

**RESOLUTION NO. 2397**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTERESTS RELATED TO THE AUTUMN PARK SEWER LINE REPLACEMENT PROJECT.**

WHEREAS, The City's waste water collection system maintenance history indicates that the existing 8-inch diameter sanitary sewer line is undersized in SW Willamette Way East and through the Autumn Park Apartments property and needs to be replaced.

WHEREAS, the Autumn Park sewer line replacement project will correct failing infrastructure by installing 450 feet of new 12-inch sanitary sewer pipe on SW Willamette Way East and approximately 1,250 feet of 12-inch pipe, manholes and a clean out to replace the line that passes through the Autumn Park Apartment property; and

WHEREAS, this project is included in the City of Wilsonville 2012/13 approved budget as project #2091; and

WHEREAS, in order to construct these improvements the City needs to acquire two permanent sanitary sewer easements and five temporary construction easements from the Autumn Park Apartments property; and

WHEREAS, these easements are described in legal descriptions attached hereto and fully incorporated herein as Exhibits A, B, C, D, E, F & G; and

WHEREAS, construction is scheduled to occur in the summer of 2013 or as soon as the necessary property rights have been obtained and a construction contract has been awarded; and

WHEREAS, this project is currently estimated to cost \$304,000 with funding to be provided from the City's Sewer Operating Fund and split between Fiscal Years 2012/13 and 2013/14; and

WHEREAS, the City acquires real property in accordance with guidelines set forth in its Urban Renewal Agency's adopted "*Appraisal and Acquisition Policies*"; and

WHEREAS, in comparing the cost amount for the aforementioned construction and the property interest along with the existing use of the subject property, the alternative presented herein reflects the least amount of private property interest to ensure safe, efficient and adequate public improvements; and

WHEREAS, title to the acquired property interest shall vest directly in the name of the City of Wilsonville in order to provide for necessary care, maintenance and public safety authority.

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

1. There is needed and required for the public purpose of providing needed public improvements the acquisition of real property interest as described on the attached Exhibits A, B, C, D, E, F & G, incorporated herein by this reference.
2. The property interest is acquired as a result of 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. City 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 including but not limited to, obtaining a negotiated right-of-entry to begin construction while negotiating full acquisition 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 and 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. City staff anticipates it will acquire the above-described property in the spring of 2013.
6. Title to the acquired property shall vest directly in the name of the City of Wilsonville.
7. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a special meeting thereof this 21st day of February, 2013, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor Goddard	Excused
Councilor Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachments:

Exhibit A

Exhibit B

Exhibit C

Exhibit D

Exhibit E

Exhibit F

Exhibit G

**EXHIBIT A****ENGINEERING PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
 Sherwood, Oregon 97140  
 Phone: (503) 925-8799  
 Fax: (503) 925-8969

**LANDSCAPE ARCHITECTURE  
SURVEYING**

AKS Group of Companies:  
 SHERWOOD, OREGON  
 SALEM, OREGON  
 VANCOUVER, WASHINGTON  
[www.aks-eng.com](http://www.aks-eng.com)

**LEGAL DESCRIPTION**

*Sanitary Sewer Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091*

*Tax Map 3S 1W 22ACS1, Tax Lot 13400*

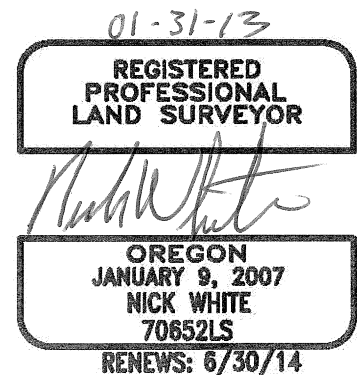
Real property being a tract of land situated in the Northeast One-Quarter of Section 22, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", being a point on the southerly right-of-way line of Wilsonville Road (39.00 feet from centerline); thence along said southerly right-of-way line South 54°23'09" West 241.53 feet to the **True Point of Beginning**; thence South 16°04'48" West 166.85 feet to a point; thence South 19°59'56" East 180.93 feet to a point; thence South 00°45'34" West 159.05 feet to a point; thence South 70°08'09" West 99.86 feet to a point; thence South 43°33'53" West 147.74 feet to a point; thence South 66°23'39" West 477.93 feet to a point on the easterly right-of-way line of Willamette Way East (25.00 feet from centerline); thence along said easterly right-of-way line North 09°08'45" West 15.49 feet to a point from which a 5/8 inch iron rod at the most westerly northwest corner of Document Number 2004-088866 bears North 09°08'45" West 58.24 feet; thence North 66°23'39" East 471.04 feet to a point; thence North 43°33'53" East 148.26 feet to a point; thence North 70°08'09" East 93.02 feet to a point; thence North 00°45'34" East 145.92 feet to a point; thence North 19°59'56" West 183.07 feet to a point; thence North 16°04'48" East 152.74 feet to a point on the southerly right-of-way line of Wilsonville Road (39.00 feet from centerline); thence along said southerly right-of-way line North 54°23'09" East 24.20 feet to the **True Point of Beginning**.

The above described tract of land contains 18,200 square feet, more or less.

