

**RESOLUTION NO. 2494**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTEREST RELATED TO THE REPLACEMENT OF A WATER PIPELINE (CIP PROJECT #1121).**

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

WHEREAS, the City's water pipeline maintenance history indicates that an existing water pipeline serving several business owners on the west side of Wilsonville is failing due to age, and requires on-going maintenance for leak repairs; and

WHEREAS, this project is included in the City of Wilsonville 2014/15 adopted budget as Project #1121; and

WHEREAS, this project is currently estimated to cost \$452,690 with funding to be provided from the City's Water Operating Fund; and

WHEREAS, in order to construct these improvements, the City needs to acquire a water pipeline easement together with a temporary construction easement from property located at 3S1W14D #01501, currently owned by Riverwood Partners, LLC; a water pipeline easement together with a temporary construction easement from property located at 3S1W14D #01301, currently owned by J&A Properties, LLC; and a water pipeline easement from property located at 3S1W14D #01300, currently owned by Jay & Tammy Puppo; and

WHEREAS, these easements are described in legal descriptions attached hereto and fully incorporated herein as Exhibit A, Exhibit B and Exhibit C; 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, construction is scheduled to occur as soon as the necessary property rights have been obtained and a construction contract has been awarded; 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 public improvements as described above, the properties described in Exhibits A, Exhibit B and Exhibit C, incorporated herein by this reference.

2. These property interests are to be 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 the City Attorney are authorized and directed to negotiate with the owners of the real properties herein described as to the compensation to be paid to acquire the properties 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 properties or property interests.

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. City staff anticipates it will acquire the above-described property in the winter of 2015 and cause construction to initially begin as soon as property acquisition is complete.

6. Title to the acquired property interests shall vest directly in the name of the City of Wilsonville.

7. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 3rd day of November, 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	Yes
Councilor Starr	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Exhibits:

Exhibit A ~ Legal Descriptions for Riverwood Partners, LLC

Exhibit B ~ Legal Descriptions for J&A Properties, LLC

Exhibit C ~ Legal Description for Jay & Tammy Puppo

## WATERLINE EASEMENT

City of Wilsonville  
July 18, 2014  
Project No. 1197-014

## PROPERTY DESCRIPTION

A tract of land situated in the Southeast One-Quarter of Section 14, T. 3 S., R. 1 W., W.M., City of Wilsonville, Clackamas County, Oregon, being portions of Parcel I of that tract of land as conveyed by deed to Riverwood Partners, an Oregon General Partnership in Document No. 92-70370, recorded November 4, 1992, Clackamas County Deed Records and being more particularly described as follows:

A 15.00 foot wide strip of land being 7.50 feet on each side of the following described centerline:

Commencing at the most southerly west corner of Parcel I of said Riverwood Partners Tract, said point bears North 65°04'27" East; 308.70 feet from the South One-Quarter Corner of said Section 14;

Thence, along the West line of Parcel I of said Riverwood Partners Tract, North 00°09'00" East, 17.76 feet to the True Point of Beginning;

Thence, North 88°39'59" East 36.70 feet to Point "A".

Thence, continuing North 88°39'59" East 11.81 feet to the terminus.

TOGETHER WITH the following strip of land:

A 15.00 foot wide strip of land being 7.50 feet on each side of the following described centerline:

Beginning at Point "A" as described above:

Thence South 01°20'01" East, 18.46 feet to the North line of the Puppo Tract, Document No. 2005-083173, Clackamas County Deed Records.

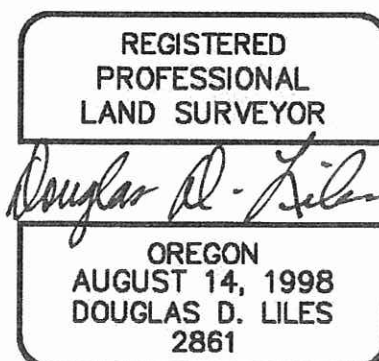
Subject to lengthening and/or shortening of sidelines so that they terminate on the proper boundaries.

Containing 892 square feet, more or less.

