

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 (Project No. 530-49130-5000-434)

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, adopted 1997/98 budget and the Five Year Capital Improvement Program 1997-2002; and

WHEREAS, the public improvements associated with Elligsen Road Widening -- Parkway Avenue to Parkway Center are duly authorized City Projects to be financed through Street System Development Charges; and

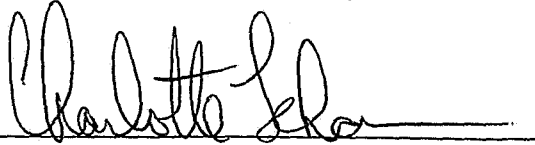
NOW, THEREFORE, THE CITY OF WILSONVILLE CITY COUNCIL RESOLVES AS FOLLOWS:

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 legal descriptions and map attached hereto as Exhibits "A" 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 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 judgement may be in the best interests of the City.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof of 15th day of September, 1997, and filed with the Wilsonville City Recorder this date



CHARLOTTE LEHAN, Mayor

ATTEST:



Sandra C. King, City Recorder, CMC

SUMMARY of Votes:

Mayor Lehan	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Luper	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>

August 5, 1997

Description for Additional Right of Way

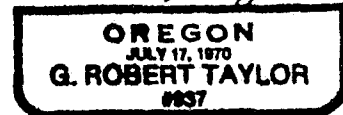
Wilsonville Super 8 Motel

A tract of land located in the southeast $\frac{1}{4}$ of Section 2, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon and being more particularly described as follows:

All that land lying southerly and westerly of the following described line located in Lot 1 of "Stafford Park" as recorded in Plat Book 39, at page 47, Washington County records, and beginning at the southeast corner of said Lot 1; thence along the East line of said Lot 1 North $01^{\circ}31'47''$ East 11.00 feet; thence North $88^{\circ}47'28''$ West 196.56 feet to a point of curvature; thence 44.62 feet along the arc of a 38.00 foot radius curve to the right through a central angle of $67^{\circ}16'36''$ (the long chord of which bears North $55^{\circ}09'10''$ West 42.10 feet) to a point of termination located on the East line of SW Parkway Avenue. Contains 1808 square feet.



G. Robert Taylor



EXPIRES 6-30-98

August 5, 1997

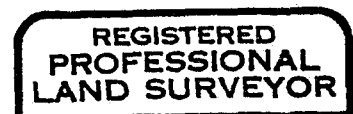
A Variable Width Utility Easement

Wilsonville Super 8 Motel

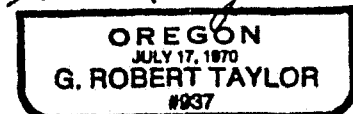
A tract of land located in the East ¼ of Section 2, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon, and being more particularly described as follows:

Beginning at the southeast corner of Lot 1 of "Stafford Park" as recorded in Plat Book 39, at page 47, Washington County records; thence North 01°31'47" East 11.00 feet to the TRUE POINT OF BEGINNING; thence North 88°47'28" West 196.56 feet to a point of curvature; thence 44.62 feet along the arc of a 38.00 foot radius curve to the right through a central angle of 67°16'36" (the long chord of which bears North 55°09'10" West 42.10 feet) to the intersection of the east line of Parkway Avenue; thence along the said east line North 01°31'47" East 14.90 feet; thence South 88°42'32" East 2.97 feet; thence South 04°24'39" East 6.69 feet; thence South 49°36'07" East 40.44 feet; thence South 88°47'28" East 196.59 feet to the East line of said Lot 1; thence along the East line of said Lot 1 South 01°31'47" West 6.00 feet to the TRUE POINT OF BEGINNING.

Contains 1680 square feet.