Property Vested in:

*Autumn Park Renewal Limited Partnership*  
*Tax Map 3 1W 22ACS1, Tax Lot 13400*

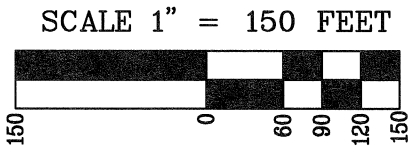
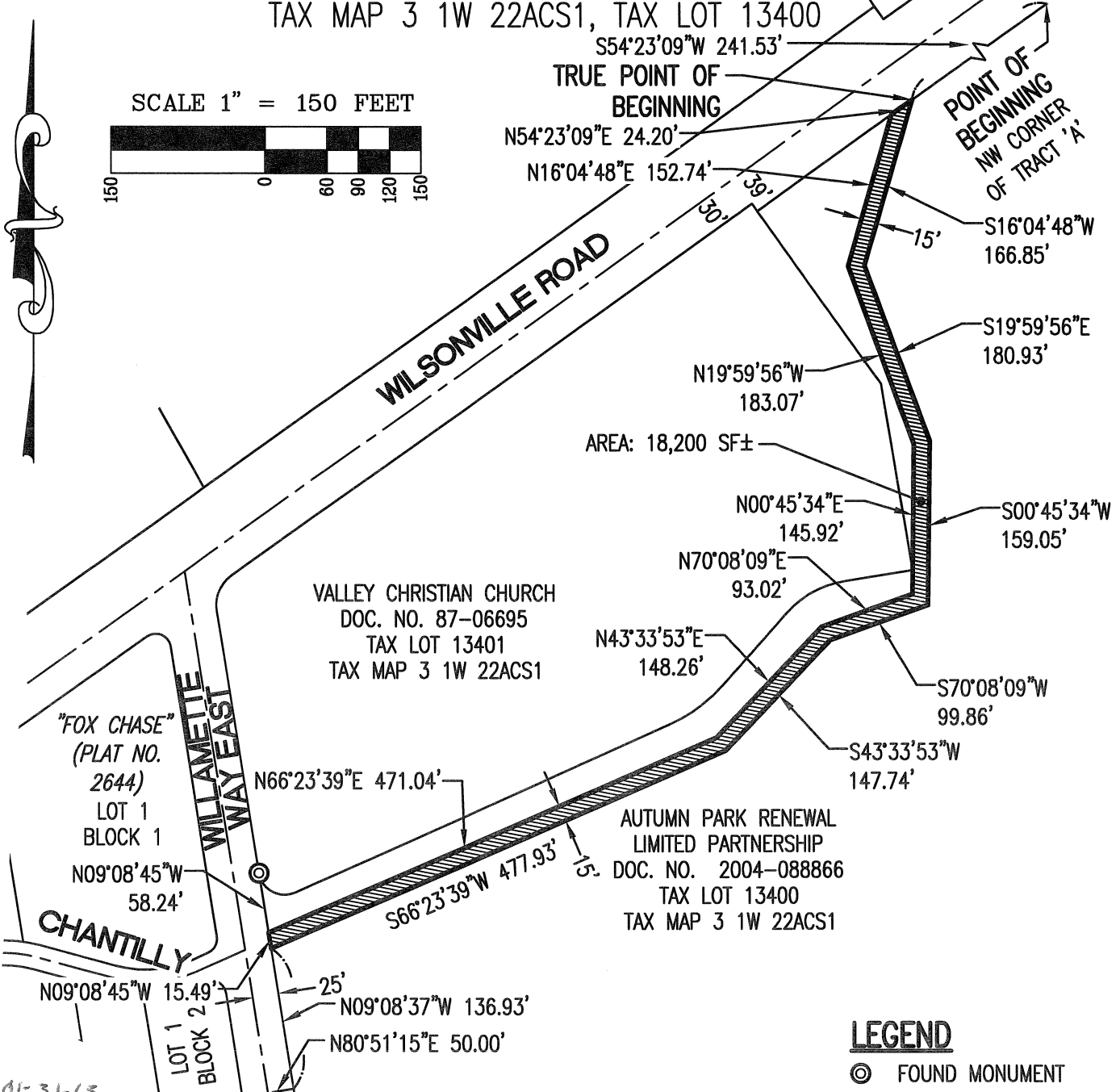


# EXHIBIT B LEGAL MAP

## SANITARY SEWER EASEMENT

AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091

TAX MAP 3 1W 22ACS1, TAX LOT 13400



VALLEY CHRISTIAN CHURCH  
DOC. NO. 87-06695  
TAX LOT 13401  
TAX MAP 3 1W 22ACS1

"FOX CHASE"  
(PLAT NO. 2644)  
LOT 1  
BLOCK 1

AUTUMN PARK RENEWAL  
LIMITED PARTNERSHIP  
DOC. NO. 2004-088866  
TAX LOT 13400  
TAX MAP 3 1W 22ACS1

### LEGEND

⊙ FOUND MONUMENT

01-31-13

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*Nick White*

OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS

RENEWS: 6/30/14

JOB NAME: AUTUMN PARK APT.

JOB NUMBER: 3215

DRAWN BY: MSK

CHECKED BY: NSW

DWG NO.: 3215SAN ESMT

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SHERWOOD, OR 97140  
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FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

# EXHIBIT A

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FORESTRY**

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## LEGAL DESCRIPTION

*Sanitary Sewer Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091*

*Tax Map 3S 1W 22ACS1, Tax Lot 13400*

Real property being a tract of land situated in the Northeast One-Quarter of Section 22, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being more particularly described as follows:

Beginning at a 5/8 inch iron rod at the easterly southeast corner of Lot 1, Block 2 of the Plat "Fox Chase", being a point on the westerly right-of-way line of Willamette Way East (25.00 feet from centerline), thence North 80°51'15" East 50.00 feet to a point on the easterly right-of-way line of Willamette Way East (25.00 feet from centerline); thence along said easterly right-of-way line North 09°08'45" West 152.42 feet to a point, from which a 5/8 inch iron rod at the most westerly northwest corner of Document Number 2004-088866 bears North 09°08'45" West 58.24 feet; thence North 66°23'39" East 243.59 feet to the **True Point of Beginning**; thence North 18°56'15" West 7.52 feet to a point on the southerly line of a 15.00 foot wide sanitary sewer easement per Document number 88-21256; thence along said southerly line North 66°23'39" East 15.05 feet to a point; thence South 18°56'15" East 7.52 feet to a point; thence South 66°23'39" West 15.05 feet to the **True Point of Beginning**.