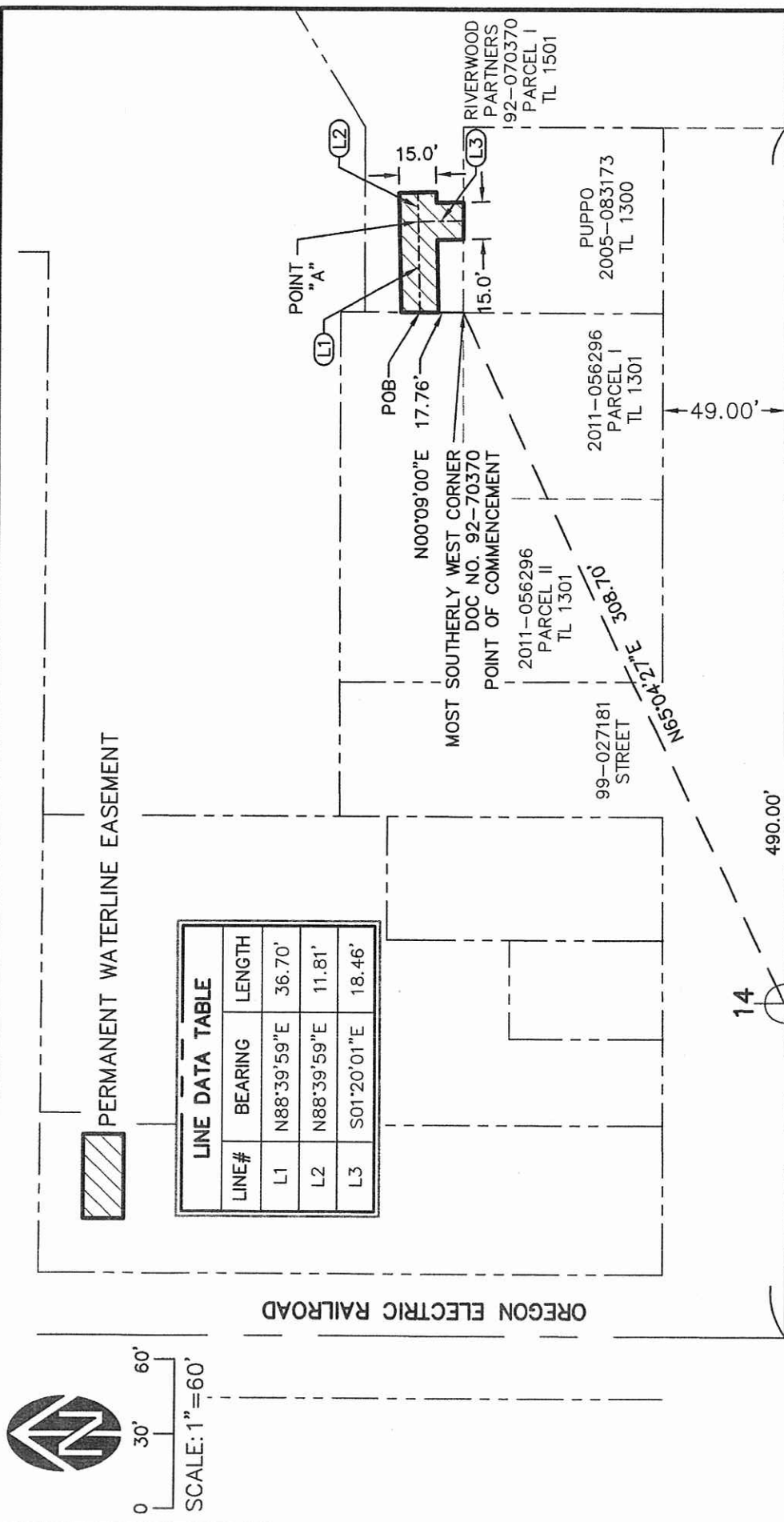
Bearings are based on Survey No. PS-16487,  
Clackamas Country Survey Records.

