

RESOLUTION NO. 1420

A RESOLUTION RELEASING THE CITY'S INTEREST IN PUBLIC UTILITY EASEMENTS, MATRIX DEVELOPMENT CORPORATION, GRANTOR, CLACKAMAS COUNTY RECORDER'S NO. 97-024485 AND NO. 97-024486, AND DECLARING AND DETERMINING NON-VEHICULAR CONTROL ACCESS STRIP AT SOUTHERN TERMINUS OF KENSINGTON DRIVE AND ORCHARD DRIVE WITHIN THE MOREY'S LANDING SUBDIVISION IS NO LONGER NECESSARY FOR THE PUBLIC'S HEALTH, SAFETY AND WELFARE.

WHEREAS, in April 1996, the City of Wilsonville accepted public utility easements from Matrix Development Corporation, Grantor; Clackamas County Recorder's No. 97-024485 and No. 97-024486, (the legal descriptions and sketches of which are attached as Exhibits "A", "B" and "D") for the purpose of supply power to and the operation and maintenance of a temporary sanitary lift station; and

WHEREAS, a replacement station has been contracted, the former lift station has been removed and now the easements set forth in Recorder's No. 97-024485 and No. 97-024486 no longer serve a public purpose, and under the terms of Recorder's No. 97-024485 and No. 97-024486 the grant and interest in each of the easements shall revert back to the Grantor, Matrix Development Corporation; and

WHEREAS, in connection with the phased development of the Morey's Landing subdivision plat, a one-foot non-vehicular control access strip was dedicated to the public (the legal descriptions and sketches of which are attached as Exhibits "C" and "E") at the southern terminus of Kensington Drive and Orchard Drive with the intent to protect the public's health, safety and welfare until such time as a further phase of the subdivision was to be developed and the aforementioned drives extended; and

WHEREAS, with the development of Morey's Landing II, Kensington Drive and Orchard Drive has been extended, thereby eliminating the necessity to protect the public's health, safety and welfare by a non-vehicular control access and such strip no longer serves a public purpose;

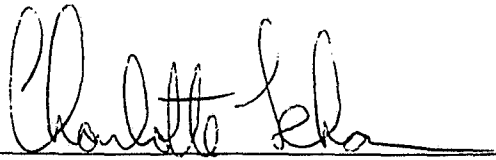
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. Based on the findings recited above, the City of Wilsonville's interest in the certain easements set forth in Clackamas County Recorder's No. 97-024485 and No. 97-024486 no longer serve a public purpose and the interest in each easement hereby

reverts and is granted to the Matrix Development Corporation under the terms of each easement; and


2. Based on the findings recited above, the City of Wilsonville declares and determines the one-foot, non-vehicular control access strip at the southern terminus of Kensington Drive and Orchard Drive as existed prior to the development of Morey's Landing II is no longer necessary for public health, safety and welfare, and such strip is hereby eliminated and vacated.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 6th day of October, 1997.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Luper	<u>Excused</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>

EXHIBIT "A"

UTILITY EASEMENT

A tract of land located in the Northeast one-quarter of Section 22, Township 3 South, Range 1 West of the Willamette Meridian in the City of Wilsonville, County of Clackamas and State of Oregon being more particularly described as follows:

Beginning at the Southeast corner of MOREY'S LANDING (Plat No. 3175), thence along the South line of said Morey's Landing South 83° 36' 20" West, 148.24 feet to the true point of beginning of this described tract of land; thence leaving said South line South 06° 15' 30" East, 86.00 feet; thence South 83° 36' 20" West, 68.00 feet; thence North 06° 15' 30" West, 86.00 feet to the South line of said Morey's Landing; thence along said South line North 83° 36' 20" East, 68.00 feet to the true point of beginning.

EXHIBIT "B"

UTILITY EASEMENT

A 20.00 foot wide strip of land located in the Northeast one-quarter of Section 22, Township 3 South, range 1 West of the Willamette Meridian in the City of Wilsonville, Clackamas County, Oregon being 10.00 feet on either side of the following described centerline:

Beginning at the Southwest corner of MOREY'S LANDING also being an angle point in the North line of that tract of land described in Fee No. 95-22088; thence along the North line of said tract also being the South line of Partition Plat No. 1992-188 and the Westerly extension thereof South 83° 38' 06" West, 155.01 feet to the Northwest corner of said Fee No. 95-22088; thence along the Westerly line of said Fee No. 95-22088 South 06° 17' 21" East, 10.00 feet to the True Point of Beginning of this described centerline; thence leaving said Westerly line North 83° 38' 06" East, 155.03 feet; thence North 83° 36' 20" East, 236.99 feet to the terminus of this described centerline.

EXHIBIT "C"

NON-VEHICULAR ACCESS CONTROL STRIPS

Two tracts of land located in the Northeast one-quarter of Section 22, Township 3 South, Range 1 West of the Willamette Meridian in the City of Wilsonville, County of Clackamas and State of Oregon being more particularly described as follows:

A Strip of land 1 foot x 50 feet adjacent to and concurrent with the Southern terminus of S.W. Orchard Drive as depicted on the Plat of Morey's Landing (Plat No. 3175).