The above described tract of land contains 113 square feet, more or less.

Propoerty Vested in:

*Autumn Park Renewal Limited Partnership*

*Tax Map 3 1W 22ACS1, Tax Lot 13400*

01-31-13  
**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**  
*Nick White*  
**OREGON  
JANUARY 9, 2007  
NICK WHITE  
70652LS  
RENEWS: 6/30/14**



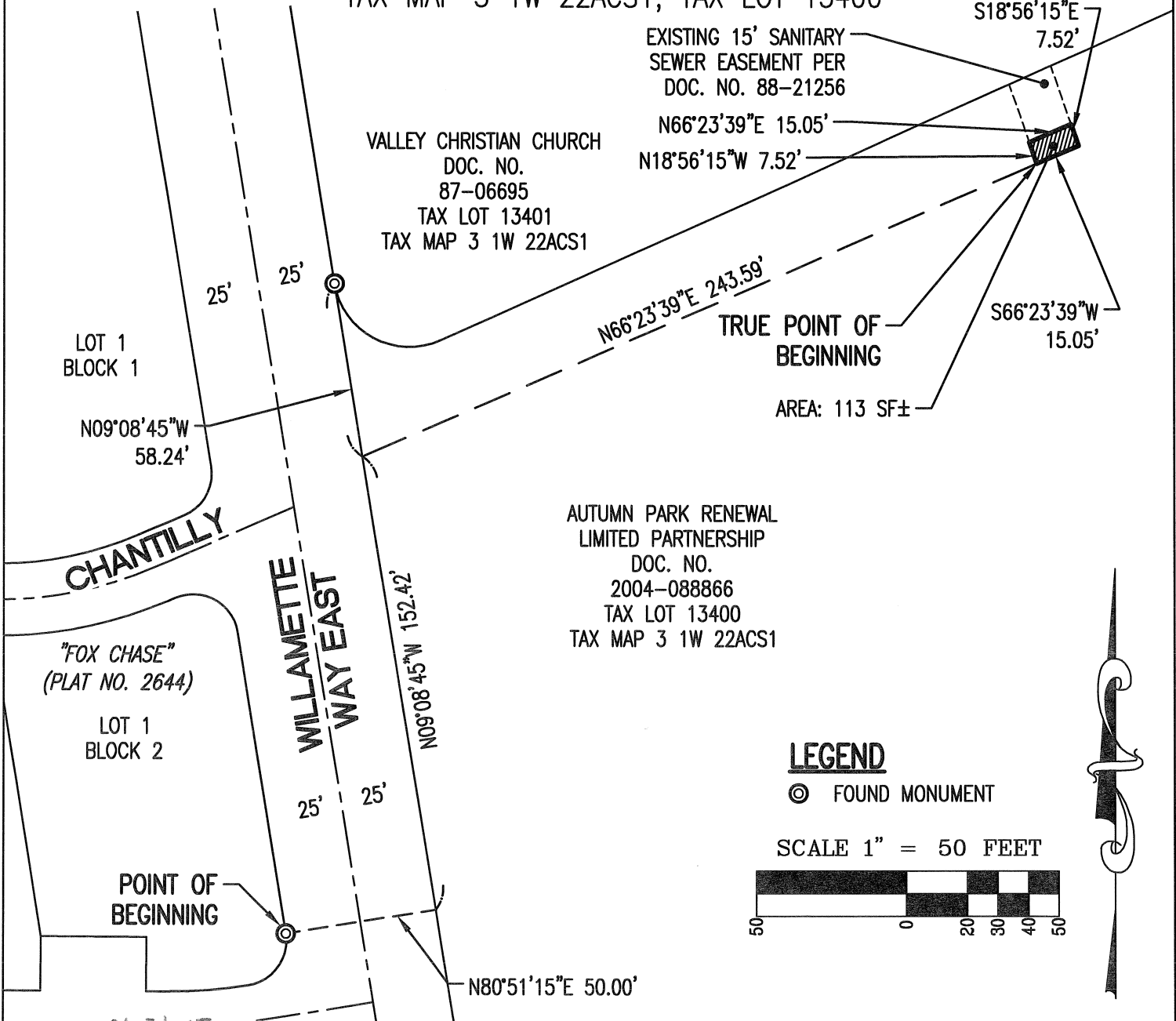
# EXHIBIT B

## LEGAL MAP

### SANITARY SEWER EASEMENT

AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091

TAX MAP 3 1W 22ACS1, TAX LOT 13400



VALLEY CHRISTIAN CHURCH  
 DOC. NO. 87-06695  
 TAX LOT 13401  
 TAX MAP 3 1W 22ACS1

EXISTING 15' SANITARY  
 SEWER EASEMENT PER  
 DOC. NO. 88-21256

N66°23'39"E 15.05'  
 N18°56'15"W 7.52'

