

RESOLUTION NO. 1559

A RESOLUTION RELEASING THE CITY'S INTEREST IN A SEWER PIPE-LINE EASEMENT, CLACKAMAS COUNTY RECORDER'S NO. 86-11259

WHEREAS, a permanent easement together with a temporary construction easement for sewer pipeline purposes from Jack L. Lozo, Grantor, to the City of Wilsonville, Grantee, was recorded on April 1, 1986, Clackamas County Recorder's No. 86-11259, which legal descriptions are attached as Exhibit A; and

WHEREAS, a public sanitary sewer line has been constructed within the Park Place right-of-way, replacing the need for the easements set forth in Recorder's No. 86-11259 and they no longer serve a public purpose; and

WHEREAS, Resolution No. 1468 authorized execution of a development agreement for Town Center Park between the City of Wilsonville (the "City") and Plaza Royal, Sky-Land Inc., and Jack E. Kohl, Jr. (the "Owner") as tenants-in-common; and

WHEREAS, Section 4 of the Development Agreement between City and Owner requires the City by resolution to find and determine that there is no longer a public purpose and use for the property described in recorded easement no. 86-11259 and that such property shall revert to the Owner by operation of law; and

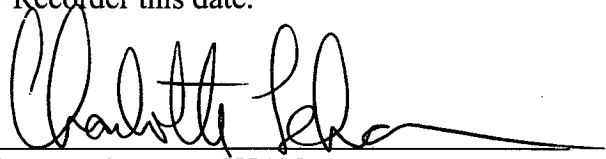
WHEREAS, the Owner has provided to the City satisfactory documentation that it is the successor in interest to Jack Lozo's reversionary rights in the aforementioned easements.

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

1. Based on the findings recited above, the City of Wilsonville's interest in those certain easements set forth in Clackamas County Recorder's No. 86-11259 no longer serve a public purpose and the interest in said easement hereby reverts and is granted to Plaza Royal, an Oregon partnership, as to an undivided seventy percent (70%) interest as tenant-in-common; Sky-Land Inc., an Oregon corporation, as to an undivided twenty percent (20%) interest as tenant-in-common; and Jack E. Kohl, Jr., as to an undivided ten percent (10%) interest as tenant-

in-common; the current successors in interest to Jack L. Lozo's reversionary interest in the
aforementioned easements.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 21st day of
June 1999, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, CMC, City Recorder

SUMMARY of Votes:

Mayor Lehan	Yes
Councilor Kirk	Yes
Councilor Helser	Yes
Councilor Barton	Yes
Councilor Holt	Yes

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Exhibit A

Sanitary Sewer Permanent Easement Description:

Across and under a tract of land in the West ¼ of the Southwest ¼ of Section 13, T. 3 S., R. 1 W., W.M. more particularly described as follows:

Being over a twenty (20) foot wide strip of land being the westerly 20 feet of that tract of land conveyed to Harold J. Laswell and Jack L. Lozo as described in Fee No. 77-47213 of the Clackamas County Deed Records.

Sanitary Sewer Temporary Easement Description:

Across and under a tract of land in the West ¼ of the Southwest ¼ of Section 13, T. 3 S., R. 1 W., W.M. more particularly described as follows:

Being over a thirty (30) foot wide strip of land being the easterly 30 feet of the westerly 50 feet of that tract of land conveyed to Harold J. Laswell and Jack L. Lozo as described in Fee No. 77-47213 of the Clackamas County Deed Records.