

RESOLUTION NO. 2472

A RESOLUTION OF THE CITY OF WILSONVILLE AMENDING RESOLUTION NO. 2416 WHICH AUTHORIZED ACQUISITION OF PROPERTY INTEREST RELATED TO CONTRUCTION OF AN INFILL SEGMENT OF THE ICE AGE TONQUIN TRAIL ALONG WILLAMETTE WAY EAST.

WHEREAS, in May of 2013 the Wilsonville City Council adopted Resolution No. 2416 which authorized the acquisition of property interest needed to construct a segment of the Ice Age Tonquin Trail along Willamette Way East; and

WHEREAS, budgetary issues have led to a redesign of this project and a reduction of the amount of needed property acquisition; and

WHEREAS, this resolution amends Resolution No. 2416 by replacing Exhibits A, B and C to Resolution No. 2416 with Exhibits A, B, C, and D, attached hereto and incorporated by reference; and

WHEREAS, this project is included in the City's proposed 2014-2015 capital project budget with a budget of \$113,226 including project management overhead costs; and

WHEREAS, construction is scheduled to occur in the late summer of 2014 as soon as the necessary property rights have been obtained and a construction contract has been awarded; 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 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 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 and D, incorporated herein by this reference and which amend and replace Exhibits A through C to Resolution No 2416.

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 summer of 2014.

6. Title to the acquired right of way 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 regular meeting thereof this 2nd day of June, 2014, and filed with the Wilsonville City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

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

Exhibit A – Sidewalk Easement, Tax Lot 13400

Exhibit B – Temporary Construction Easement, Tax Lot 13400

Exhibit C – Temporary Construction Easement, Tax Lot 13400

Exhibit D – Temporary Construction Easement, Tax Lot 2500

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

AKS Job #3215

LEGAL DESCRIPTION

Sidewalk Easement

Ice Age Tonquin Trail CIP No. 9135
Tax Map 3S 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 most westerly corner of Tract 'E' of the Plat of "Morey's Landing 2", being a 5/8 inch iron rod; thence along the westerly line of said Tract 'E' South 09°13'13" East 174.59 feet to the **True Point of Beginning**; thence continuing along said westerly line South 09°13'13" East 15.00 feet to a point; thence South 80°07'09" West 18.24 feet to a point; thence along a curve to the right with a Radius of 57.50 feet, a Delta of 54°53'45", a Length of 55.09 feet, and a Chord of North 72°25'59" West 53.01 feet to a point on the easterly right-of-way line of Willamette Way East (25.00 feet from centerline); thence along said right-of-way line North 09°07'53" West 431.53 feet to a point; thence leaving said right-of-way line North 80°52'07" East 4.10 feet to a point; thence South 09°07'53" East 397.85 feet to a point; thence along a curve to the left with a Radius of 42.50 feet, a Delta of 90°44'59", a Length of 67.31 feet, and a Chord of South 54°30'22" East 60.50 feet to a point; thence North 80°07'09" East 18.41 feet to the **True Point of Beginning**.

The above described tract of land contains 2,846 square feet, more or less.

Property Vested in:

