

RESOLUTION NO. 1523

A RESOLUTION AUTHORIZING THE TRANSFER OF TITLE OF PROPERTIES TO THE LANDOVER HOMEOWNERS ASSOCIATION TO CORRECT ERRORS ON THE LANDOVER SUBDIVISION PLAT.

WHEREAS, the Benchmark Land Company applied to the City for a zone change and planned development (subdivision) approval in 1995, for a project named the Landover Subdivision. Benchmark's application included a tentative subdivision plat on which 24-foot wide access drives were shown as "private streets"; and

WHEREAS, the Wilsonville City Council adopted Resolution No. 1173 on May 15, 1995, approving the Zone Order for the Landover Subdivision, accepting the conditions of approval for the subdivision that were established by the City's Planning Commission; and

WHEREAS, the Planning Commission's conditions of approval included conditions referring to the "24-foot private street," thereby indicating that such roadways were not intended to be City streets; and

WHEREAS, the subject 24-foot wide streets were not constructed to City standards as public streets; and

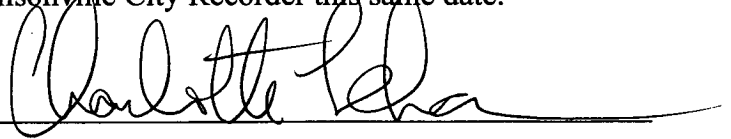
WHEREAS, if the final subdivision plats had contained the appropriate language, the ownership of these private streets would have been conveyed from the developer to the Homeowners Association, rather than to the City.

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

1. The 24-foot wide drives extending to the north off of Wagner Street and south off of Morgan Court were not intended to be, and do not meet the standards to be public streets.
2. Both of the subject 24-foot wide drives were dedicated to the City in error, and in violation of the conditions of approval for the Landover Subdivision.

3. In order to correct the error made on the final plats of the Landover and Landover 2 Subdivisions, the City Council instructs and authorizes the City Attorney to file the necessary deed or deeds to convey the title to the land within the subject drives to the Landover Homeowners Association.

ADOPTED by the Wilsonville City Council at a regular Council meeting thereof this 16th day of November, 1998, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Sandra C. King, CMC, City Recorder

SUMMARY of votes:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Kirk	Yes
Councilor Luper	Yes
Councilor Barton	Yes