#### **RESOLUTION NO. 1275**

#### A RESOLUTION AUTHORIZING THE CITY OF WILSONVILLE TO NEGOTIATE AND ACQUIRE LAND FOR THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS ASSOCIATED WITH LOCAL IMPROVEMENT DISTRICT NO. 12-95-ST, CANYON CREEK ROAD NORTH

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 No. 12-95-ST; and

WHEREAS, the public improvements associated with LID No. 12-95-ST are duly authorized City Projects to be financed through LID No. 12-95-ST; and

WHEREAS, in comparing the cost 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 ensure 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 acquisition of properties indicated on the attached Exhibits "A" through "C" 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

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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 an 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 Council of the City of Wilsonville at a regular meeting thereof this 20th day of May, 1996 and filed with the Wilsonville City Recorder this date.

Served Afr

GERALD A. KRUMMEL, Mayor

ATTEST:

Sandra CKing

SANDRA C. KING, City Recorder

SUMMARY OF Votes:

Mayor Krummel Yes Councilor Lehan Yes Councilor Hawkins Yes Councilor Leahy Yes Councilor Leo Yes

bobbie's folder reso ccn 5/9/96

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#### DAVID EVANS AND ASSOCIATES, INC

#### 2828 SW Corbett Avenue

Portland, Oregon 97201

Tel: 503.223.6663

Fax: 503.223.2701

WILX0011 L.I.D. No. 12-95-ST Canyon Creek Road North City of Wilsonville, Oregon GRA, DEA Inc. 2-26-96 Amended 4-8-96 Amended 4-29-96 Amended 5-10-96 Parcel(s) 2

Madrid, Herman A. & Inez C. 27490 SW Canyon Creek Rd. Wilsonville, OR 97070 Clackamas County Document No. 74-16369 3S-1-W-12D-2900

#### PARCEL 1 Dedication for Utility Facilities

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Herman A. Madrid and Inez C. Madrid, recorded June 14, 1974 as Document No. 74-16369, Clackamas County Book of Records; the said parcel being more particularly described as follows:

EXHIBIT A

Beginning at a point lying South 88° 53' 26' East, a distance of 253.77 feet along the North line of said property from the Northwest corner thereof; thence along said North line South 88° 53' 26'' East a distance of 50.00 feet; thence leaving said line South 1° 06' 34'' West a distance of 30.00 feet; thence North 88° 53' 26'' West a distance of 50.00 feet; thence North 1° 06' 34'' East a distance of 30.00 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 1,500 square feet more or less.

#### PARCEL 2 Permanent Utility Facilities Easement

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Herman A. Madrid and Inez C. Madrid, recorded June 14, 1974 as Document No. 74-16369, Clackamas County Book of Records; the said parcel of land being that portion of said property within a 20 foot wide strip, lying 10 feet on each side of the facility, the center line of which is more particularly described as follows:

# GO ALR "

Madrid Page 2 of 2



Beginning at a point lying South 01° 28' 35" West, a distance of 202.42 feet along the West line of said property from the Northwest corner thereof; thence leaving said West line North 72° 27' 00" East a distance of 143.75 feet; thence North 83° 17' 51" East a distance of 206.90 feet; thence South 84° 51' 03" East a distance of 69.76 feet to the Boeckman Creek drainage and the end of said centerline.