Property Vested in:  
Riverwood Partners  
Taxlot 1501, Map 31W14D

J:\1197-014,14\Survey\CAD\WORK\Revisions 2014-07-18\_dal\1197-014\_PD\_TL1501\_FE\_2014-07-18.doc



RENEWS: 12-31-2014



DATE	2014-07-18
DRAWN BY	DDL
CHECKED BY	TGB
REVISION	1
JOB NO.	1197-014

**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER  
15115 S.W. SEQUOIA PARKWAY, SUITE 150  
TIGARD, OREGON 97224  
(503) 684-0652  
FAX (503) 684-0157

LOCATED IN THE SE 1/4 OF SECTION 14  
TOWNSHIP 3 S., RANGE 1 W., W.M.  
CITY OF WILSONVILLE  
CLACKAMAS COUNTY COUNTY, OREGON

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Douglas D. Liles*

OREGON  
AUGUST 14, 1998  
DOUGLAS D. LILES  
2861

RENEWS: 12-31-2014

City of Wilsonville  
July 18, 2014  
Project No. 1197-014

**TEMPORARY CONSTRUCTION EASEMENT**

A tract of land situated in the Southeast One-Quarter of Section 14, T. 3 S., R. 1 W., W.M., City of Wilsonville, Clackamas County, Oregon, being portions of Parcel I of that tract of land as conveyed by deed to Riverwood Partners, an Oregon General Partnership in Document No. 92-70370, recorded November 4, 1992, Clackamas County Deed Records and being more particularly described as follows:

Commencing at the most southerly west corner of Parcel I of said Riverwood Partners Tract, said point bears North 65°04'27" East; 308.70 feet from the South One-Quarter Corner of said Section 14;

Thence, along the West line of said Riverwood Partners Tract, North 00°09'00" East, 25.26 feet to the True Point of Beginning;

Thence, North 00°09'00" East, 13.16 feet;

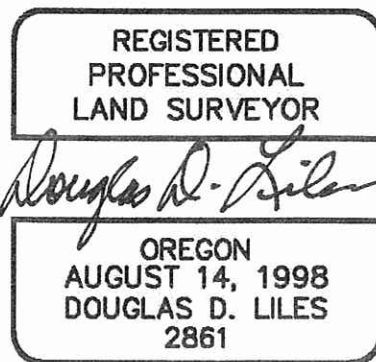
Thence, North 89°53'00" East, 47.99 feet;

Thence, South 01°20'01" East, 12.14 feet;

Thence, South 88°39'59" West, 48.32 feet to the Point of Beginning;

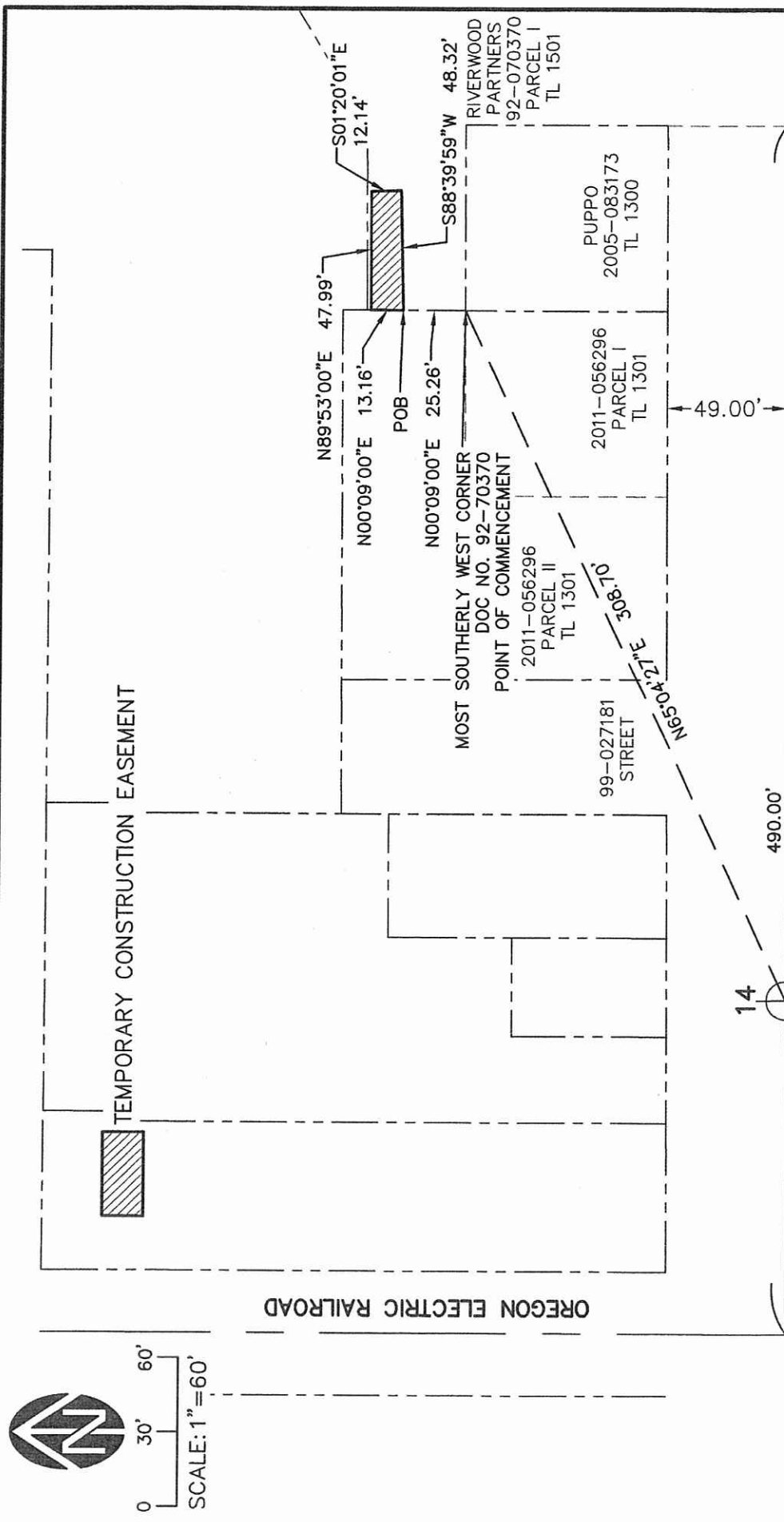
Containing 609 square feet, more or less