G. Robert Taylor



EXPIRE 6-30-98

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.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

G. Robert Taylor

OREGON
JULY 17, 1970
G. ROBERT TAYLOR
#937

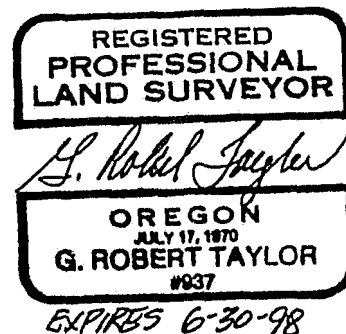
EXPIRES 6-30-98

August 5, 1997

Description for a Parking Area Construction Easement

A tract of land located in the southwest ¼ 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° 31'47" East 6.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said West line North 01°31'47" East 120.00 feet; thence South 88°47'28" East 44.13 feet; thence South 01°31'47" West 100.85 feet to the non-radial intersection of a 23.00 foot radius curve; thence 32.26 feet along the arc of said 23.00 foot radius curve to the right through a central angle of 80°22'04" (the long chord of which bears South 51°01'30" West 29.68 feet) to a point of tangency; thence North 88°47'28" West 21.56 feet to the TRUE POINT OF BEGINNING. Contains 5189 square feet.



August 5, 1997

Description for Additional Right of Way

Tualatin Valley Fire and Rescue

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 southeast corner of that tract of land conveyed to Tualatin Rural Fire Protection District as described in Fee Document No. 79-052501, Washington County Documents, and said point located northerly 35.00 feet from the center line of SW Elligsen Road, thence from the point of beginning along the northerly line of said SW Elligsen Road North $88^{\circ}47'28''$ West 250.00 feet to the southwest corner of said tract; thence along the west line of said tract North $01^{\circ}31'47''$ East 6.00 feet; thence South $88^{\circ}47'28''$ 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 $80^{\circ}22'04''$ (the long chord of which bears North $51^{\circ}01'30''$ East 29.68 feet) to a point, thence leaving said curve non-radially South $88^{\circ}39'29''$ East 43.27 feet to a non-radial 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 $80^{\circ}06'49''$ (the long chord of which bears South $48^{\circ}44'04''$ East 29.60 feet) to a point of tangency; thence South $88^{\circ}47'28''$ 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 $85^{\circ}48'40''$ (the long chord of which bears North $48^{\circ}18'12''$ East 31.32 feet) to a point; thence leaving said curve non-radially South $85^{\circ}48'40''$ East 33.79 feet to the non-radial intersection of a 23.00 foot radius curve; thence 21.87 feet along the arc of said curve to the left through a central angle of $54^{\circ}28'11''$ (the long chord of which bears South $30^{\circ}08'47''$ East 21.05 feet) to the intersection of the east line of said tract; thence along the east line of said tract South $01^{\circ}31'47''$ West 9.37 feet more or less to the point of beginning. Contains 3472 square feet.

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OREGON
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#937

EXPIRE 6-30-99

August 5, 1997

A 6.00 Foot Wide Utility Easement

Tualatin Valley Fire and Rescue

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 (TRFPD) as described in Fee Document No. 79-052501, Washington County Documents, and said point located Northerly 35.00 feet from the center line of SW Elligsen Road; thence along the West line of said TRFPD tract North $01^{\circ}31'47''$ 6.00 feet to the TRUE POINT OF BEGINNING; thence continuing along said West line North $01^{\circ}31'47''$ East 6.00 feet; thence South $88^{\circ}47'28''$ East 21.52 feet to a point of curvature; thence 23.85 feet along the arc of a 17.00 foot radius curve to the left through a central angle of $80^{\circ}22'04''$ (the long chord of which bears North $50^{\circ}03'20''$ East 21.94 feet) to a point; thence South $79^{\circ}09'33''$ East 6.00 feet to point "A" of this description; thence 32.26 feet along the arc of a 23.00 foot radius curve to the right through a central angle of $80^{\circ}22'04''$ (the long chord of which bears South $51^{\circ}01'30''$ West 29.68 feet) to a