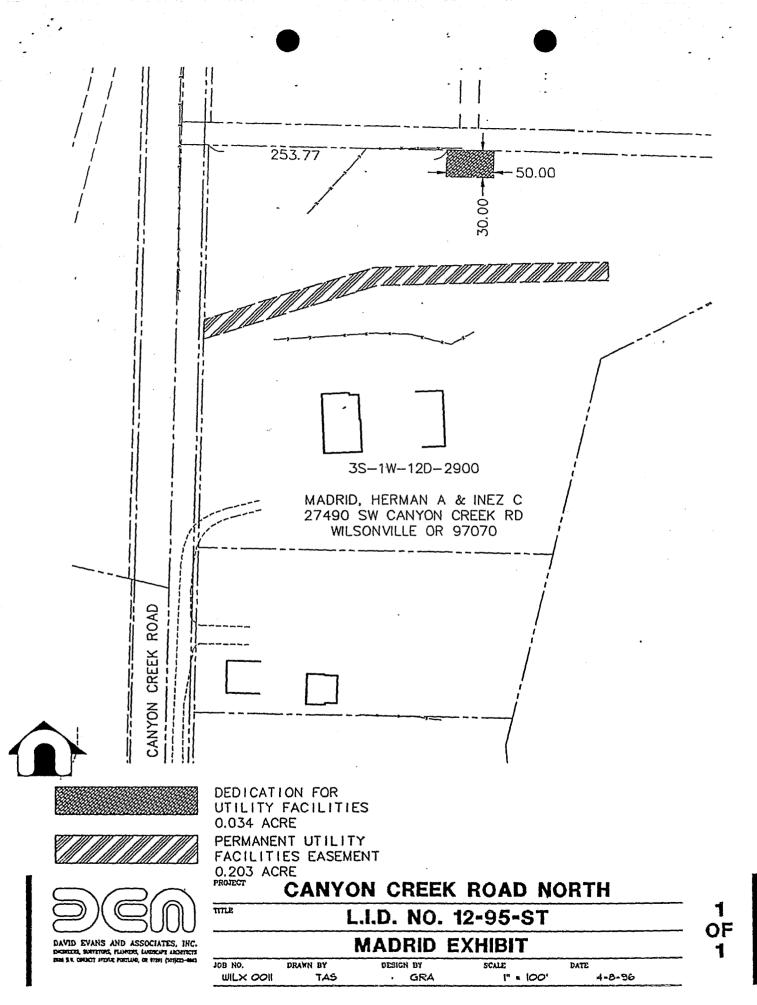
Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 8,408 square feet more or less.

GRA, DEA Inc. 5-10-96

GRA: Ijg o: project/w/wilx0011/madrid3.lcg

REGISTERED PROFESSIONAL AND SURVEYOR OREGON JULY 25, 1990 GARY R. ANDERSON 2434 Renewal 12/31/97



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#### DAVID EVANS AND ASSOCIATES. INC

EXHIBIT B

2828 SW Corbett Avenue Portland, Oregon 97201 Tel: 503.223.6663

Fax: 503.223.2701

WILX0011 L.I.D. No. 12-95-ST Canyon Creek Road North City of Wilsonville, Oregon GRA, DEA Inc. 4-8-96 Amended 4-29-96 Amended 5-10-96 Parcel(s) 3

Venture Properties Inc. 5000 SW Meadows Dr. Woodburn, OR 97071 **Clackamas County** Document No. 96-01358 3S-1W-12-601, 12D-602 & 12D-603

**PARCEL 1 - Street Dedication** 

A parcel of land lying in the Southwest and Northwest one-quarters of Section 12, Township 3 South Range 1 West, W. M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Venture Properties, Inc., recorded January 8, 1996 as Document No. 96-01358, Clackamas County Book of Records; the said parcel of land being more particularly described as follows:

That portion of said property within a 62.00 foot wide strip, lying 31.00 feet on each side of the centerline of Canyon Creek Road North being more particularly described as follows:

Beginning at a 3"brass disk Monument marked 'W&H PACIFIC CL-CL 1991" on the South line of Section 12, Township 3 South, Range 1 West W.M., said point lying South 88° 52' 36" East a distance of 1,694.84 feet from the Southwest corner of said Section 12, and said point being Station 10+00.00 Northerly for the purposes of this project; and running thence North 1° 28' 35" East 2,288.99 feet to a point of curvature; thence along the arc of a 1,900.00 foot radius curve, (the long chord of which bears North 3° 47' 15" East a distance of 153.25 feet) a distance of 153.29 feet; thence North 6° 05' 56" East a distance of 307.61 feet to a point of curvature; thence along the arc of a 3,000.00 foot radius curve, (the long chord of which bears North 4° 42' 28" East a distance of 145.68 feet) a distance of 145.70 feet; thence North 3° 18' 59" East a distance of 227.34 feet to a point of curvature; thence along the arc of a 1,800.00 foot radius curve, (the long chord of which bears North 5° 43' 54" East a distance of 151.71 feet) a distance of 151.75 feet; thence North 8° 08' 49" East a distance of 352.73 feet to a point of curvature; thence along the arc of a 1,400.00 foot radius curve, (the long chord of which bears North 4° 42' 56" East a distance of 167.58 feet) a distance of 167.68 feet; thence North 1° 17' 4" East a distance of 168.06 feet to a point of non-tangent curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 10° 28' 24" East a distance of 223.57 feet) a distance of 224.53 feet to a point of reverse curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 5° 45' 56" West a distance of 601.12 feet) a distance of 621.32 feet; thence North 31° 11' 36" West a distance of 7.26 feet to a point of curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 2° 50' 30" East a distance of 671.64 feet) a distance of 712.83 feet to a point of reverse curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 19° 02' 00"



Venture Page 2 of 3



East a distance of 367.70 feet) a distance of 373.71 feet; thence North 1° 11' 24"East a distance of 797.31 feet to a point on the centerline of Elligsen Road, (said point being station 77+00.12 Northerly for the purposes of this project) to which bears North 88° 47' 43"West a distance of 771.31 feet from a 3/4" iron pipe with yellow plastic cap marked "WASH.CO.SURV." at the C.S. 1/16 corner of Section 1, Township 3 South Range 1 West, W.M.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 0.634 acres, or 27,608 square feet, more or less.

#### **PARCEL 2 - Permanent Sidewalk and Utility Facilities Easement**

A parcel of land lying in the Southwest and Northwest one-quarters of Section 12, Township 3 South Range 1 West, W. M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Venture Properties, Inc., recorded January 8, 1996 as Document No. 96-01358, Clackamas County Book of Records; the said parcel of land being more particularly described as follows:

That portion of said property within a 6.00 foot wide strip lying adjacent to and East of the Easterly line of the above described PARCEL 1-Street Dedication.

The parcel of land to which this description applies contains 0.132 acres, or 5,741 square feet, more or less.

## **PARCEL 3 - Permanent Utility Facility Easement**

A parcel of land lying in the Southwest and Northwest one-quarters of Section 12, Township 3 South Range 1 West, W. M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Venture Properties, Inc., recorded January 8, 1996 as Document No. 96-01358, Clackamas County Book of Records; the said parcel being that portion of said property within a 20 foot wide strip, lying 10 feet on each side of the facility, the centerline of which is more particularly described as follows:

Beginning at a point South 88° 52' 36"East, a distance of 2,051.11 feet along the South line of said Section 12, and North 1,689.88 feet from the Southwest corner of said Section 12; thence North 1° 06' 34"East a distance of 121.05; thence North 38° 10' 06' East a distance of 204.98; thence North 41° 44' 12"East a distance of 70.89; thence North 57° 54' 56"East a distance of 112.21; thence North 81° 03' 32"East a distance of 182.31; thence North 27° 29' 41"East a distance of 266.72; thence North 1° 32' 16"East a distance of 313.16; thence North 7° 54' 34"West a distance of 315.30; thence North 29° 54' 41"West a distance of 361.77; thence North 11° 52' 10"East a distance of 168.74; thence North 48° 35' 06"West a distance of 230.68; thence North 63° 55' 29"West a distance of 90.01; thence North 5° 54' 11"West a distance of 303.84; feet to a point which bears North 88° 47' 19"West a distance of 633.08 feet and South 1,325.76 feet from the North one-quarter corner of said Section 12.

