

RESOLUTION NO. 1993

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTEREST IN ORDER TO CONSTRUCT A WEST SIDE NEIGHBORHOOD PARK TO SERVE THE MONTEBELLO AREA

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Wilsonville is duly authorized and empowered to acquire such real property as may be deemed necessary and proper for identified public improvements; and

WHEREAS, Section 3.1 – “System Overview” of the Draft Parks and Recreation Master Plan recommends that the ideal park system for Wilsonville “is one made up of a hierarchy of various park types” and that the “basic concept of the recommended system is to assure that every neighborhood in Wilsonville is served by either a neighborhood park or community park”; and

WHEREAS, the existing Montebello Park is a small beautification area that is not suitable to meet the recreation needs of the surrounding neighborhood; and

WHEREAS, to provide access to basic recreation opportunities and to enhance neighborhood identity, a new neighborhood park is needed; and

WHEREAS, Section 3.2 – “Park System Improvements” of the Draft Parks and Recreation Master Plan identifies site P8, referred to in Exhibit 1, attached hereto and incorporated herein by this reference, as a “proposed neighborhood park to serve the currently underserved Montebello area.”; and

WHEREAS, the Draft Parks and Recreation Master Plan calls for acquisition of a suitable site that meets the City’s design and development guidelines for neighborhood parks and recommends a site approximately one acre in size; and

WHEREAS, tax lot 31W14C 01300 owned by the Harry V. Hodges Living Trust, Friedgard V. Van Eck, Trustee is a .68 acre site immediately adjacent to the existing Montebello Park meets the recommendations set forth in the Draft Parks and Recreation Master Plan for a new neighborhood park to serve the Montebello area; and

WHEREAS, the City of Wilsonville is authorized to acquire property by legal means, including eminent domain, for a public purpose; and

WHEREAS, the procedures for property acquisition requiring eminent domain shall conform to all statutory requirements to ensure that property owners' rights are fully respected.

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

1. There is needed and required, for the public purpose of providing a neighborhood park to serve the Montebello area of Wilsonville, acquisition of property interest of that property identified in Exhibit 2, attached hereto and incorporated herein by this reference.

2. The property interest is required as a result of the aforementioned public improvement, and the improvement has been planned and located in a manner most compatible with the greatest public good and the least private injury and in accordance with the recommendations set forth in the Draft Parks and Recreation Master Plan.

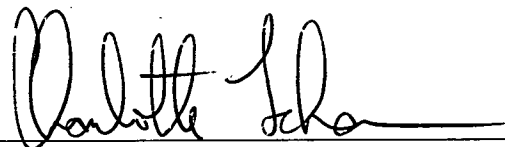
3. City of Wilsonville staff and attorneys are authorized and directed to negotiate with the owners of the real property herein described as to the compensation to be paid for the acquisition of the property and, in the event agreement cannot be reached, then to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the real property or property interest.

4. Upon trial of 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.

5. The City of Wilsonville anticipates it will acquire the above-described property in the spring of 2006.

6. This resolution is effective upon adoption.

ADOPTED by the City Council for the City of Wilsonville at a regular meeting thereof this 17th day of April, 2006 and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