Bearings are based on Survey No. PS-16487, Clackamas Country Survey Records.



RENEWS: 12-31-2014

Property Vested in:  
Riverwood Partners  
Taxlot 1501, Map 31W14D



0 30' 60'  
SCALE: 1" = 60'

SOUTH 1/4 CORNER  
SECTION 14

490.00'  
WILSONVILLE ROAD (MARKET ROAD NO. 6)

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Douglas D. Liles*

OREGON  
AUGUST 14, 1998  
DOUGLAS D. LILES  
2861

RENEWS: 12-31-2014

LOCATED IN THE SE 1/4 OF SECTION 14  
TOWNSHIP 3 S., RANGE 1 W., W.M.  
CITY OF WILSONVILLE  
CLACKAMAS COUNTY, OREGON

DATE	2014-07-18
DRAWN BY	DDL
CHECKED BY	TGB
REVISION	1
JOB NO.	1197-014



**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER  
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 884-0652  
TIGARD, OREGON 97224 FAX (503) 624-0157

**WATERLINE EASEMENT**

City of Wilsonville  
July 18, 2014  
Project No. 1197-014

**PROPERTY DESCRIPTION**

A tract of land situated in the Southeast One-Quarter of Section 14, T. 3 S., R. 1 W., W.M., City of Wilsonville, Clackamas County, Oregon, being portions of Parcel I and Parcel II of that tract of land as conveyed by deed to J & A Properties LLC. in Document No. 2011-056296, recorded October 4, 2011, Clackamas County Deed Records and being more particularly described as follows:

A 15.00 foot wide strip of land being 7.50 feet on each side of the following described centerline:

Commencing at the Northwest corner of Parcel II of said J & A Properties Tract, said corner bears North 35°51'37" East; 221.79 feet from the South One-Quarter Corner of said Section 14;

Thence, along the West line of Parcel II of said J & A Properties Tract, South 00°08'00" East, 35.39 feet to the True Point of Beginning;

Thence, North 88°39'59" East 85.88 feet to Point "A".

Thence, continuing North 88°39'59" East 64.14 feet to the East line of said J & A Properties Tract and the terminus.

TOGETHER WITH the following strip of land:

A 15.00 foot wide strip of land being 7.50 feet on each side of the following described centerline:

Beginning at Point "A" as described above:

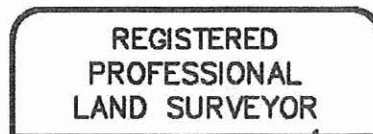
Thence South 01°20'01" East, 35.31 feet to the terminus.