Venture Page 3 of 3

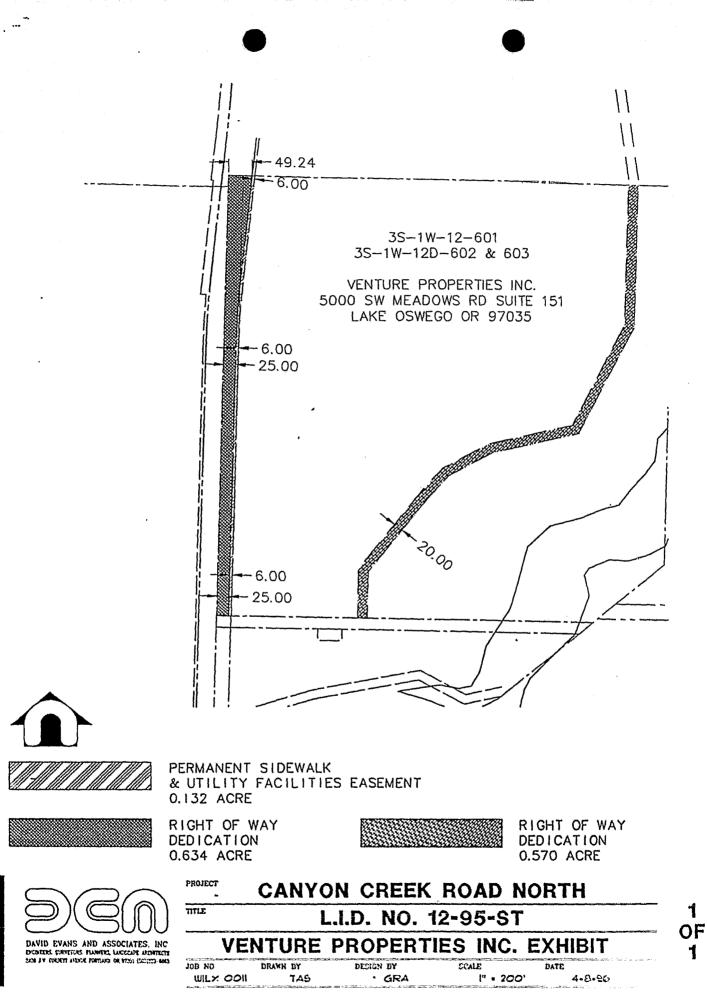


Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 0.570 acres or 24,854 square feet, more or less.

GRA, DEA Inc. 5-10-96 GRA:ligto:/project/w/wilk0011/wenture.leg

REGISTERED PROFESSIONAL LAND SURVEYOR OREGON JULY 25, 1990 GARY R. ANDERSON 2434 Renewal 12/31/97



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## DAVID EVANS AND ASSOCIATES, INC.

Tektronix, Inc.

#### EXHIBIT C

2828 SW Corbett Avenue

Portland, Oregon 97201

Tel: 503.223.6663

Fax: 503.223.2701

WILX0011 L.I.D. No. 12-95-ST Canyon Creek Road North City of Wilsonville, Oregon GRA, DEA Inc. 4-8-96 Amended 4-29-96 Amended 5-10-96 Parcel(s) 4

P.O. Box 1000 Wilsonville, OR 97070 Clackamas County Document No's 74-14522, 74-16760 & 76-19494 3S-1W-12-500, 590, 12D-604

#### **PARCEL 1 - Street Dedication**

A parcel of land lying in the Northwest and Southwest one-quarters of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of those properties conveyed in the Deeds to Tektronix, Inc., recorded as Document No's. 74-14522, 74-16760 and 76-19494, Clackamas County Book of Records; the said parcel of land being more particularly described as follows:

That portion of said properties within a 62.00 foot wide strip, lying 31.00 feet on each side of the centerline of Canyon Creek Road North being more particularly described as follows:

Beginning at a 3"brass disk Monument marked "W&H PACIFIC CL-CL 1991" on the South line of Section 12, Township 3 South, Range 1 West W.M., said point lying South 88° 52' 36" East a distance of 1,694.84 feet from the Southwest corner of said Section 12, and said point being Station 10+00.00 Northerly for the purposes of this project; and running thence North 1° 28' 35" East 2,288.99 feet to a point of curvature; thence along the arc of a 1,900.00 foot radius curve, (the long chord of which bears North 3° 47' 15" East a distance of 153.25 feet) a distance of 153.29 feet; thence North 6° 05' 56" East a distance of 307.61 feet to a point of curvature; thence along the arc of a 3,000.00 foot radius curve, (the long chord of which bears North 4° 42' 28" East a distance of 145.68 feet) a distance of 145.70 feet; thence North 3° 18' 59" East a distance of 227.34 feet to a point of curvature; thence along the arc of a 1,800.00 foot radius curve, (the long chord of which bears North 5° 43' 54" East a distance of 151.71 feet) a distance of 151.75 feet; thence North 8° 08' 49" East a distance of 352.73 feet to a point of curvature; thence along the arc of a 1,400.00 foot radius curve, (the long chord of which bears North 4° 42' 56" East a distance of 167.58 feet) a distance of 167.68 feet; thence North 1° 17' 4" East a distance of 168.06 feet to a point of non-tangent curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 10° 28' 24" East a distance of 223.57 feet) a distance of 224.53 feet to a point of reverse curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 5° 45' 56" West a distance of 601.12 feet) a distance of 621.32 feet; thence North 31° 11' 36" West a distance of 7.26 feet to a point of curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 2° 50' 30" East a distance of 671.64 feet) a distance of 712.83 feet to a point of reverse



## DAVID EVANS AND ASSOCIATES, INC.

Tektronix Page 2 of 4

#### 2828 SW Corbett Avenue

Portland, Oregon 97201

curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 19302000" East a distance of 367.70 feet) a distance of 373.71 feet; thence North 1° 11' 24" East a distance of 797.31 feet to a point on the centerline of Elligsen Road, (said point being station 77+00.12 Northerly for the purposes of this project) to which bears North 88° 47' 43" West a distance of 771.31 feet from a 3/4" iron pipe with yellow plastic cap marked 'WASH.CO.SURV." at the C.S. 1/16 corner of Section 1, Township 3 South Range 1 West, W.M.

TOGETHER WITH those portions of said properties lying adjacent to the above described 62.00 foot wide strip and being more particularly described as follows:

Beginning at the point of intersection of the Easterly line of said 62.00 foot strip and the Southerly line of Wiedmann Road (50.00-foot wide); thence along said Easterly line South 1° 17' 04" West a distance of 48.94 feet to a point of curvature; thence along the arc of a 40.00 foot radius curve, (the long chord of which bears North 46° 14' 36" East a distance of 56.53 feet) a distance of 62.77 feet to a point on a line which is parallel with and 9.00 feet south of said Southerly line; thence North 1° 12' 08" East a distance of 9.00 feet; thence along said Southerly line North 88° 47' 52" West a distance of 39.93 feet to the point of beginning

ALSO beginning at the point of intersection of the Westerly line of said 62.00 foot strip and the Southerly line of Wiedmann Road (50.00-foot wide); thence along said Westerly line South 1° 17' 04" West a distance of 49.06 feet to a point of curvature; thence along the arc of a 40.00 foot radius curve, (the long chord of which bears North 43° 45' 24" West a distance of 56.51 feet) a distance of 62.89 feet to a point on a line which is parallel with and 9.00 feet south of said Southerly line; thence North 1° 12' 08"East a distance of 9.00 feet; thence along said Southerly line South 88° 47' 52"East a distance of 40.07 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 3.021 acres, or 131,595 square feet, more or less.

