

THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE

RESOLUTION NO. 117

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE MAKING FINDINGS AND DETERMINATIONS AUTHORIZING AND IDENTIFYING A MINOR AMENDMENT TO THE YEAR 2000 URBAN RENEWAL PLAN AND AUTHORIZING THE ACQUISITION OF PROPERTY AND PROPERTY INTERESTS TO CARRY OUT THE URBAN RENEWAL PLAN AND TO CARRY OUT A PORTION OF URBAN RENEWAL PLAN PROJECT 601.A.2, CANYON CREEK ROAD SOUTH

WHEREAS, the Urban Renewal Agency is lawfully empowered to construct certain planned public improvement projects, and to acquire land necessary and proper for such public purposes, and to do so in conjunction with the City and the City of Wilsonville Comprehensive Plan; and

WHEREAS, Urban Renewal Plan, Section 601 entitled "Urban Renewal Projects and Improvement Activities," provides for "Roads Including Utility Work Indicated" and more specifically identifies urban renewal projects and improvement activities necessary to implement the urban renewal plan and this list includes Project No. 2 relating to proposed Canyon Creek South improvements; and

WHEREAS, the 2003 Transportation System Plan identifies the extension of Canyon Creek Road South from Boeckman Road as a short range plan project; and

WHEREAS, to accomplish the objectives of the Urban Renewal Plan, the urban renewal project set forth as Urban Renewal Plan 601.A.2 must be modified to specify and determine the needed Canyon Creek South improvements; and

WHEREAS, the Year 2000 Urban Renewal Plan for the City of Wilsonville Urban Renewal Agency (hereinafter Urban Renewal Plan), Section 1201 authorizes minor changes to the Urban Renewal Plan to be adopted by Resolution; and

WHEREAS, Urban Renewal Plan Section 602, Acquisition of Real Property, authorizes the Urban Renewal Agency to acquire property within the Urban Renewal Area by any legal means to achieve the objectives of the Urban Renewal Plan; and

WHEREAS, Urban Renewal Plan Section 603, Urban Renewal Agency's Procedures for Property Acquisition, provides that appraisal and acquisition policies adopted by resolution and as amended from time to time shall govern acquisition procedures; and

WHEREAS, Canyon Creek Road South improvements are necessary to carry out the objectives of the Urban Renewal Plan and are authorized by Urban Renewal Plan Section 601.A.2, as herein amended, and the improvements and activities so listed will be financed through Urban Renewal Bond Proceeds; and

WHEREAS, the City's proposed budget for FY 2004/05 appropriates Urban Renewal funds to pay for construction of public facilities in excess of those needed to serve the Renaissance Homes development; 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, the public right-of-way should be vested in the City of Wilsonville to provide for necessary care, maintenance and public safety authority.

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Urban Renewal Plan, Section 601.A.2 is hereby amended to read as follows (new text is underlined):

"601.A.2 Canyon Creek Road... Boeckman Road, south to Wilsonville Road.


Includes intersection with town Center Loop East, modifications to Vlahos Drive and

storm drain. Necessary activities required to carry out the Plan may occur immediately outside of the urban renewal area.”

2. The property identified in Exhibits 1 and 2, which Exhibits are attached hereto and incorporated herein by this reference, is identified as the property to be acquired for the Canyon Creek Road South improvements specified in the Urban Renewal Plan and Urban Renewal Plan Section 601.A.2, as herein amended. The property and property interests described in Exhibits 1 and 2 are necessary and required for the public purpose of providing the Canyon Creek Road South improvements identified in the Urban Renewal Plan and identified in Urban Renewal Plan Section 601.A.2, as herein amended.
3. The amendment to the Urban Renewal Plan Section 601.A.2 herein established is a minor amendment to the Urban Renewal Plan as contemplated by Urban Renewal Plan Section 1201 which provides that the Agency shall approve Minor Amendments to the Plan by a resolution of the Agency that describes the details of the minor change. It is specifically determined herein that this amendment to the Urban Renewal Plan is not a substantial amendment to the Urban Renewal Plan as the term "substantial amendment" is defined in the Urban Renewal Plan and in ORS 457.085(2)(i)(A).
4. The property and property interests are to be acquired for the aforementioned Canyon Creek Road South improvements and these improvements have been planned and located in a manner most compatible with the greatest public good and the least private injury.
5. The Urban Renewal Agency 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.