Subject to lengthening and/or shortening of sidelines so that they terminate on the proper boundaries.

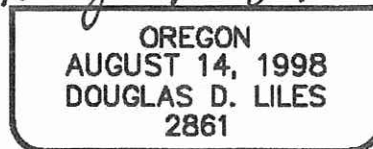
Containing 2,668 square feet, or 0.06 Acres more or less

Bearings are based on Survey No. PS-16487, Clackamas Country Survey Records.

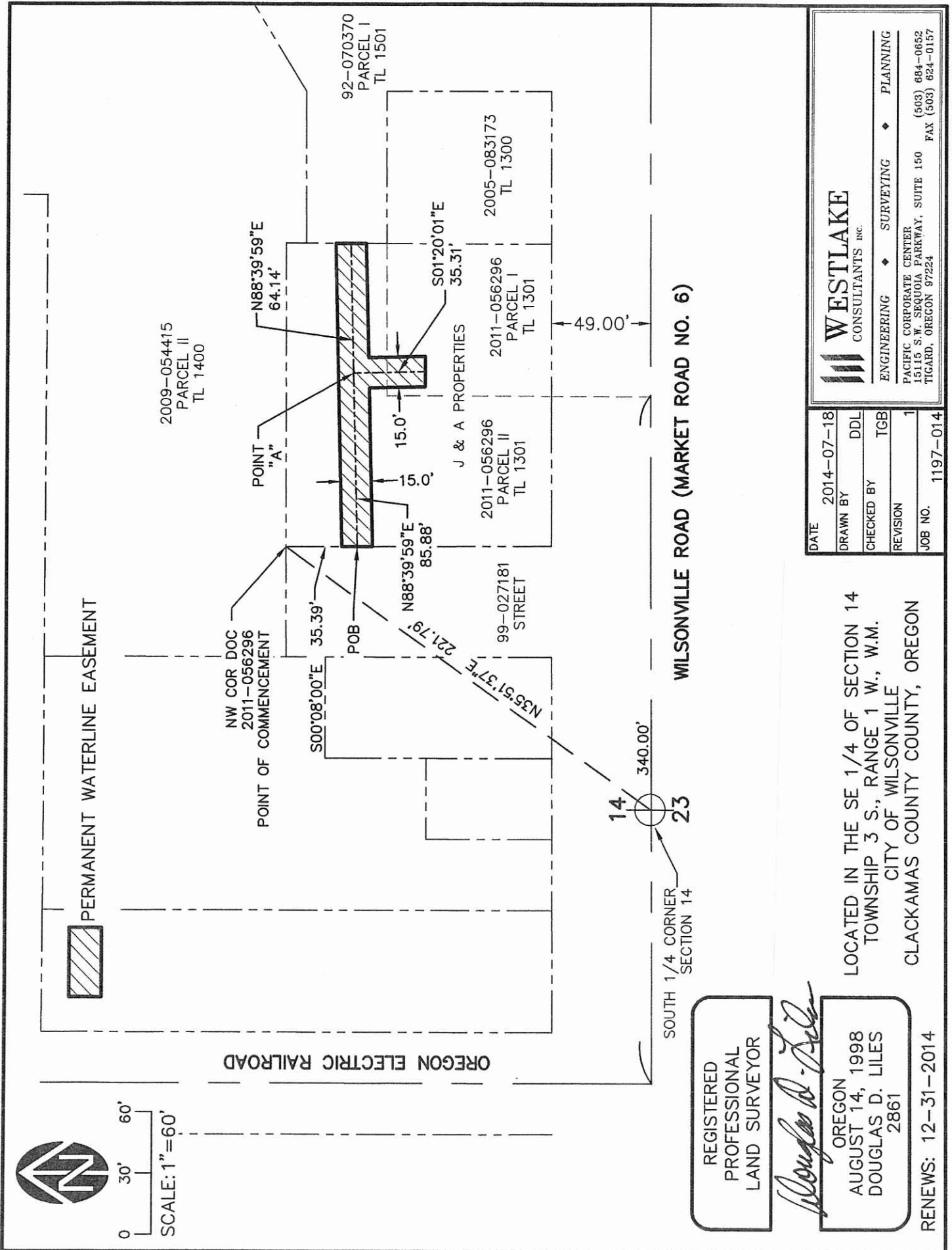
Property Vested in:  
J & A Properties  
Taxlot 1301, Map 31W14D