#### **PARCEL 2 - Permanent Sidewalk and Utility Facilities Easement**

A parcel of land lying in the Northwest and Southwest one-quarters of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of those properties conveyed in the Deeds to Tektronix, Inc., recorded as Document No's. 74-14522, 74-16760 and 76-19494, Clackamas County Book of Records; the said parcel being two strips of land, more particularly described as follows:

That portion of said properties within a 6.00 foot wide strip lying adjacent to and West of the Westerly line of the above described PARCEL 1-Street Dedication.

Tektronix Page 3 of 4



TOGETHER WITH that portion of said properties lying West of the centerline of Canyon Creek Road North as described herein above and lying East of a line described as follows:

Beginning at a point lying 37.00 feet Westerly of centerline Station 35+00; thence Northerly in a straight line to a point 51.00 feet Westerly of Station 36+00; thence to a point 70.00 feet Westerly of Station 36+00; thence in a straight line to a point 70.00 feet Westerly of Station 36+50; thence Easterly to a point 51.00 feet Westerly of Station 42+00; thence Easterly to a point 41.00 feet Westerly of Station 42+00; thence Northerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly of Station 42+00; thence Easterly to a point 41.00 feet Westerly of Station 42+00; thence Northerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 51.00 feet Westerly and parallel with said centerline to a point 41.00 feet Westerly of Station 42+00; thence Northerly and parallel with said centerline to a point 41.00 feet Westerly of Station 46+50 and the end of this line description.

AND that portion of said properties within a 6.00 foot wide strip lying adjacent to and East of the Easterly line of the above described PARCEL 1-Street Dedication.

TOGETHER WITH that portion of said properties within a 15.00 foot wide strip lying 7.50 feet on each side of a line beginning at centerline Station 44+65; and running thence South 81° 51' 11"East a distance of 90.00 feet.

The parcel of land to which this description applies contains 0.845 acres, or 36,812 square feet, more or less.

### **PARCEL 3**-Dedication Utility Facilities

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Tektronix, Inc., recorded May 11, 1976 as Document 76-19494, Clackamas County Book of Records; the said parcel of land being all of said property excepting for that portion described above in PARCEL 1-Street Dedication.

The parcel of land to which this description applies contains 0.437 acres or 19,025 square feet, more or less.

### **PARCEL 4 - Permanent Utility Facilities Easement**

A parcel of land lying in the Northwest and Southwest one-quarters of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of those properties conveyed in the Deeds to Tektronix, Inc., recorded as Document No's. 74-14522,74-16760 and 76-19494, Clackamas County Book of Records; said parcel being that portion of said properties within a 20 foot wide strip, lying 10 feet on each side of the facility, the centerline of which is more particularly described as follows:

Tektronix Page 4 of 4



Beginning at a point South 88° 52' 36"East, a distance of 2,051.11 feet along the South line of said Section 12, and North 1,689.88 feet from the Southwest corner of said Section 12, thence North 1° 06' 34"East a distance of 121.05; thence North 38° 10' 06"East a distance of 204.98; thence North 41° 44' 12"East a distance of 70.89; thence North 57° 54' 56"East a distance of 112.21; thence North 81° 03' 32"East a distance of 182.31; thence North 27° 29' 41"East a distance of 266.72; thence North 1° 32' 16"East a distance of 313.16; thence North 7° 54' 34"West a distance of 315.30; thence North 29° 54' 41"West a distance of 361.77; thence North 11° 52' 10"East a distance of 168.74; thence North 48° 35' 06"West a distance of 230.68; thence North 63° 55' 29"West a distance of 90.01; thence North 5° 54' 11"West a distance of 303.84; feet to a point which bears North 88° 47' 19"West a distance of 633.08 feet and South 1,325.76 feet from the North one-quarter corner of said Section 12.