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

3/4/2014



EXHIBIT B

LEGAL MAP

SIDEWALK EASEMENT

ICE AGE TONQUIN CIP NO. 9135

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

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

AREA=2,846 SF±

CURVE TABLE

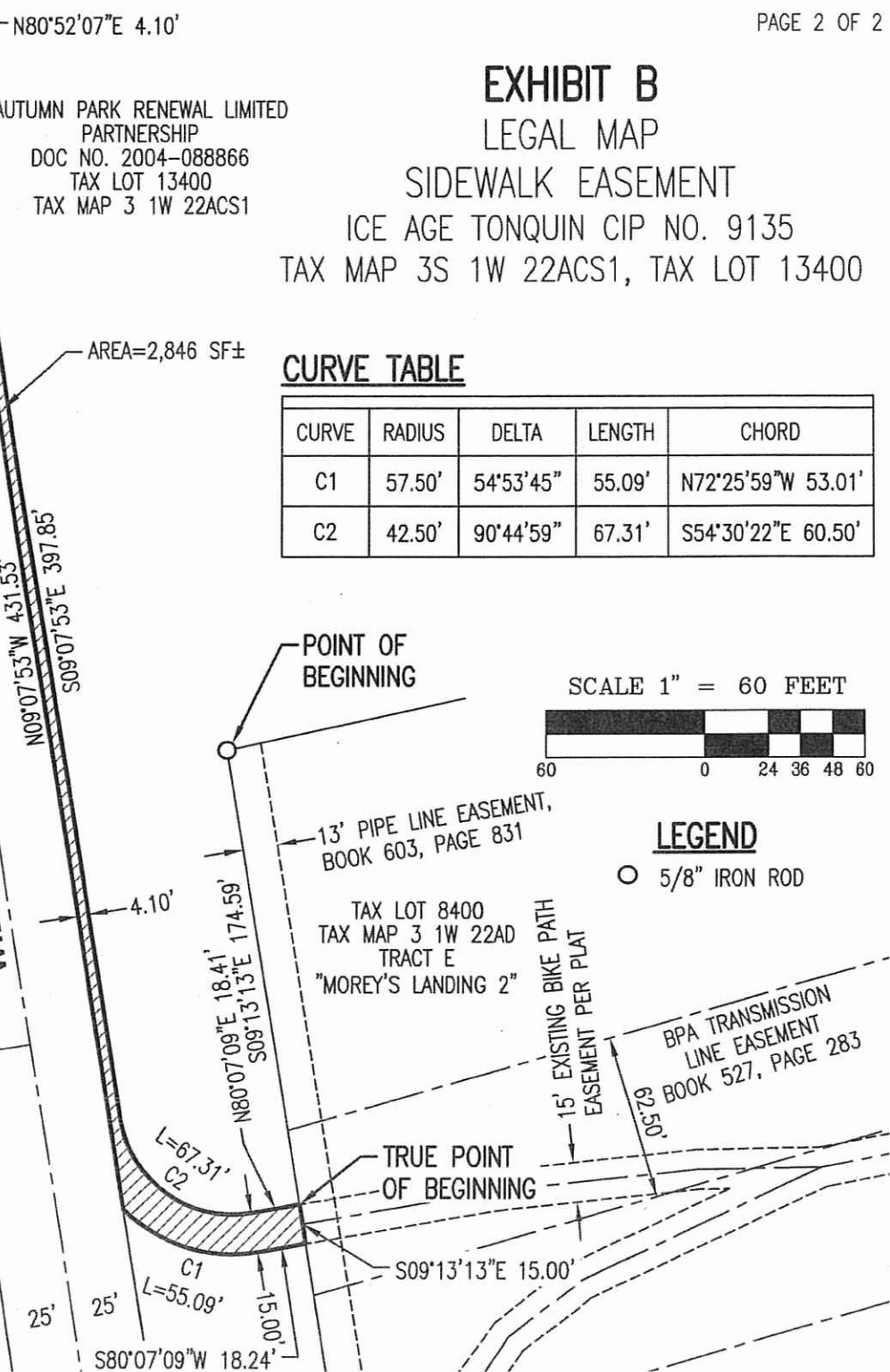
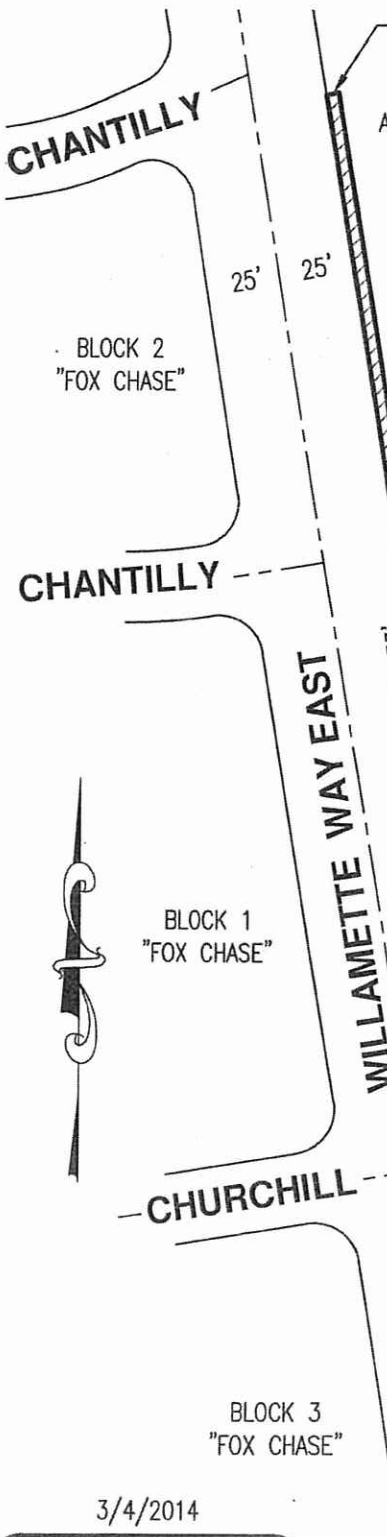
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	57.50'	54°53'45"	55.09'	N72°25'59"W 53.01'
C2	42.50'	90°44'59"	67.31'	S54°30'22"E 60.50'