*Douglas D. Liles*







City of Wilsonville  
July 18, 2014  
Project No. 1197-014

**TEMPORARY CONSTRUCTION EASEMENT**

A tract of land situated in the Southeast One-Quarter of Section 14, T. 3 S., R. 1 W., W.M., City of Wilsonville, Clackamas County, Oregon, being portions of Parcel I and Parcel II of that tract of land as conveyed by deed to J & A Properties LLC. in Document No. 2011-056296, recorded October 4, 2011, Clackamas County Deed Records and being more particularly described as follows:

Commencing at the Northwest corner of Parcel II of said J & A Properties Tract, said corner bears North 35°51'37" East; 221.79 feet from the South One-Quarter Corner of said Section 14;

Thence, along the West line said J & A Properties Tract, South 00°08'00" East, 19.48 feet to the True Point of Beginning,

Thence, North 86°41'11" East, 18.60 feet,

Thence, along a 4.00 foot radius curve to the left, through a central angle of 83°36'37", [chord bears North 44°52'52" East, 5.33 feet] a distance of 5.84 feet

Thence, North 03°04'34" East, 13.09 feet;

Thence, North 89°49'24" East, 119.00 feet;

Thence, South 01°24'08" West, 10.06 feet;

Thence, North 89°53'00" East, 8.29 feet to the East line of said J & A Properties Tract;

Thence, along said East line thereof, South 00°09'00" West, 13.16 feet;

Thence, South 88°39'59" West, 150.06 feet to the West line thereof;

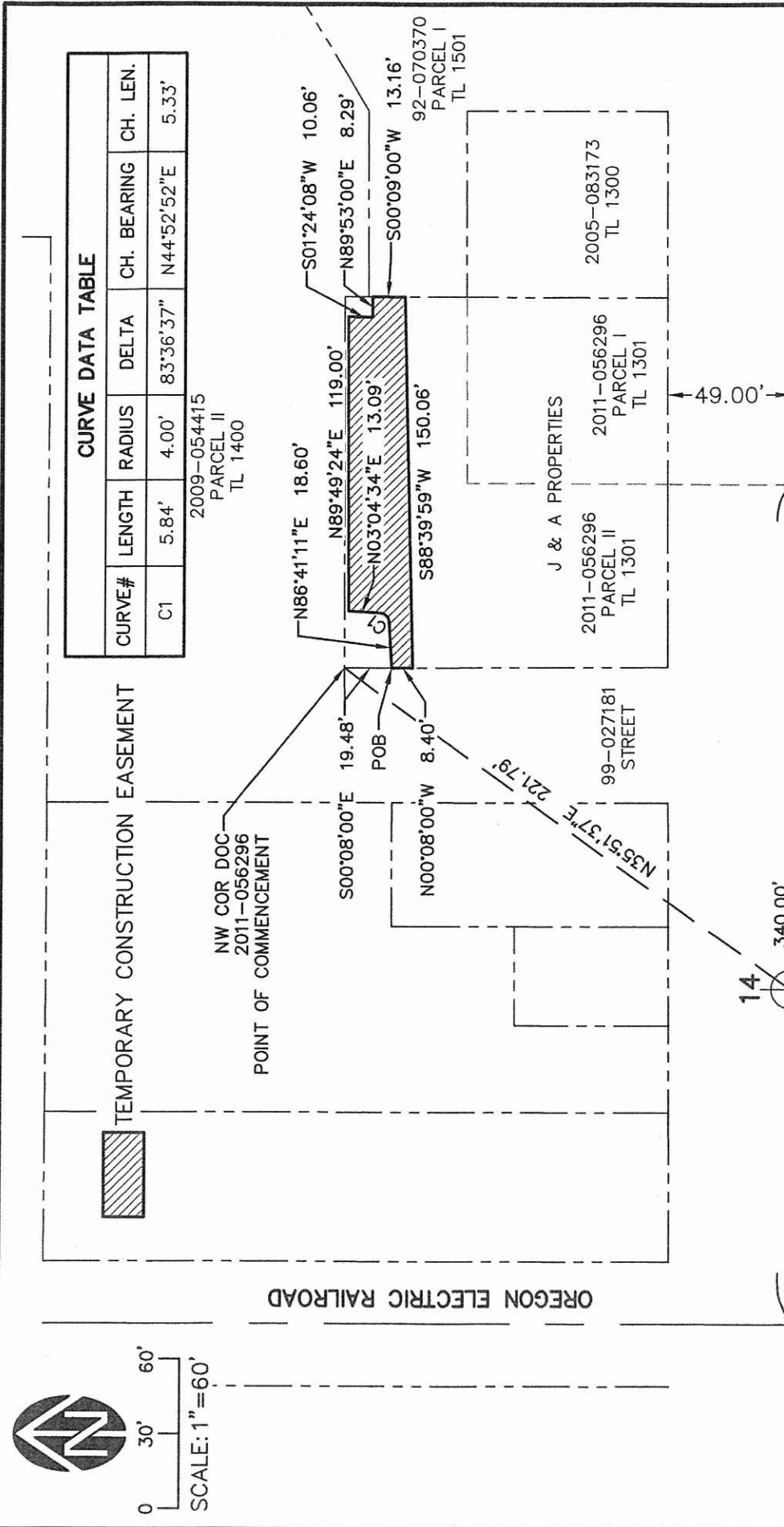
Thence, along said west line, North 00°08'00" West, 8.40 feet to the point of Beginning;

