
Councilor Starr	Excused
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Exhibit A- Legal Description and Map