6. Upon trial of and action of condemnation, the attorneys for the Urban Renewal Agency are authorized to make such stipulation, agreement or admission as in their judgment may be in the best interests of the Urban Renewal Agency.
7. The Urban Renewal Agency anticipates it will acquire the above-described property in the fall of 2004, and cause construction to initially begin with utility related efforts as soon as property acquisitions are complete.
8. In accordance with the above recitals, the City Manager acting as the Agency's Executive Director is authorized to transfer title of identified properties to the City of Wilsonville by deed or directly through negotiation.
9. This resolution is effective upon adoption.

ADOPTED by the Wilsonville Urban Renewal Urban Renewal Agency at a regular meeting thereof this 30th day of August, 2004, and filed with the Wilsonville City Recorder this date.



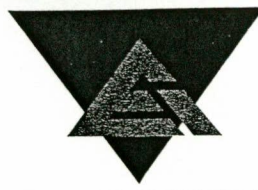
CHARLOTTE LEHAN, Board Chair

ATTEST:


Sandra C. King, City Recorder, CMC

SUMMARY OF VOTES:

| | |
|-------------------|---------|
| Chair Lehan | Yes |
| Member Scott-Tabb | Yes |
| Member Kirk | Excused |
| Member Holt | Yes |
| Member Knapp | Yes |



ALPHA ENGINEERING, INC.

FEBRUARY 17, 2004

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION

JOB NO. 771-001

A TRACT OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 16, "BRIDLE TRAIL RANCHETTS"; THENCE ALONG THE WEST LINE OF SAID LOT 16, SOUTH 01°47'04" WEST, 31.84 FEET TO THE **POINT OF BEGINNING**; THENCE LEAVING SAID WEST LINE, ALONG THE ARC OF A 558.50 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 68° 52' 51" EAST, BEING CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 32° 52' 15", 320.41 FEET (CHORD BEARS SOUTH 04° 41' 01" WEST, 316.04 FEET); THENCE ALONG THE ARC OF A 557.50 FOOT RADIUS REVERSE CURVE TO THE RIGHT, BEING CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 13° 32' 10", 131.71 FEET (CHORD BEARS SOUTH 04° 59' 01" EAST, 131.40 FEET); THENCE SOUTH 01° 47' 04" WEST, 601.90 FEET; THENCE ALONG THE ARC OF A 557.50 FOOT RADIUS CURVE TO THE RIGHT, BEING CONCAVE WESTERLY, THROUGH A CENTRAL ANGLE OF 18° 01' 40", 175.41 FEET (CHORD BEARS SOUTH 10° 47' 54" WEST, 174.69 FEET); THENCE ALONG THE ARC OF A 558.50 FOOT RADIUS REVERSE CURVE TO THE LEFT, BEING CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 6° 35' 29", 64.25 FEET (CHORD BEARS SOUTH 16° 30' 59" WEST, 64.22 FEET); THENCE SOUTH 76° 46' 45" EAST, 31.50 FEET; THENCE ALONG THE ARC OF A 527.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 76° 46' 45" EAST, BEING CONCAVE SOUTHEASTERLY, THROUGH A CENTRAL ANGLE OF 6° 17' 05", 57.80 FEET (CHORD BEARS NORTH 16° 21' 47" EAST, 57.78 FEET), TO A POINT ON THE WEST LINE OF SAID "BRIDLE TRAIL RANCHETTS"; THENCE ALONG SAID WEST PLAT LINE, NORTH 01° 56' 37" WEST, 18.72 FEET, TO AN ANGLE POINT IN SAID WEST PLAT LINE; THENCE CONTINUING ALONG SAID WEST PLAT LINE, NORTH 01° 47' 04" EAST, 1214.30 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 12,131 SQUARE FEET MORE OR LESS.