point of tangency; thence North 88°47'28" West 21.56 feet to the TRUE POINT OF BEGINNING, contains 298 square feet, and continuing said 6.00 foot wide easement by starting at the above described point "A", thence South 88°39'29" East 43.27 feet to the TRUE POINT OF BEGINNING; thence North 81°19'21" East 6.00 feet to the intersection of a 17.00 foot radius curve; thence 23.77 feet along the arc of said 17.00 foot radius curve to the left through a central angle of 80°06'49" (the long chord of which bears south 48°44'04" East 21.88 feet) to a point of tangency; thence South 88°47'28" East 72.18 feet to a point of curvature; thence 25.46 feet along the arc of a 17.00 foot radius curve to the left through a central angle of 85°48'40" (the long chord of which bears North 48°18'12" East 23.15 feet) to a point; thence South 84°36'08" East 6.00 feet; thence 34.45 feet along the arc of a 23.00 foot radius curve to the right through a central angle of 85°48'40" (the long chord of which bears South 48°18'12" West 31.32 feet) to a point of tangency; thence North 88°47'28" West 72.18 feet to a point of curvature; thence 32.16 feet along the arc of a 23.00 foot radius curve to the right through a central angle of 80°06'49" (the long chord of which bears North 48°44'04" West 29.60 feet) to the TRUE POINT OF BEGINNING, contains 781 square feet.

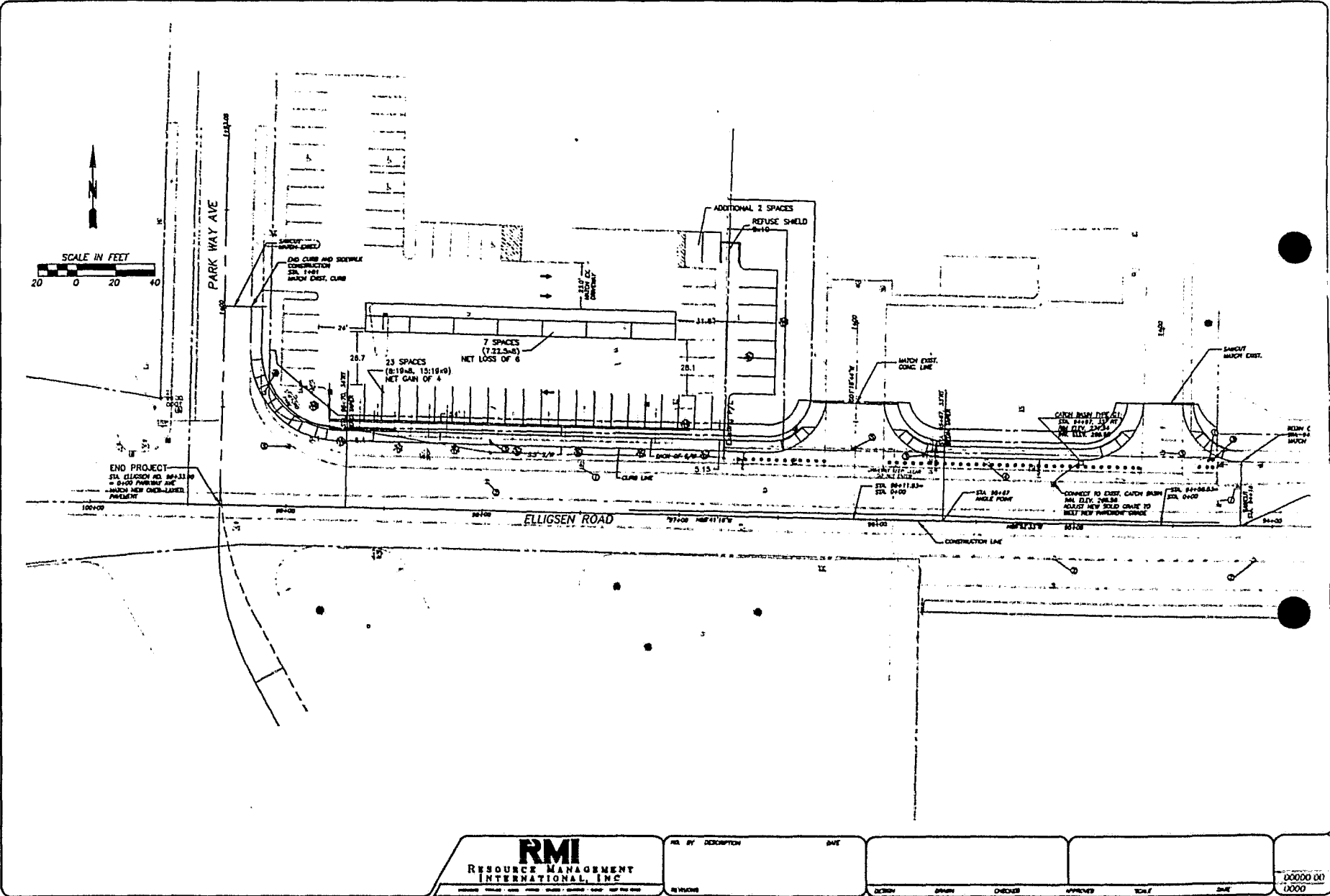
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LAND SURVEYOR