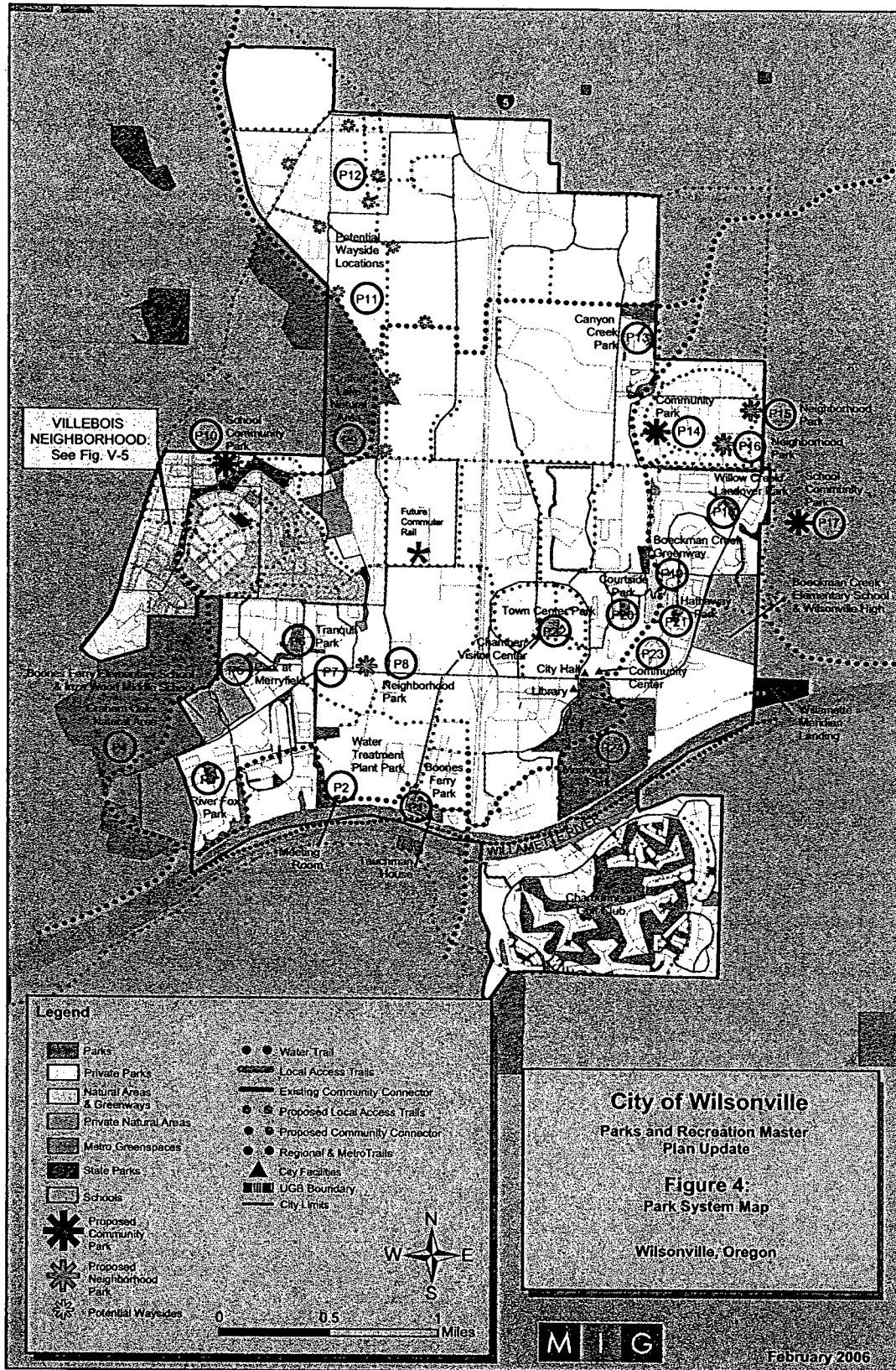
ATTEST:



Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes
Councilor Kirk	Yes
Councilor Holt	Yes