TOGETHER WITH A 15.00 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT TO BE EXTINGUISHED UPON COMPLETION OF ROADWAY IMPROVEMENTS AND ACCEPTANCE BY THE GOVERNING AUTHORITY, ALONG AND ADJACENT TO THE WESTERLY, SOUTHERLY, AND SOUTHEASTERLY LINES OF THE ABOVE DESCRIBED RIGHT-OF-WAY DEDICATION, RIGHT-ANGLE MEASURE, EXCEPTING

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THEREFROM ANY PORTION LYING EASTERLY OF THE WESTERLY LINE OF
"BRIDLE TRAIL RANCHETTS."

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE WEST LINE OF "BRIDLE
TRAIL RANCHETTS" PER SURVEY NO. 27,749, CLACKAMAS COUNTY SURVEY
RECORDS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

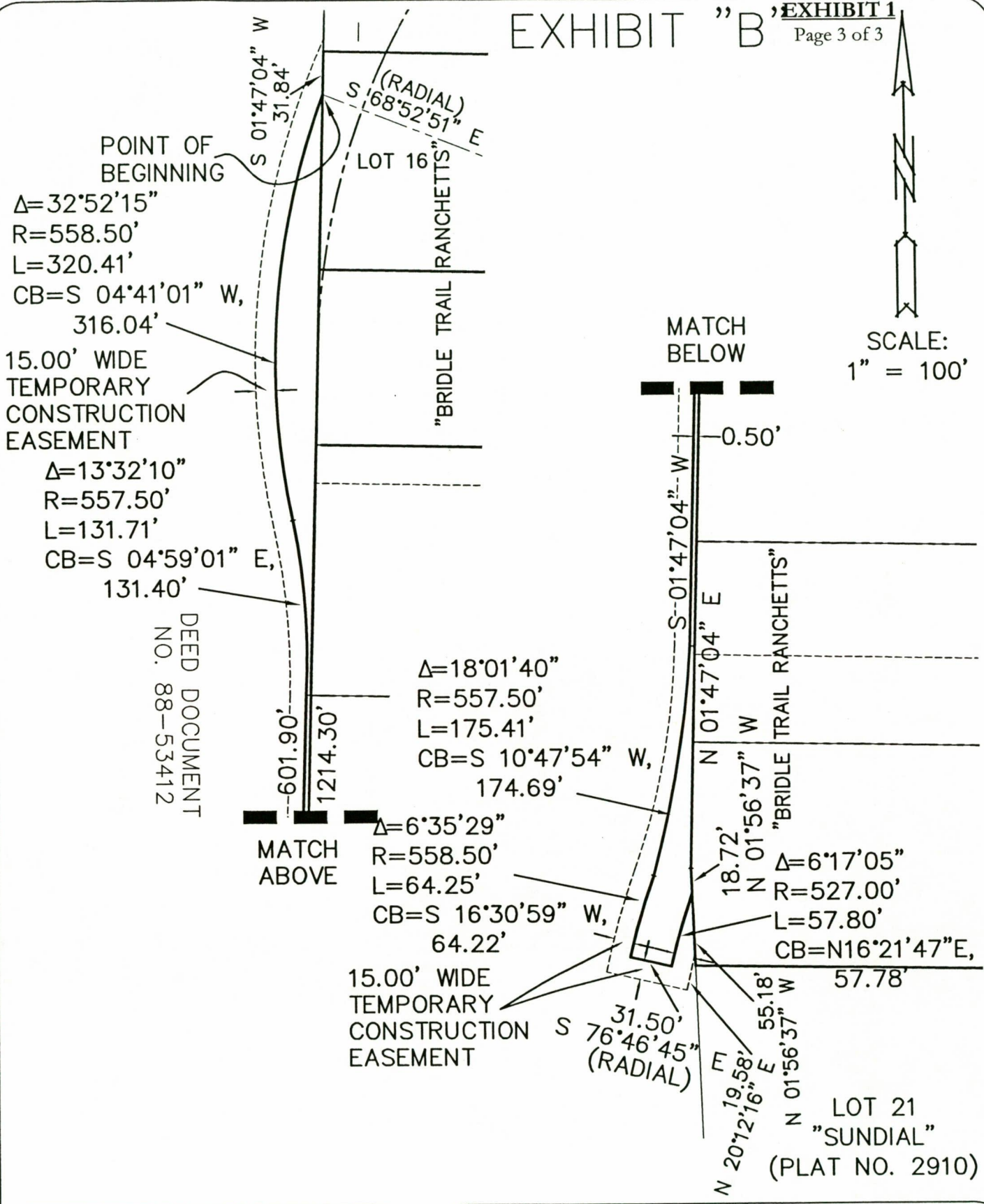
Jean M. Dalrymple-Feigon

OREGON
JULY 14, 1998
JEAN M. DALRYMPLE-FEIGION
2875

EXP 12-31-05




SCALE:
1" = 100'



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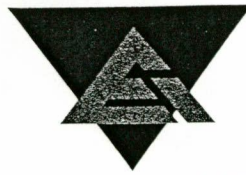
DRAWN BY: JDF DATE: 8/03/04
 REVIEWED BY: JMD-F DATE: 2/16/04
 PROJECT NO.: 771-001
 SCALE: AS SHOWN

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ALPHA ENGINEERING, INC.

AUGUST 3, 2004

LEGAL DESCRIPTION
RIGHT-OF-WAY DEDICATION
TEMPORARY CONSTRUCTION EASEMENT

JOB NO. 771-001

