

**RESOLUTION NO. 1433**

**A RESOLUTION AUTHORIZING EXCHANGE OF A PARCEL OF CITY LAND  
FOR A PARCEL OF LAND OF HARVEST LIMITED PARTNERSHIP**

WHEREAS, the City of Wilsonville Development Review Board recommended approval of White Oak Village in 97DB24 (Revised), applicant Harvest Limited Partnership, and the City Council concurred; and

WHEREAS, public property adjacent to the development site is the site of City water towers which property was purchased from the applicant by the City for this use; and

WHEREAS, the need for additional water storage has been identified, and the City plans to construct a future reservoir as part of its water demand strategy and has considered this in making the proposed land exchange; and

WHEREAS, the City Engineer and City Planner have determined that parcel exchange as described in the attached Exhibits A, B and C will not diminish the City's ability to expand its water storage and will provide better access to both sites by a joint access; and

WHEREAS, Harvest Limited Partnership desires to protect slopes, trees, and other natural resources under Wilsonville Code 4.161 and the exchange of land will better enable Harvest Limited Partnership to go forward with its development and achieve the desired protection; and

WHEREAS, the City Council finds that the existing above-referenced property is being exchanged pursuant to ORS 271.310(3) for real property of equal or superior useful value for public use for the City's water supply and protection of natural resources.

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

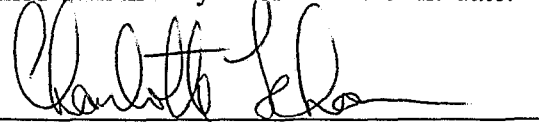
1. Based on the above recitals and findings incorporated herein, the City Council of the City of Wilsonville authorizes the following property exchange:

- (1) Harvest Limited Partnership shall convey and grant to the City of Wilsonville Parcel 1 as described in Exhibit A attached hereto and incorporated herein; and in exchange

- (2) The City of Wilsonville shall convey and grant to Harvest Limited Partnership Parcel 2 as described in Exhibit B attached hereto and incorporated herein; and
- (3) The City of Wilsonville shall grant an easement for access across Parcel 1 to Harvest Limited Partnership, as described in Exhibit C attached hereto and incorporated herein and as generally located on the map accompanying Exhibit C;

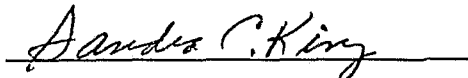
2. The exchange of real property and grant of easement authorized as set forth above is subject to the City Engineer reviewing and approving the legal descriptions, adequate sight distances, and any existing public or private easements, and the City Attorney reviewing and approving the legal form of the deeds and access easement agreement.

ADOPTED by the City Council of the City of Wilsonville at a special meeting thereof on the 15th day of January, 1998, and filed with the city recorder this same date.



CHARLOTTE LEHAN, MAYOR

Attest:



Sandra C. King, CMC, City Recorder

Summary of votes:

Mayor Lehan Yes

Councilor Helser Yes

Councilor Barton No

Councilor Luper Yes

Councilor Kirk Yes



EXHIBIT A

SSDC0001  
CRG  
1-7-98

**PARCEL 1: PROPOSED DEED TO CITY**

A parcel of land situated within the Southwest one-quarter of Section 1, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the one-quarter corner common to Sections 1 and 12, Township 3 South, Range 1 West, Willamette Meridian; thence North  $1^{\circ} 15' 34''$  East along the North-South Centerline of said Section 1, a distance of 1,324.78 feet to a point on the southerly right-of-way line of Southwest Elligsen Road, County Road Number 8, said point being on the arc of a 830.00 foot radius non tangent curve to the right, the radial center of which bears North  $5^{\circ} 56' 13''$  West through a central angle of  $2^{\circ} 04' 59''$  (the long chord of which bears South  $85^{\circ} 06' 16''$  West a distance of 30.17 feet) an arc distance of 30.18 feet to the true point of beginning of the tract herein described; thence leaving said Elligsen Road southerly right-of-way line South  $1^{\circ} 15' 34''$  West a distance of 20.00 feet to a point; thence South  $28^{\circ} 31' 19''$  West a distance of 120.10 feet to a point; thence South  $76^{\circ} 59' 21''$  West a distance of 127.30 feet to a point; thence North  $1^{\circ} 12' 16''$  East a distance of 164.73 feet to a point on the southerly right-of-way line of said Elligsen Road; thence easterly along said right-of-way line South  $83^{\circ} 05' 05''$  East a distance of 100.50 feet to a point of curvature; thence along the arc of an 830.00 foot radius curve to the left through a central angle of  $5^{\circ} 03' 31''$  (the long chord of which bears North  $88^{\circ} 40' 31''$  East a distance of 73.26 feet) an arc distance of 73.28 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North-Zone.