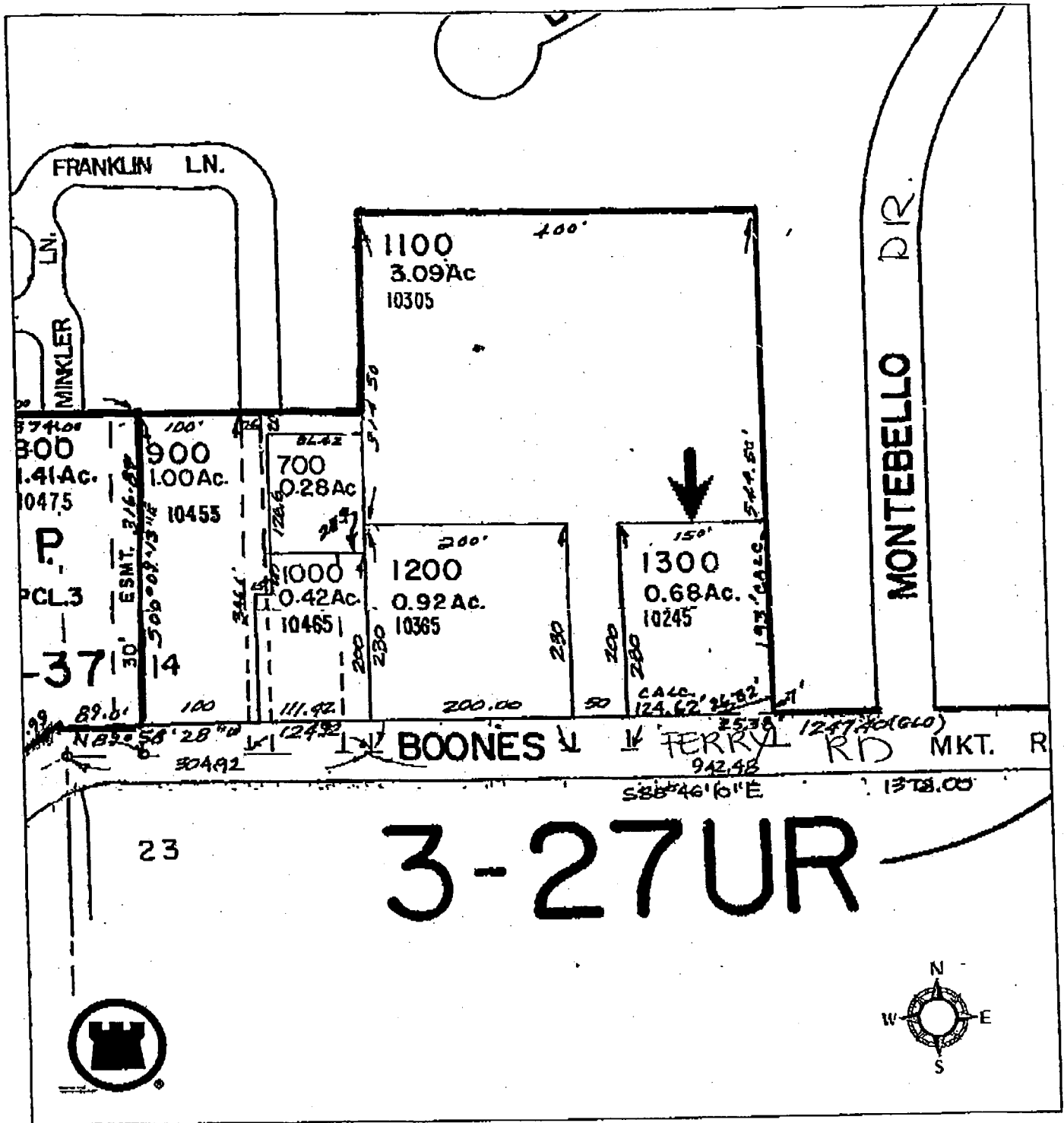
Order No.: 424286

LEGAL DESCRIPTION

A part of the Robert V. Short Donation Land Claim in Section 14, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the South line of said section 14, which is 554.92 feet East of the Southwest corner of said Section 14, which beginning point is also 250 feet East of the Southwest corner of a tract conveyed to Fred Wiedemann by Deed recorded November 25, 1930, in Book 210, Page 49, Deed Records; thence North 230 feet parallel with the West line of said Wiedemann tract; thence East and parallel with the South line of said Section 14, 150 feet to a point in the East line of the Wiedemann tract; thence South along the East line of said Wiedemann tract, 230 feet to the Southeast corner thereof; thence West along the South line of said Wiedemann tract 150 feet to the place of beginning.

EXCEPTING THEREFROM that portion as disclosed in Street Dedication to the City of Wilsonville and its assigns recorded January 5, 2005 as Recorder's Fee No. 2005-001198.



CHICAGO TITLE

"This plat is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon."

Map No. 31W14C 01300
 CHICAGO TITLE INSURANCE COMPANY
 10135 S.E. SUNNYSIDE ROAD Suite 200
 CLACKAMAS, OREGON 97015

City of Wilsonville Resolution No:
1993



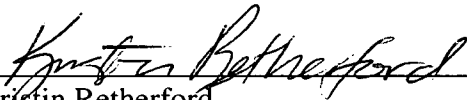
30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax

**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: April 17, 2006
TO: Honorable Mayor Lehan and Councilors
FROM: Kristin Retherford, Urban Renewal Project Manager
SUBJECT: Acquisition of Property for a New Neighborhood Park to Serve the Montebello Area

Summary: The City of Wilsonville's Draft Parks and Recreation Master Plan identifies the need for a new neighborhood park to serve the Montebello area. A property immediately adjacent to the existing Montebello Park, owned by the Harry V. Hodges Living Trust, Friedgard V. Van Eck, Trustee, is appropriately sized and located to meet this need. The acquisition of a land for a new neighborhood park in the Montebello area is necessary to better serve this neighborhood and to carry out the objectives set forth in the Draft Parks and Recreation Master Plan.

Recommendation: Staff recommends the Council adopt a resolution authorizing acquisition of the above-mentioned property for the development of a new neighborhood park in the Montebello area.



Kristin Retherford
Urban Renewal Project Manager

4-17-06
Date