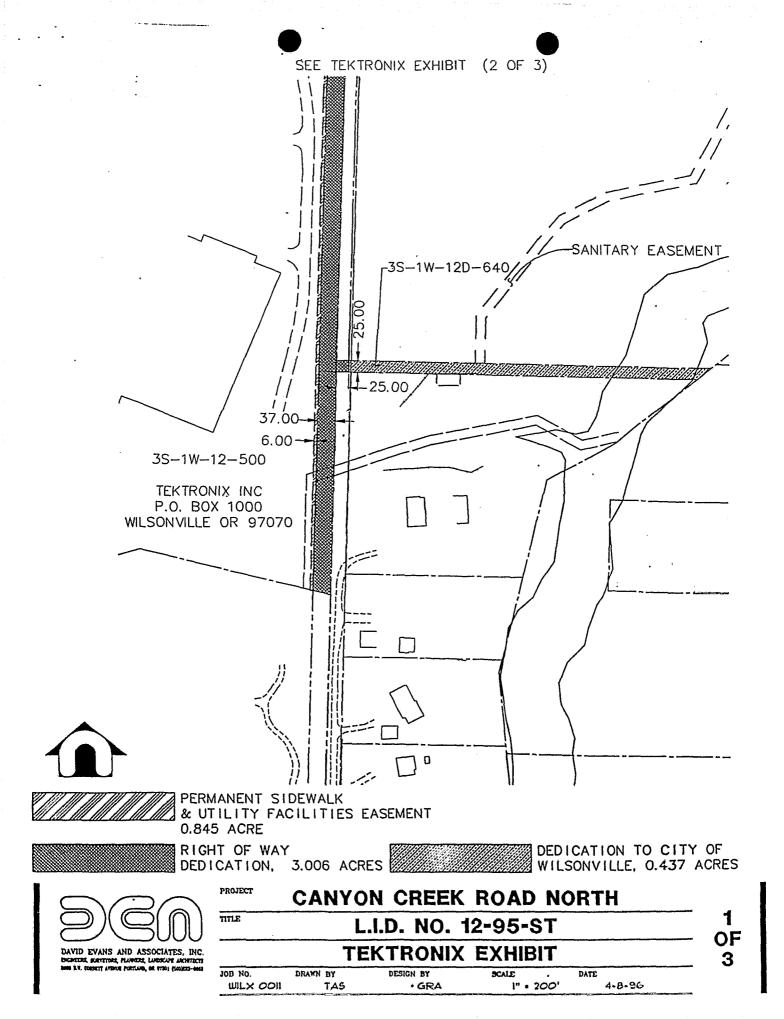
Bearings are based on the Oregon Coordinate System, North Zone.