G. Robert Taylor

OREGON
JULY 17, 1970
G. ROBERT TAYLOR
#937

EXPIRES 6-30-98

R:\CHANNGS\129305\1.LINES Wed Aug 06 16:31:45 1997 ETG



September 8, 1997

A 6.00 Foot Wide Utility Easement
Tualatin Rural Fire Protection District

A tract of land located in the southwest 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; thence South $88^{\circ} 47' 28''$ East 21.56 feet to the beginning of a curve tangent to said line; thence easterly and northeasterly a distance of 8.65 feet along the curve concave to the north, having a radius of 23.00 feet and a central angle of $29^{\circ} 57' 21''$ (the chord of which bears North $80^{\circ} 25' 47''$ East 8.60 feet) to the TRUE POINT OF BEGINNING; thence continuing 23.61 feet along said 23.00 foot radius curve to the left having a central angle of $58^{\circ} 48' 34''$ (the long chord of which bears North $40^{\circ} 14' 44''$ East 22.59 feet) to point "A" of this description; thence North $79^{\circ} 09' 33''$ West, a distance of 6.00 feet to the non-tangent intersection of a 17.00 foot radius curve; thence 14.96 feet along the arc of said 17.00 foot radius curve concave to the north having a central angle of $50^{\circ} 24' 43''$ (the chord of which bears South $36^{\circ} 02' 49''$ West 14.48 feet); thence South $01^{\circ} 31' 47''$ West 6.66 feet to the TRUE POINT OF BEGINNING, contains 115.8 square feet; and continuing said 6.00 foot wide easement by starting at the above described point "A", thence South $88^{\circ} 39' 29''$ East 43.27 feet to the TRUE POINT OF BEGINNING; thence North $81^{\circ} 19' 21''$ East 6.00 feet to the intersection of a 17.00 foot radius curve; thence 23.77 feet along the

arc of said 17.00 foot radius curve to the left through a central angle of $80^{\circ}06'49''$ (the long chord of which bears south $48^{\circ}44'04''$ East 21.88 feet) to a point of tangency; thence South $88^{\circ}47'28''$ East 72.18 feet to a point of curvature; thence 25.46 feet along the arc of a 17.00 foot radius curve to the left through a central angle of $85^{\circ}48'40''$ (the long chord of which bears North $48^{\circ}18'12''$ East 23.15 feet) to a point; thence South $84^{\circ}36'08''$ East 6.00 feet; thence 34.45 feet along the arc of a 23.00 foot radius curve to the right through a central angle of $85^{\circ}48'40''$ (the long chord of which bears South $48^{\circ}18'12''$ West 31.32 feet) to a point of tangency; thence North $88^{\circ}47'28''$ West 72.18 feet to a point of curvature; thence 32.16 feet along the arc of a 23.00 foot radius curve to the right through a central angle of $80^{\circ}06'49''$ (the long chord of which bears North $48^{\circ}44'04''$ West 29.60 feet) to the TRUE POINT OF BEGINNING, contains 781 square feet.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