SCALE 1" = 60 FEET



LEGEND

○ 5/8" IRON ROD



3/4/2014

REGISTERED PROFESSIONAL LAND SURVEYOR

Nick White

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS

RENEWS: 6/30/14

AUTUMN PARK APARTMENTS

DRAWN BY: WCB | CHECKED BY: NSW | DWG: 3215 20140304 EXB | JOB: 3215

AKS ENGINEERING & FORESTRY, LLC
 13910 SW GALBREATH DR SUITE 100
 SHERWOOD, OR 97140 www.aks-eng.com
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LEGAL DESCRIPTION

*Temporary Construction Easement
 Ice Age Tonquin Trail CIP No. 9135
 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 most westerly corner of Tract 'E' of the Plat of "Morey's Landing 2", being a 5/8 inch iron rod; thence along the westerly line of said Tract 'E' South 09°13'13" East 169.59 feet to the **True Point of Beginning**; thence continuing along said westerly line South 09°13'13" East 5.00 feet to a point; thence South 80°07'09" West 18.41 feet to a point; thence along a curve to the right with a Radius of 42.50 feet, a Delta of 90°44'59", a Length of 67.31 feet, and a Chord of North 54°30'22" West 60.50 feet to a point; thence along a line parallel and 29.10 feet from (when measured at right angles) the centerline of Willamette Way East North 09°07'53" West 397.85 feet to a point; thence North 80°52'07" East 5.00 feet to a point; thence South 09°07'53" East 397.85 feet to a point; thence along a curve to the left with a Radius of 37.50 feet, a Delta of 90°44'59", a Length of 59.40 feet, and a Chord of South 54°30'22" East 53.38 feet to a point; thence North 80°07'09" East 18.47 feet to the **True Point of Beginning**.

The above described tract of land contains 2,398 square feet, more or less.

Property Vested in:

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

3/4/2014



EXHIBIT B LEGAL MAP

TEMPORARY CONSTRUCTION EASEMENT
ICE AGE TONQUIN CIP NO. 9135
TAX MAP 3S 1W 22ACS1, TAX LOT 13400

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

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	42.50'	90°44'59"	67.31'	N54°30'22"W 60.50'
C2	37.50'	90°44'59"	59.40'	S54°30'22"E 53.38'