TRUE POINT OF  
 BEGINNING

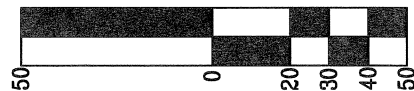
AREA: 113 SF±

AUTUMN PARK RENEWAL  
 LIMITED PARTNERSHIP  
 DOC. NO. 2004-088866  
 TAX LOT 13400  
 TAX MAP 3 1W 22ACS1

### LEGEND

⊙ FOUND MONUMENT

SCALE 1" = 50 FEET



01-31-13

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Nick White*

OREGON  
 JANUARY 9, 2007  
 NICK WHITE  
 70652LS

RENEWS: 6/30/14

JOB NAME: AUTUMN PARK APT.
JOB NUMBER: 3215
DRAWN BY: MSK
CHECKED BY: NSW
DWG NO.: 3215SAN ESMT

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AKS Job No. 3215



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## LEGAL DESCRIPTION

*Temporary Construction Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091*

*Tax Map 3 1W 22ACS1, Tax Lot 13400*

Real property being a tract of land situated in the Northeast One-Quarter of Section 22, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", thence along the west line of said Tract 'A', South 04°44'25" East 362.65 feet to a point; thence South 85°15'35" West 82.87 feet to a point on the east line of a 15 foot wide waterline easement per Document Number 88-24527 and the **True Point of Beginning**; thence South 38°13'32" East 77.16 feet to a point; thence South 01°15'16" East 59.21 feet to a point; thence South 21°55'33" West 45.33 feet to a point; thence South 41°46'19" West 95.67 feet to a point on the northerly line of a 15 foot wide sanitary sewer easement per Document Number 88-24526; thence along said northerly line, South 80°27'48" West 31.99 feet to a point; thence leaving said northerly line, North 41°46'19" East 117.14 feet to a point; thence North 21°55'33" East 37.73 feet to a point; thence North 01°15'16" West 48.42 feet to a point; thence North 38°13'32" West 38.09 feet to a point on the easterly line of said 15 foot wide waterline easement; thence along said easterly line, North 06°31'26" West 38.06 feet to the **True Point of Beginning**.

The above described tract of land contains 5,188 square feet, more or less.

Property Vested In:

*Autumn Park Renewal Limited Partnership  
Tax Map 3 1W 22ACS1, Tax Lot 13400*





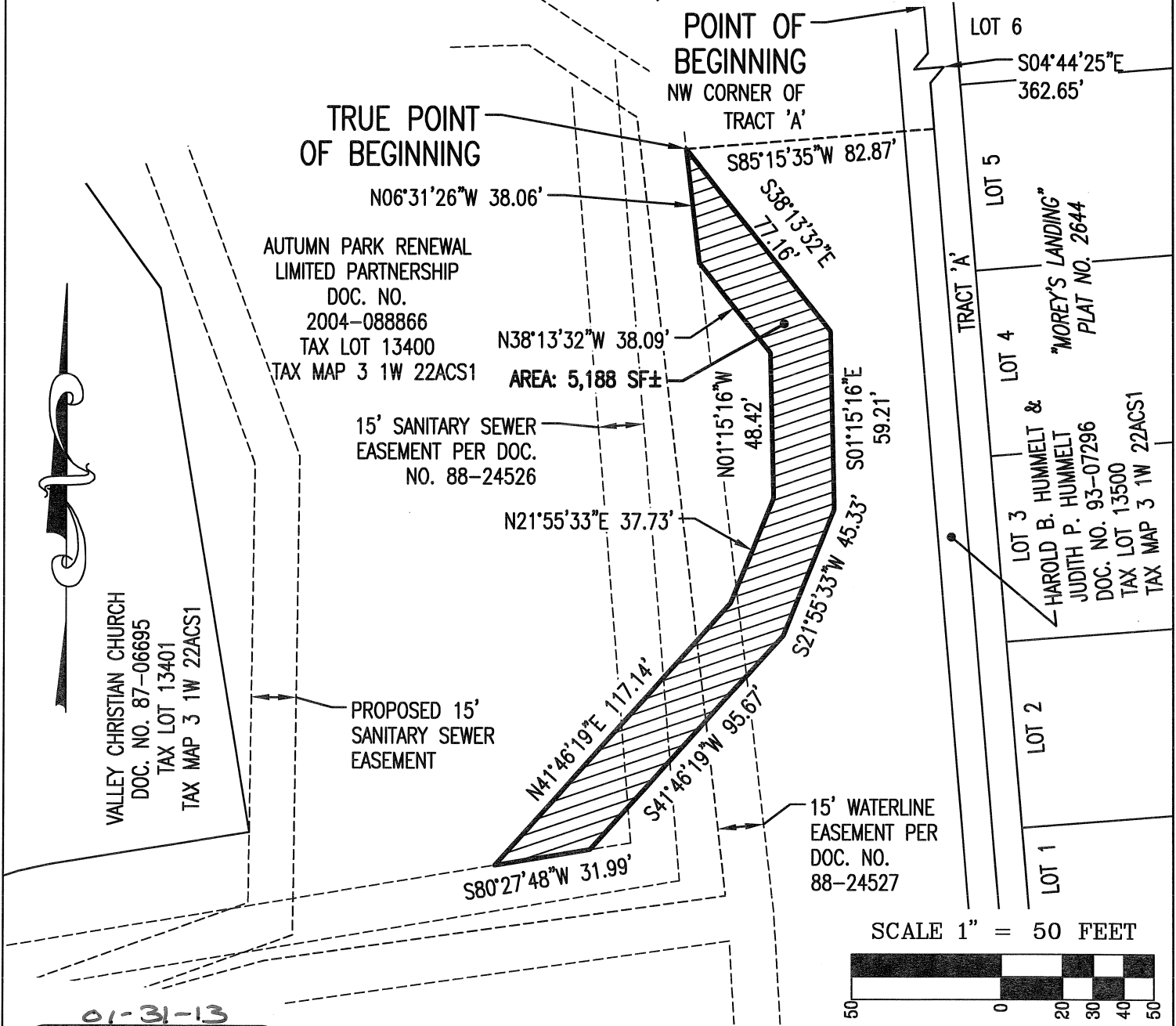
# EXHIBIT B

## LEGAL MAP

### TEMPORARY CONSTRUCTION EASEMENT

AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091

TAX MAP 3 1W 22ACS1, TAX LOT 13400



VALLEY CHRISTIAN CHURCH  
DOC. NO. 87-06695  
TAX LOT 13401  
TAX MAP 3 1W 22ACS1

AUTUMN PARK RENEWAL  
LIMITED PARTNERSHIP  
DOC. NO.  
2004-088866  
TAX LOT 13400  
TAX MAP 3 1W 22ACS1

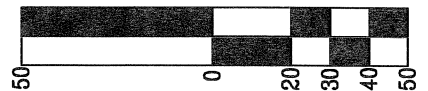
AREA: 5,188 SF±

15' SANITARY SEWER  
EASEMENT PER DOC.  
NO. 88-24526

PROPOSED 15'  
SANITARY SEWER  
EASEMENT

15' WATERLINE  
EASEMENT PER  
DOC. NO.  
88-24527

SCALE 1" = 50 FEET



01-31-13

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*Robert D. Rettig*  
**OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS  
RENEWS: 12/31/14**

JOB NAME: AUTUMN PARK APT.
JOB NUMBER: 3215
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: 3215SAN ESMT

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OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

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*Temporary Construction Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091*

*Tax Map 3 1W 22ACS1, Tax Lot 13400*

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Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", thence along the southeasterly right-of-way line of Wilsonville Road (39.00 feet from centerline) South 54°23'09" West 241.53 feet to a point on the easterly line of a 15 foot wide sanitary sewer easement; thence along said easterly line, South 16°04'48" West 50.98 feet to the **True Point of Beginning**; thence South 51°01'17" East 197.37 feet to a point; thence South 38°58'43" West 20.00 feet to a point; thence North 51°01'17" West 188.92 feet to a point on said easterly easement line; thence along said easterly line, North 16°04'48" East 21.71 feet to the **True Point of Beginning**.

The above described tract of land contains 3,863 square feet, more or less.

Property Vested In:

*Autumn Park Renewal Limited Partnership  
Tax Map 3 1W 22ACS1, Tax Lot 13400*

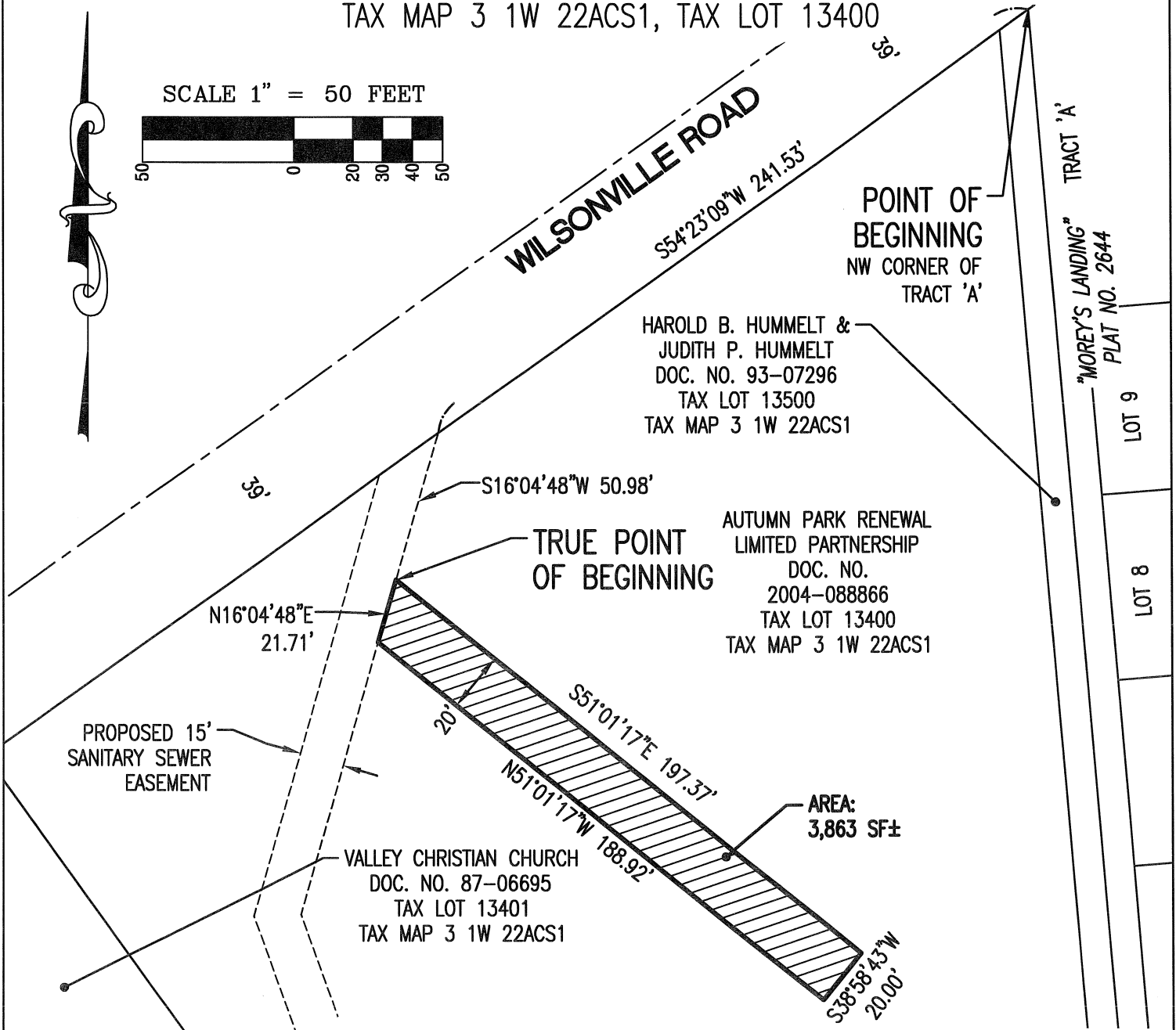
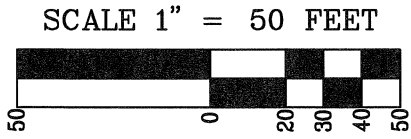
01-31-13  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS

RENEWS: 12/31/14

**EXHIBIT B**  
**LEGAL MAP**  
 TEMPORARY CONSTRUCTION EASEMENT  
 AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091  
 TAX MAP 3 1W 22ACS1, TAX LOT 13400



01-31-13

**REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR**

*RDR*  
**OREGON  
 JANUARY 11, 2005  
 ROBERT D. RETTIG  
 60124LS**

RENEWS: 12/31/14

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## LEGAL DESCRIPTION

*Temporary Construction Easement  
Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091  
Tax Map 3 1W 22ACSI, Tax Lot 13400*

Real property being a tract of land situated in the Northeast One-Quarter of Section 22, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", thence along the southeasterly right-of-way line of Wilsonville Road (39.00 feet from centerline) South 54°23'09" West 241.53 feet to a point on the easterly line of a 15 foot wide sanitary sewer easement; thence along said easterly line South 16°04'48" West 79.77 feet to the **True Point of Beginning**; thence South 00°33'38" West 46.68 feet to a point; thence North 89°26'22" West 12.96 feet to a point on said easterly line; thence along said easterly line, North 16°04'48" East 48.44 feet to the **True Point of Beginning**.

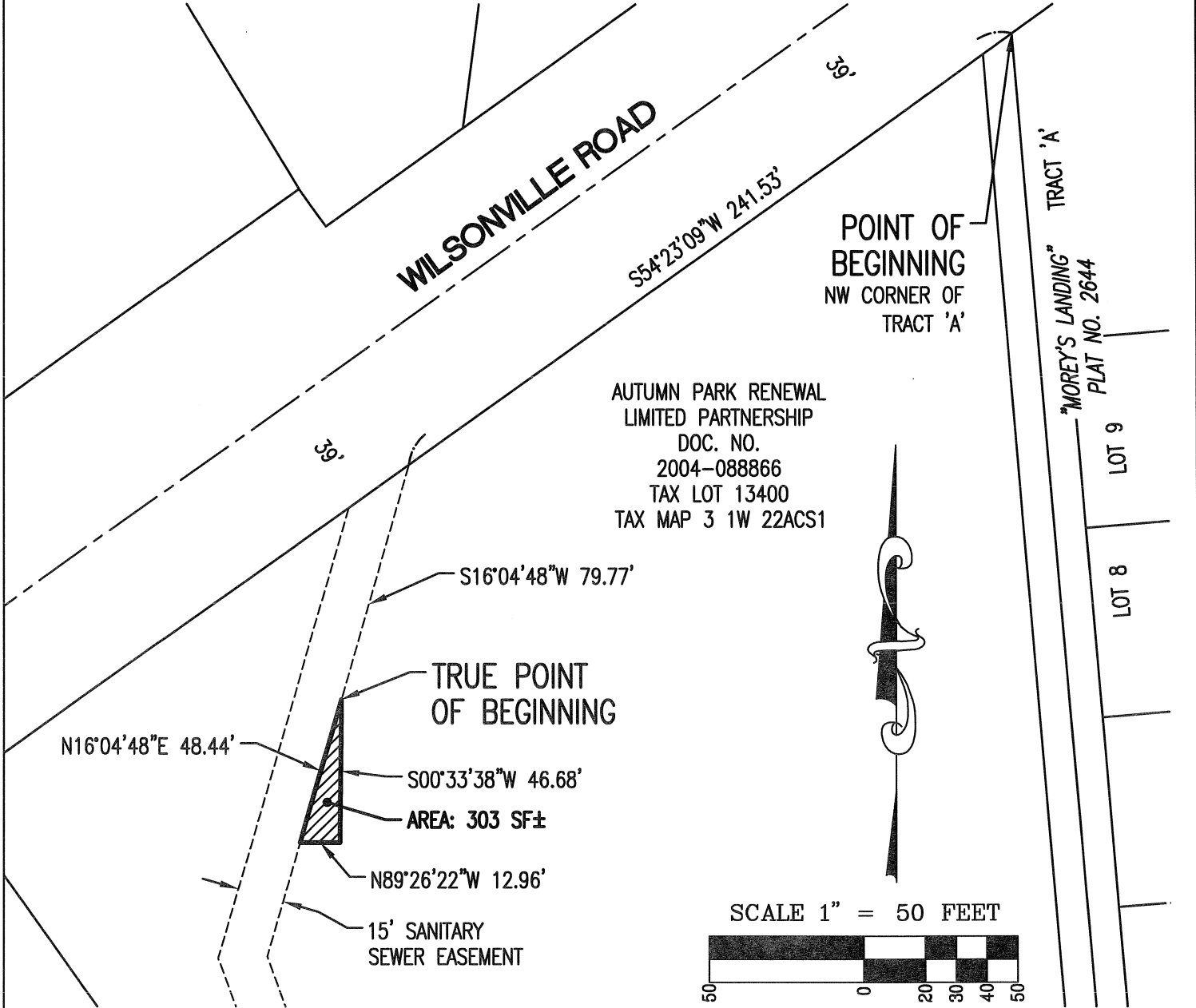
The above described tract of land contains 303 square feet, more or less.