Containing 3,244 square feet, or 0.07 Acres more or less.

Bearings are based on Survey No. PS-16487, Clackamas Country Survey Records.

Property Vested in:  
J & A Properties  
Taxlot 1301, Map 31W14D





0 30' 60'  
SCALE: 1" = 60'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Douglas D. Liles*

OREGON  
AUGUST 14, 1998  
DOUGLAS D. LILES  
2861

RENEWS: 12-31-2014

LOCATED IN THE SE 1/4 OF SECTION 14  
TOWNSHIP 3 S., RANGE 1 W., W.M.  
CITY OF WILSONVILLE  
CLACKAMAS COUNTY COUNTY, OREGON

DATE	2014-07-18
DRAWN BY	DDL
CHECKED BY	TGB
REVISION	1
JOB NO.	1197-014

**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER  
15115 S.W. SEQUOIA PARKWAY, SUITE 150  
TIGARD, OREGON 97224

(503) 884-0652  
FAX (503) 624-0157

**WATERLINE EASEMENT**

City of Wilsonville  
July 18, 2014  
Project No. 1197-014

**PROPERTY DESCRIPTION**

A tract of land situated in the Southeast One-Quarter of Section 14, T. 3 S., R. 1 W., W.M., City of Wilsonville, Clackamas County, Oregon, being portions of that tract of land as conveyed by deed to Jay Puppo and Tammy Puppo in Document No. 2005-083173, recorded August 29, 2005, Clackamas County Deed Records and being more particularly described as follows:

A 15.00 foot wide strip of land being 7.50 feet on each side of the following described centerline:

Commencing at the Northeast corner of said Puppo Tract, said corner bears North 69°49'44" East; 378.22 feet from the South One-Quarter Corner of said Section 14;

Thence, along the North line said Puppo Tract, South 89°45'30" West, 37.90 feet to the True Point of Beginning;

Thence, South 01°20'01" East 15.86 feet to the terminus.

Subject to lengthening and/or shortening of sidelines so that they terminate on the proper boundaries.

Containing 238 square feet more or less.

Bearings are based on Survey No. PS-16487, Clackamas Country Survey Records.