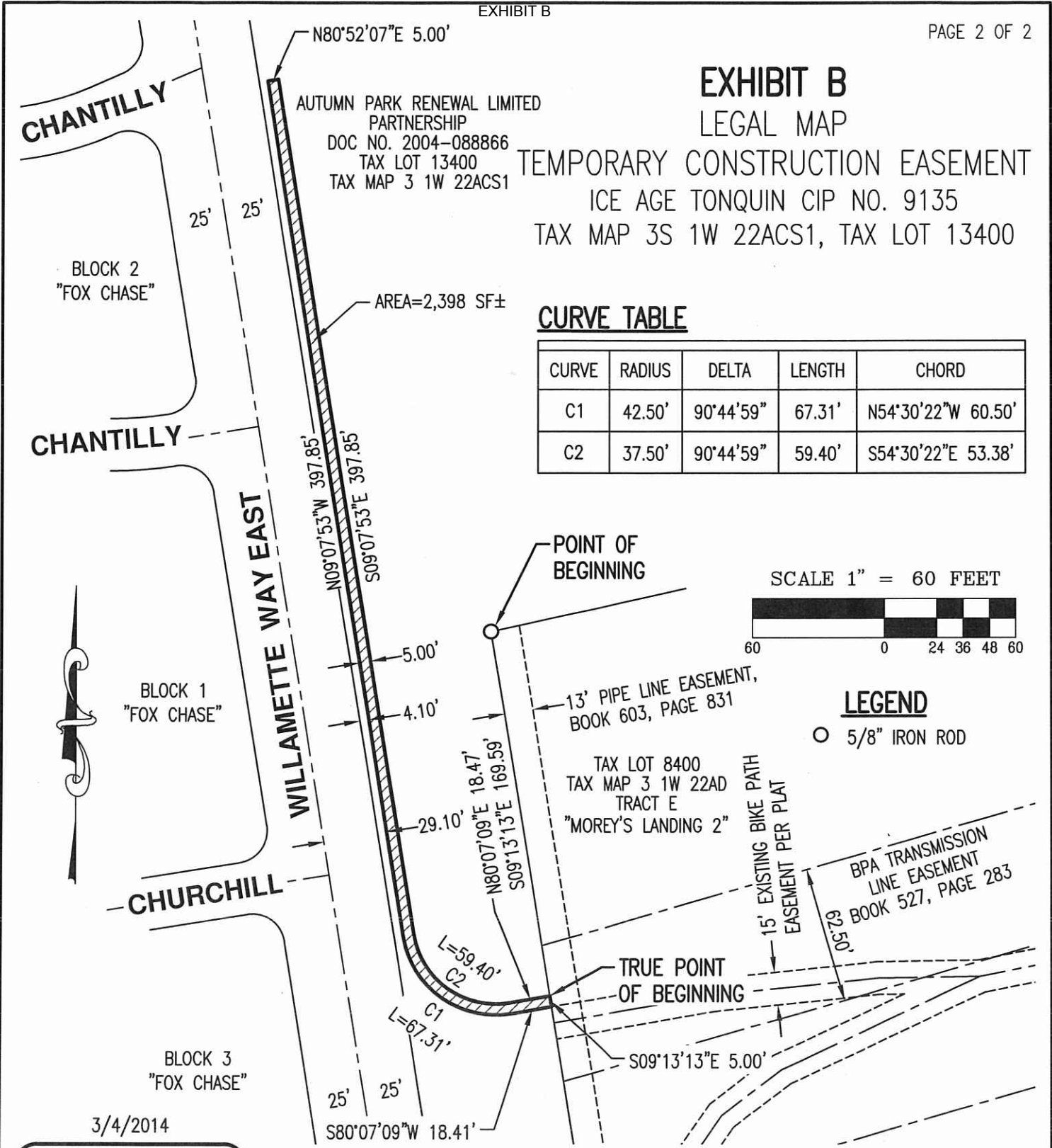
AREA=2,398 SF±

SCALE 1" = 60 FEET



LEGEND

○ 5/8" IRON ROD



3/4/2014

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LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/14

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AKS Job #3215

LEGAL DESCRIPTION

*Temporary Construction Easement
 Ice Age Tonquin Trail CIP No. 9135
 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 most westerly corner of Tract 'E' of the Plat of "Morey's Landing 2", being a 5/8 inch iron rod; thence along the westerly line of said Tract 'E' South 09°13'13" East 189.59 feet to the **True Point of Beginning**; thence continuing along said westerly line South 09°13'13" East 5.00 feet to a point; thence South 80°07'09" West 18.18 feet to a point; thence along a curve to the right with a Radius of 62.50 feet, a Delta of 48°58'00", a Length of 53.41 feet, and a Chord of North 75°23'51" West 51.80 feet to a point on the easterly right-of-way line of Willamette Way East (25.00 feet from centerline); thence along said right-of-way line North 09°07'53" West 7.97 feet to a point; thence leaving said right-of-way line along a non-tangent curve to the left with a Radius of 57.50 feet, a Delta of 54°53'45", a Length of 55.09 feet, and a Chord of South 72°25'59" East 53.01 feet to a point; thence North 80°07'09" East 18.24 feet to the **True Point of Beginning**.