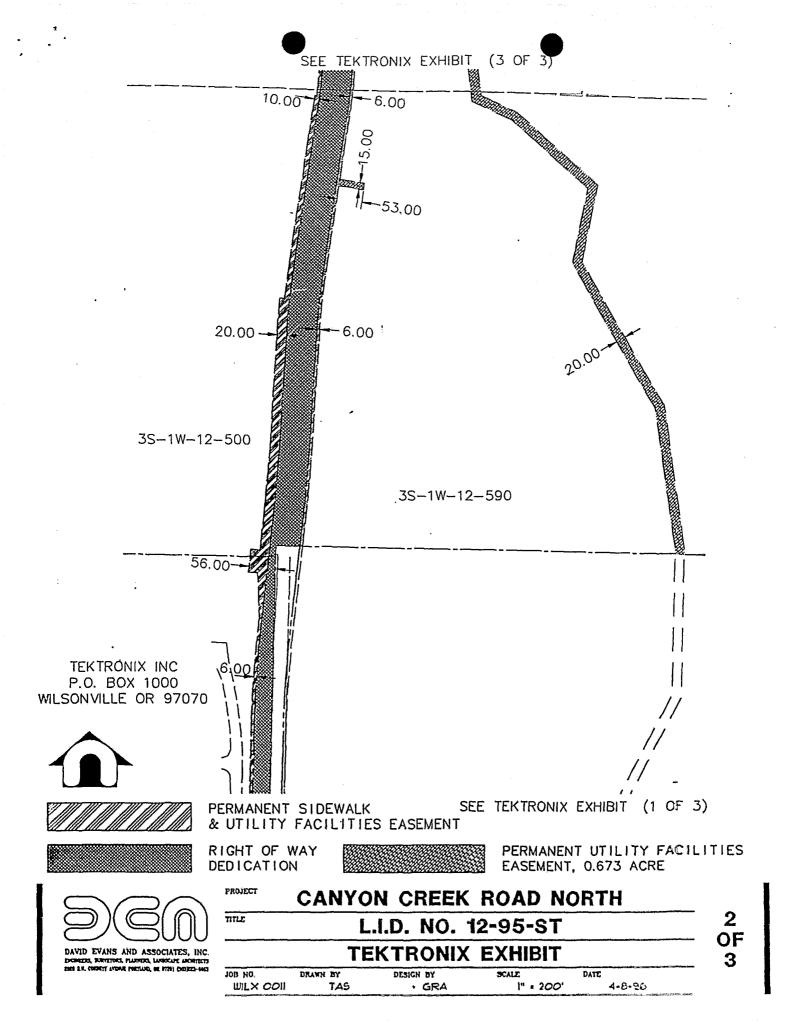
The parcel of land to which this description applies contains 0.673 acres or 29,318 square feet, more or less.

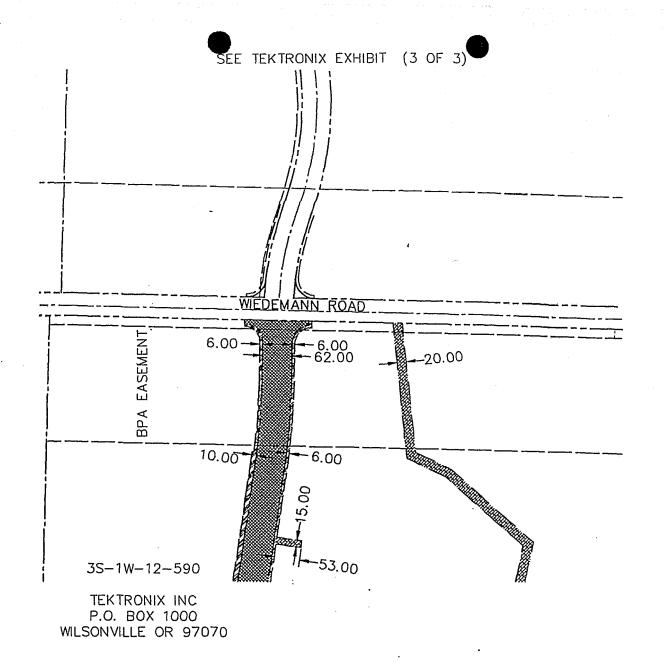
GRA, DEA Inc. 5-10-96

GRA:ljg/o:/project/w/wilx0011/tektroni.leg

REGISTERED PROFESSIONAL AND SURVEYOR OREGON JULY 25, 1990 GARY R. ANDERSON 2434 Kenewal 12/31/97









PERMANENT SIDEWALK & UTILITY FACILITIES EASEMENT

RIGHT OF WAY DEDICATION

PROJECT

TITLE

JOB NO.

WILX OOII



DAVID EVANS AND ASSOCIATES, INC.

 TEKTRONIX EXHIBIT

 DRAWN BY
 DESIGN BY
 SCALE
 DATE

 TAS
 GRA
 1" \* 200'
 DATE

**CANYON CREEK ROAD NORTH** 

L.I.D. NO. 12-95-ST

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4-8-96