Property Vested in:  
Jay & Tammy Puppo  
Taxlot 1300, Map 31W14D



RENEWS: 12-31-2014

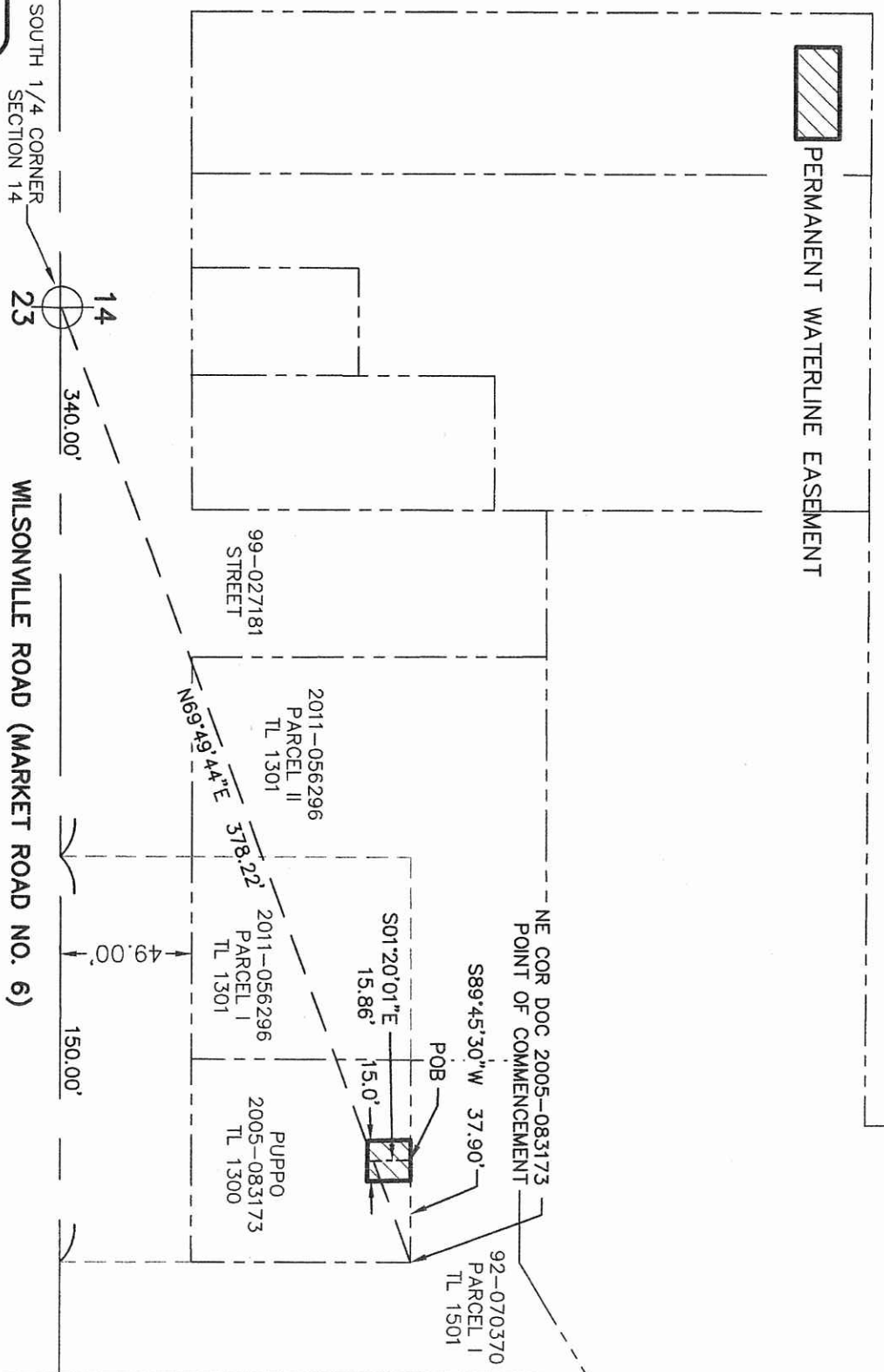


SCALE: 1"=60'

OREGON ELECTRIC RAILROAD



PERMANENT WATERLINE EASEMENT



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Douglas D. Liles*

OREGON  
AUGUST 14, 1998  
DOUGLAS D. LILES  
2861

RENEWS: 12-31-2014

LOCATED IN THE SE 1/4 OF SECTION 14  
TOWNSHIP 3 S., RANGE 1 W., W.M.  
CITY OF WILSONVILLE  
CLACKAMAS COUNTY COUNTY, OREGON

DATE	2014-07-18
DRAWN BY	DDL
CHECKED BY	TGB
REVISION	1
JOB NO.	1197-014

**WESTLAKE**  
CONSULTANTS INC.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER  
15115 S.W. SEQUOIA PARKWAY, SUITE 150  
TIGARD, OREGON 97224

(503) 684-0652  
FAX (503) 624-0157

### Vicinity Map