Property Vested In:  
*Autumn Park Renewal Limited Partnership  
Tax Map 3 1W 22ACSI, Tax Lot 13400*

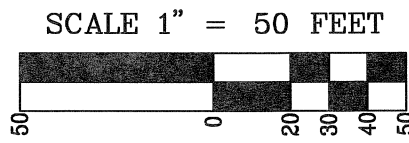




**EXHIBIT B**  
**LEGAL MAP**  
 TEMPORARY CONSTRUCTION EASEMENT  
 AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091  
 TAX MAP 3 1W 22ACS1, TAX LOT 13400



AUTUMN PARK RENEWAL  
 LIMITED PARTNERSHIP  
 DOC. NO.  
 2004-088866  
 TAX LOT 13400  
 TAX MAP 3 1W 22ACS1



01-31-13

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 AKS Job No. 3215

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## LEGAL DESCRIPTION

*Temporary Construction Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091  
 Tax Map 3 1W 22ACSI, Tax Lot 13400*

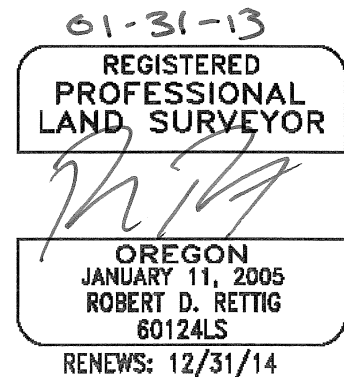
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Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", thence along the west line of said Tract 'A', South 04°44'25" East 561.73 feet to a point; thence South 85°15'35" West 10.00 feet to a point on the east line of Document Number 2004-088866 and the **True Point of Beginning**; thence along said east line, South 04°44'25" East 19.08 feet to a point; thence South 39°41'40" West 33.99 feet to a point; thence North 50°26'48" West 20.00 feet to a point; thence North 39°41'40" East 12.17 feet to a point; thence North 50°26'48" West 7.72 feet to a point; thence North 12°59'19" West 26.07 feet to a point; thence North 49°49'46" West 116.29 feet to a point; thence South 89°04'55" West 83.82 feet to a point; thence South 00°45'34" West 61.42 feet to a point; thence North 89°14'26" West 5.00 feet to a point on the easterly line of a 15 foot wide sanitary sewer easement; thence along said easterly line North 00°45'34" East 70.09 feet to a point; thence North 19°59'56" West 82.58 feet to a point; thence leaving said easterly line, North 70°00'04" East 5.00 feet to a point; thence South 19°59'56" East 72.47 feet to a point; thence North 89°04'55" East 94.64 feet to a point; thence South 49°49'46" East 158.71 feet to the **True Point of Beginning**.

The above described tract of land contains 6,644 square feet, more or less.

Property Vested In:

*Autumn Park Renewal Limited Partnership  
 Tax Map 3 1W 22ACSI, Tax Lot 13400*





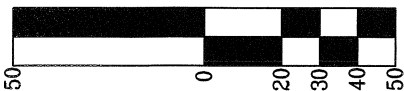
# EXHIBIT B

## LEGAL MAP

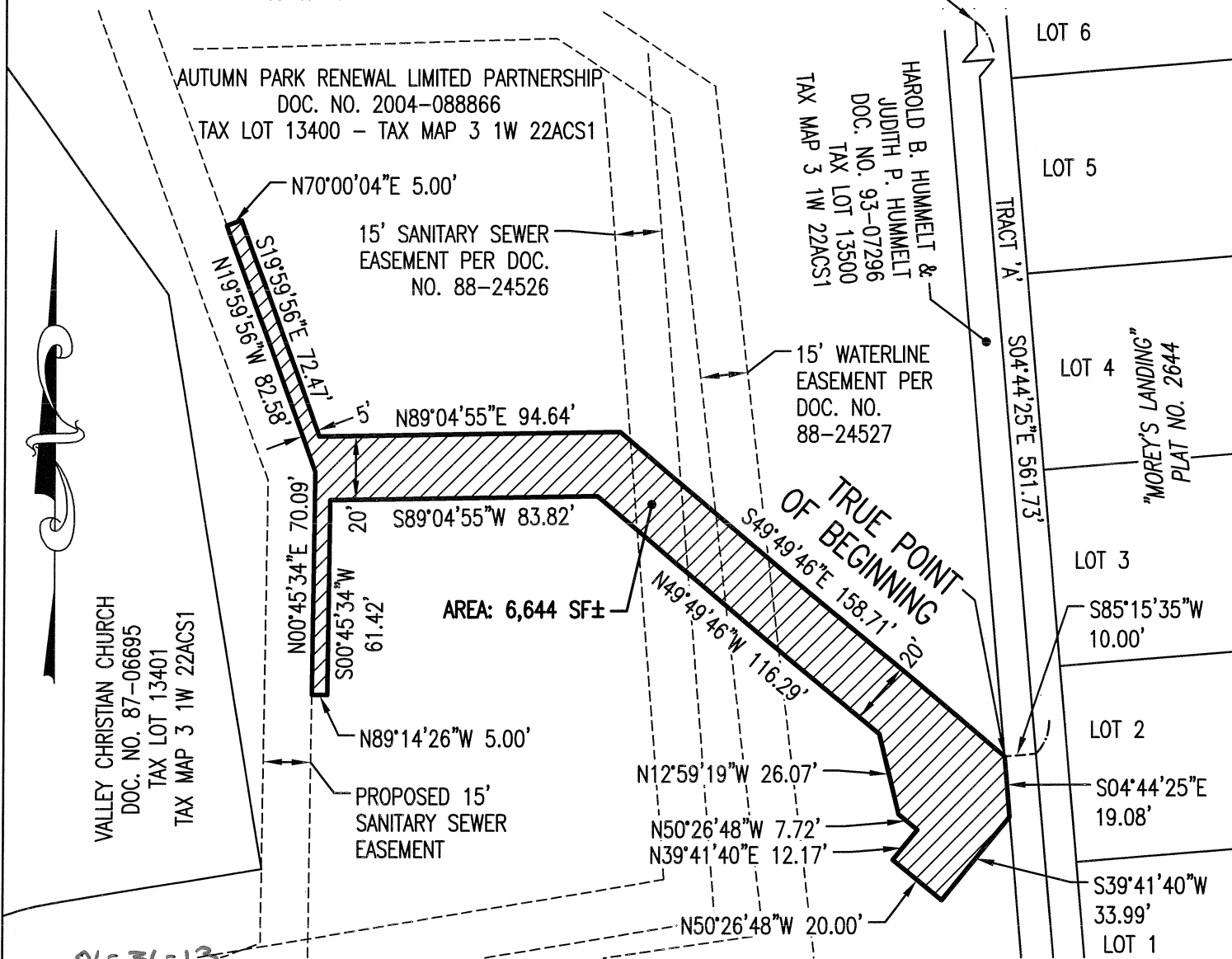
### TEMPORARY CONSTRUCTION EASEMENT

AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091  
TAX MAP 3 1W 22ACS1, TAX LOT 13400

SCALE 1" = 50 FEET



POINT OF BEGINNING  
NW CORNER OF TRACT 'A'



**REGISTERED PROFESSIONAL LAND SURVEYOR**

**OREGON**  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS  
RENEWS: 12/31/14

JOB NAME: AUTUMN PARK APT.
JOB NUMBER: 3215
DRAWN BY: MSK
CHECKED BY: RDR
DWG NO.: 3215SAN ESMT

ENGINEERING • PLANNING • LANDSCAPE ARCHITECTURE  
FORESTRY • SURVEYING

**AKS**  
ENGINEERING & FORESTRY

LICENSED IN OR & WA

13910 SW GALBREATH DRIVE, SUITE 100  
SHERWOOD, OR 97140  
PHONE: (503) 925-8799  
FAX: (503) 925-8969

OFFICES LOCATED IN SALEM, OR & VANCOUVER, WA

# EXHIBIT A

**ENGINEERING PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969  
AKS Job No. 3215



**LANDSCAPE ARCHITECTURE  
SURVEYING**

AKS Group of Companies:  
SHERWOOD, OREGON  
SALEM, OREGON  
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## LEGAL DESCRIPTION

*Temporary Construction Easement*

*Autumn Park Apartments Sanitary Sewer Replacement CIP No. 2091*

*Tax Map 3 1W 22ACS1, Tax Lot 13400*

Real property being a tract of land situated in the Northeast One-Quarter of Section 22, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being more particularly described as follows:

Beginning at the northwest corner of Tract 'A' of the Plat of "Morey's Landing", thence along the west line of said Tract 'A', South 04°44'25" East 581.23 feet to a point; thence South 80°27'48" West 180.03 feet to a point on the northerly line of a 15 foot wide sanitary sewer easement per Document Number 88-24526 and the **True Point of Beginning**; thence continuing along said northerly line, South 80°27'48" West 32.46 feet to a point; thence leaving said northerly line, North 49°09'34" West 27.55 feet to a point on the easterly line of a 15 foot wide sanitary sewer easement; thence along said easterly line, North 00°45'34" East 32.67 feet to a point; thence leaving said easterly line, South 49°09'34" East 69.28 feet to the **True Point of Beginning**.

The above described tract of land contains 1,209 square feet, more or less.

Property Vested In:

*Autumn Park Renewal Limited Partnership*

*Tax Map 3 1W 22ACS1, Tax Lot 13400*



# EXHIBIT B

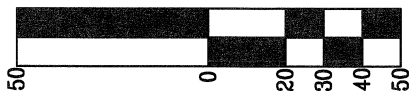
## LEGAL MAP

### TEMPORARY CONSTRUCTION EASEMENT

#### AUTUMN PARK APARTMENTS SANITARY SEWER REPLACEMENT CIP NO. 2091

#### TAX MAP 3 1W 22ACS1, TAX LOT 13400

SCALE 1" = 50 FEET



AUTUMN PARK RENEWAL  
LIMITED PARTNERSHIP  
DOC. NO.  
2004-088866  
TAX LOT 13400  
TAX MAP 3 1W 22ACS1

15' SANITARY SEWER  
EASEMENT PER DOC.  
NO. 88-24526

PROPOSED 15'  
SANITARY SEWER  
EASEMENT

AREA: 1,209 SF±

TRUE POINT  
OF BEGINNING

POINT OF  
BEGINNING  
NW CORNER OF  
TRACT 'A'

15' WATERLINE  
EASEMENT PER  
DOC. NO.  
88-24527

VALLEY CHRISTIAN CHURCH  
DOC. NO. 87-06695  
TAX LOT 13401  
TAX MAP 3 1W 22ACS1

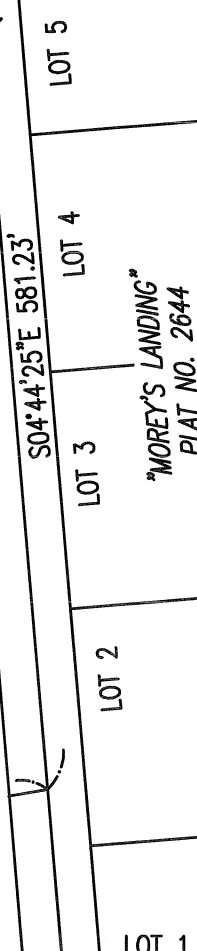
N00°45'34"E 32.67'

N49°09'34"W 27.55'

S80°27'48"W 32.46'



S80°27'48"W 180.03'



01-31-13

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JANUARY 11, 2005  
ROBERT D. RETTIG  
60124LS

RENEWS: 12/31/14

JOB NAME: AUTUMN PARK APT.

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