G. Robert Taylor

OREGON
JULY 17, 1970
G. ROBERT TAYLOR
#937

EXPIRES 6-30-98

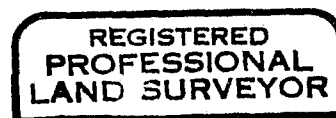
September 8, 1997

A 6.00 Foot Wide Utility Easement

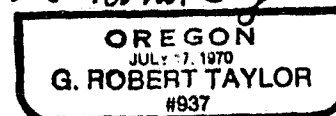
A tract of land located in the southwest 1/4 of Section 1, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon, and being more particularly described as follows:

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 $01^{\circ}31'47''$ 6.00 feet; thence South $88^{\circ}47'28''$ East, a distance of 21.53 feet to the beginning of a curve tangent to said line; thence easterly and northeasterly a distance of 8.89 feet along the curve concave to the north, having a radius of 17.00 feet and a central angle of $29^{\circ}57'21''$ (the long chord of which bears North $76^{\circ}13'51''$ East) to a point; thence South $01^{\circ}31'47''$ West, a distance of 6.66 feet to the non-tangent intersection of a 23.00 foot radius curve; thence 8.65 feet westerly along the arc of a 23.00 foot radius curve concave to the north 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, a distance of 21.56 feet to the TRUE POINT OF BEGINNING.

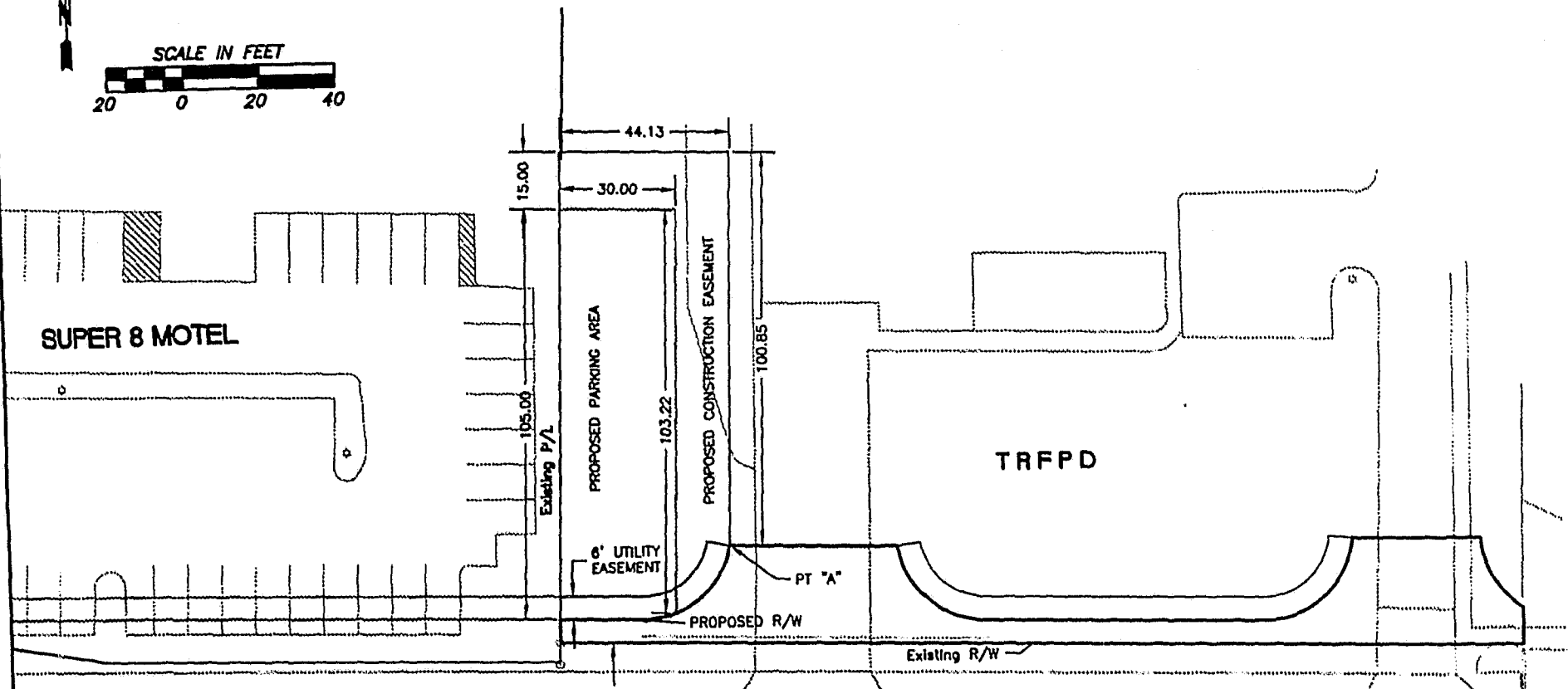
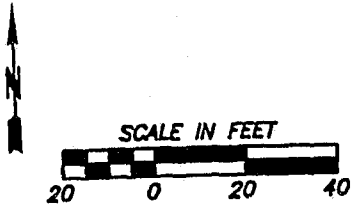
Contains 181.8 square feet.