The above described tract of land contains 362 square feet, more or less.

Property Vested in:

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

3/13/2014



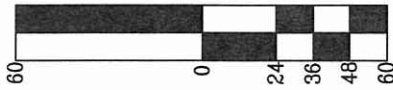
EXHIBIT B

LEGAL MAP

TEMPORARY CONSTRUCTION EASEMENT

ICE AGE TONQUIN CIP NO. 9135
TAX MAP 3S 1W 22ACS1, TAX LOT 13400

SCALE 1" = 60 FEET



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	62.50'	48°58'00"	53.41'	N75°23'51"W 51.80'
C2	57.50'	54°53'45"	55.09'	S72°25'59"E 53.01'

CHANTILLY



BLOCK 1
"FOX CHASE"

WILLAMETTE WAY EAST

CHURCHILL

N09°07'53"W 7.97'

BLOCK 3
"FOX CHASE"

3/13/2014

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

LEGEND

○ 5/8" IRON ROD

POINT OF BEGINNING
13' PIPE LINE EASEMENT,
BOOK 603, PAGE 831

TAX LOT 8400
TAX MAP 3 1W 22AD
TRACT E
"MOREY'S LANDING 2"

15' EXISTING BIKE PATH
EASEMENT PER PLAT

BPA TRANSMISSION
LINE EASEMENT
BOOK 527, PAGE 283

TRUE POINT
OF BEGINNING

AREA = 362 SF±
N80°07'09"E 18.24'
S09°13'13"E 189.59'
L=55.09'
C2
L=53.41'
C1
S09°13'13"E 5.00'
S80°07'09"W 18.18'

REGISTERED
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LAND SURVEYOR

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OREGON
JANUARY 9, 2007
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LEGAL DESCRIPTION

*Temporary Construction Easement
 Ice Age Tonquin Trail CIP No. 9135
 Tax Map 3S 1W 22AC, Tax Lot 2500*

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 most westerly corner of Tract 'E' of the Plat of "Morey's Landing 2", being a 5/8 inch iron rod; thence South 80°52'07" West 90.30 feet to a point on the centerline of Willamette Way East; thence along said centerline North 09°07'53" West 201.18 feet to a point; thence South 80°52'07" West 25.00 feet to the **True Point of Beginning**, also being the westerly right-of-way line of Willamette Way East; thence leaving said right-of-way line South 80°52'07" West 5.00 feet to a point; thence North 09°07'53" West 37.00 feet to a point; thence along a curve to the left with a Radius of 10.00 feet, a Delta of 104°31'25", a Length of 18.24 feet, and a Chord of North 61°23'36" West 15.82 feet to a point; thence North 23°39'18" West 5.00 feet to a point on the southerly right-of-way line of Chantilly (12.00 feet from centerline); thence along a non-tangent curve to the right with a Radius of 15.00 feet, a Delta of 104°31'25", a Length of 27.36 feet, and a Chord of South 61°23'36" East 23.72 feet to a point on the westerly right-of-way line of Willamette Way East (25.00 feet from centerline); thence along said right-of-way line South 09°07'53" East 37.00 feet to the **True Point of Beginning**.

The above described tract of land contains 299 square feet, more or less.

Property Vested in:

Meng, Jason R & Brandy L
Tax Map 3 1W 22AC, Tax Lot 2500

3/4/2014



EXHIBIT B

LEGAL MAP

TEMPORARY CONSTRUCTION EASEMENT

ICE AGE TONQUIN CIP NO. 9135

TAX MAP 3S 1W 22AC, TAX LOT 2500

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	10.00'	104°31'25"	18.24'	N61°23'36"W 15.82'
C2	15.00'	104°31'25"	27.36'	S61°23'36"E 23.72'

SCALE 1" = 40 FEET



LEGEND

○ 5/8" IRON ROD

AUTUMN PARK RENEWAL LIMITED PARTNERSHIP

DOC NO. 2004-088866

TAX LOT 13400

TAX MAP 3 1W 22ACS1

POINT OF BEGINNING

TAX LOT 8400
TAX MAP 3 1W 22AD
TRACT E
"MOREY'S LANDING 2"

3/4/2014

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Nick White

OREGON
JANUARY 9, 2007
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RENEWS: 6/30/14

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