A strip of land 1 foot x 42.14 feet adjacent to and concurrent with the Southern terminus of S.W. Kensington Drive as depicted on the Plat of Morey's Land (Plat No. 3175).

NEC1

INSTALL A 25'x62'x1' CRUSHED ROCK PAD OF 1 1/2" - 0" WITH GEOTEXTILE FABRIC.

EXHIBIT D

ORCHARD

ORCHARD

DRIVE

25'

77 L.F. 8" DIP

2" BO

12+00

10'

13+00

30.5'

3/4" WATER METER, SERVICE AND VAULT

BACKFLOW PREVENTOR

3/4" PVC

LOCKING WATER METER VAULT W/ 5/8" HOSE BIB (SEE DETAIL THIS PAGE)

EASEMENT

6' DIA. WET WELL

BPA EASEMENT

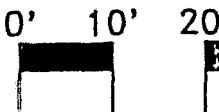
TEMPORARY PUMP STATION GORMAN RUPP 6'x6' ABOVE GROUND SEWAGE LIFT STATION W/DUPLEX T4A3-B PUMPS

P.G.E. TERMINAL POLE

61

20'

62



VT AB

CONDUIT

PLAN HOLD CORPORATE...
REORDER BY NUMBER 41-1-24
3/20/04

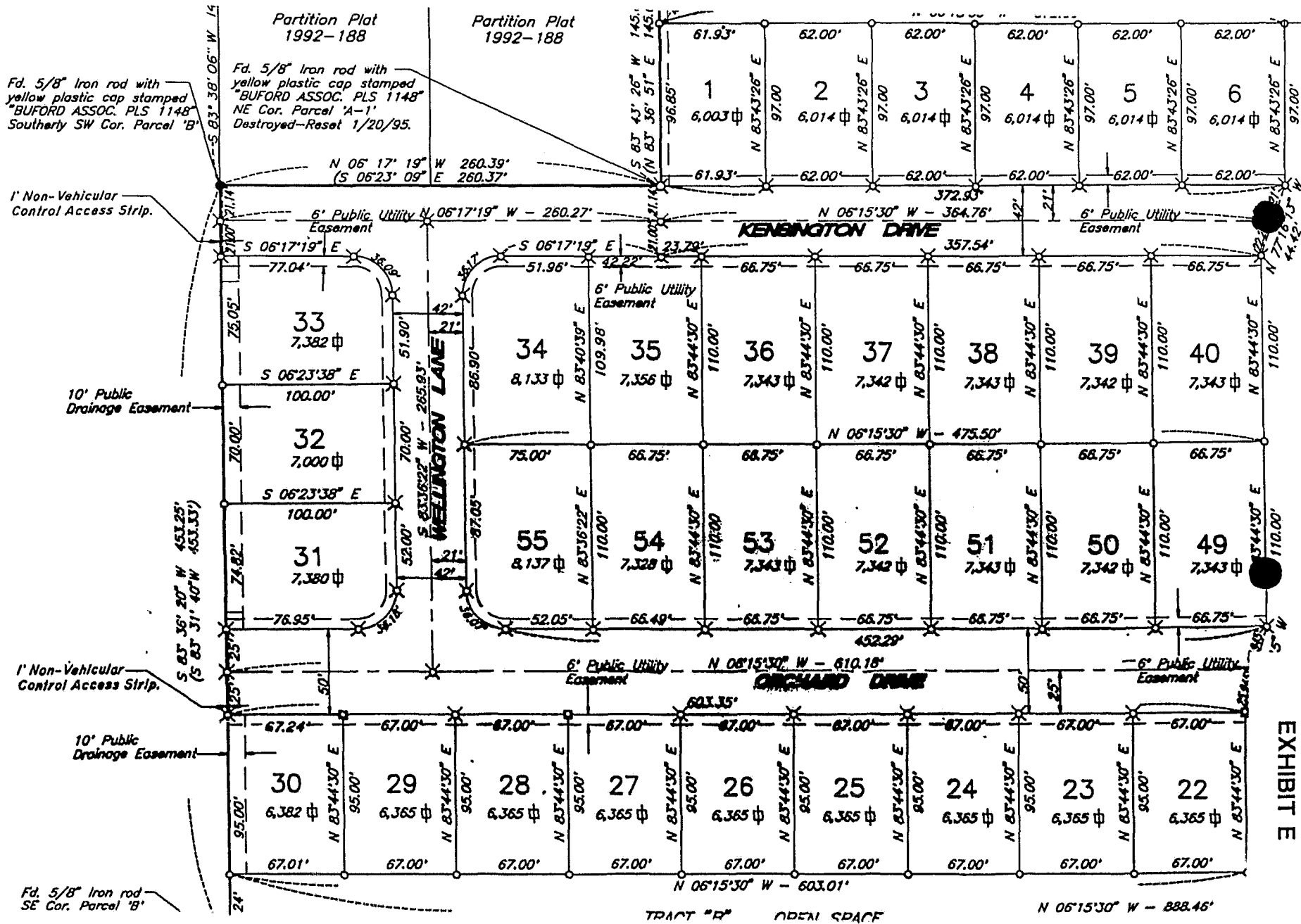


EXHIBIT E