G. Robert Taylor



EXPIRES 6-30-98



**REGISTERED
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G. Robert Taylor

OREGON
JUL 17, 1970
G. ROBERT TAYLOR
#837

EXPIRES 6-30-98

Existing E
SW ELLIGSEN RD

RMI
**RESOURCE MANAGEMENT
INTERNATIONAL, INC.**

BOARDS - PAVING - ASPH - FENCE - BRICK - CONCRETE - EARTH - VERT CURB BEACH

NO.	BY	DATE

**SW ELLIGSEN RD
LEGAL DESCRIPTIONS**

DESIGN DRAWN CHECKED APPROVED

SCALE 1"=40' DATE 9-9-97 lines

12996.16

ENGINEERING DEPARTMENT
STAFF REPORT & RECOMMENDATION

DATE: September 15, 1997

TO: Honorable Mayor and City Councilors

FROM: Jamie Porter
Engineering Associate

SUBJECT: Acquisition of Right-of-Way and Easements in Association
with Elligsen Road Widening -- Parkway Avenue to Parkway
Center (Project No. 530-49130-5000-434)

SUMMARY

Through previous City Council actions, the project has been designed and funds have been appropriated in the 1997/98 budget for the widening and associated improvements of Elligsen Road from Parkway Avenue to Parkway Center. With the completion of the project design, acquisition of the right-of-way and easements necessary for the construction of those improvements is now necessary.

RECOMMENDATION

Staff respectfully recommends that the City Council adopt the attached resolution authorizing the City to negotiate and acquire the land necessary for the construction of the public improvements.

DISCUSSION

Through the 1991 Transportation Master Plan, the adopted 1997/98 budget and the Five Year Capital Improvement Program 1997-2002, the City Council has authorized the construction of public improvements associated with Elligsen Road Widening -- Parkway Avenue to Parkway Center. To allow for the construction of these improvements, right-of-way and easements adjacent, through and across private property is necessary. The legal descriptions before you this evening represent acquisitions for roadway widening and utility relocation from two property owners, the Super 8 Motel and Tualatin Valley Fire & Rescue.

Respectfully Submitted,

Jamie Porter
Engineering Associate