The parcel of land to which this description applies contains 21,663 square feet more or less.



EXHIBIT B

SSDC0001  
CRG  
1-7-97

**PARCEL 2: PROPOSED AQUISITION FROM CITY**

A parcel of land situated within the Southwest one-quarter of Section 1, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the one-quarter corner common to Sections 1 and 12, Township 3 South, Range 1 West, Willamette Meridian; thence North  $1^{\circ} 15' 34''$  East along the North-South Centerline of said Section 1, a distance of 1,324.78 feet to a point on the southerly right-of-way line of Southwest Elligsen Road, County Road Number 8, said point being on the arc of a 830.00 foot radius non tangent curve to the right, the radial center of which bears North  $5^{\circ} 56' 13''$  West, through a central angle of  $70^{\circ} 08' 30''$  (the long chord of which bears South  $87^{\circ} 38' 02''$  West a distance of 103.39) an arch distance of 103.46 to a point of tangency; thence North  $83^{\circ} 05' 05''$  West a distance of 100.50 feet to a point; thence North  $88^{\circ} 47' 43''$  West a distance of 13.35 feet to a point; thence leaving said southerly right-of-way line South  $1^{\circ} 12' 17''$  West a distance of 103.63 feet to the true point of beginning of the tract herein described; thence South  $1^{\circ} 12' 17''$  West a distance of 112.97 feet to a point; thence North  $75^{\circ} 21' 24''$  West a distance of 99.86 feet to a point; thence North  $66^{\circ} 47' 41''$  West a distance of 31.10 feet to a point; thence South  $84^{\circ} 59' 51''$  West a distance of 89.31 feet to a point; thence North  $1^{\circ} 12' 17''$  East a distance of 87.77 feet to a point; thence South  $88^{\circ} 47' 43''$  East a distance of 214.75 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 0.451 acres, or 19,629 square feet more or less.



EXHIBIT C

SSDC0001  
CRG  
1-7-98

**PROPOSED INGRESS/EGRESS EASEMENT**

A parcel of land situated within the Southwest one-quarter of Section 1, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the one-quarter corner common to Sections 1 and 12, Township 3 South, Range 1 West, Willamette Meridian; thence North  $1^{\circ} 15' 34''$  East along the North-South Centerline of said Section 1, a distance of 1,324.78 feet to a point on the southerly right-of-way line of Southwest Elligsen Road, County Road Number 8, said point being on the arc of an 830.00 foot radius non tangent curve to the right, the radial center of which bears North  $5^{\circ} 56' 13''$  West through a central angle of  $70^{\circ} 08' 30''$  (the long chord of which bears South  $87^{\circ} 38' 02''$  West a distance of 103.39 feet) an arc distance of 103.46 feet to a point of tangency; thence North  $83^{\circ} 05' 05''$  West a distance of 75.73 feet to the true point of beginning; thence South  $1^{\circ} 12' 16''$  West a distance of 200.21 feet to a point; thence North  $75^{\circ} 21' 24''$  West a distance of 39.07 feet to a point; thence North  $1^{\circ} 12' 19''$  East a distance of 26.84 feet to a point; thence North  $76^{\circ} 59' 19''$  East a distance of 8.25 feet to a point; thence North  $1^{\circ} 12' 16''$  East a distance of 164.73 feet to a point on the southerly right-of-way line of said Southwest Elligsen Road; thence easterly along said right-of-way line South  $88^{\circ} 47' 42''$  East a distance of 5.35 feet to a point; thence South  $83^{\circ} 05' 05''$  West a distance of 24.77 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone.

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