TWO TRACTS OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE NORTHWEST CORNER OF LOT 15, "BRIDLE TRAIL RANCHETTS", BEING THE NORTHWEST CORNER OF THE LAND DESCRIBED IN DEED DOCUMENT NO. 98-092591, CLACKAMAS COUNTY DEED RECORDS, RECORDED SEPTEMBER 22, 1998; THENCE ALONG THE WEST LINE OF SAID LOT AS DESCRIBED IN SAID DEED, SOUTH $01^{\circ}47'04''$ WEST, 56.58 FEET; THENCE LEAVING SAID WEST LINE, ALONG THE ARC OF A 527.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH $88^{\circ}12'52''$ EAST, BEING CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF $6^{\circ}10'02''$, 56.72 FEET (CHORD BEARS NORTH $04^{\circ}52'09''$ EAST, 56.70 FEET), TO A POINT ON THE NORTH LINE OF SAID LOT; THENCE ALONG SAID NORTH LINE, NORTH $88^{\circ}55'04''$ WEST, 3.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 57 SQUARE FEET MORE OR LESS.

PARCEL 2

BEGINNING AT THE SOUTHWEST CORNER OF THE PROPERTY DESCRIBED IN DEED DOCUMENT NO. 98-092591, CLACKAMAS COUNTY DEED RECORDS, RECORDED SEPTEMBER 22, 1998, BEING A POINT ON THE WEST LINE OF LOT 15, "BRIDLE TRAIL RANCHETTS," FROM WHICH THE NORTHWEST CORNER BEARS NORTH $01^{\circ}47'04''$ EAST, 130.00 FEET; THENCE ALONG THE WEST LINE OF SAID LOT, NORTH $01^{\circ}47'04''$ EAST, 73.42 FEET; THENCE LEAVING SAID WEST LINE, ALONG THE ARC OF A 527.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH $88^{\circ}12'52''$ EAST, BEING CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF $8^{\circ}00'05''$, 73.60 FEET (CHORD BEARS SOUTH $02^{\circ}12'55''$ EAST, 73.54 FEET), TO A POINT ON THE SOUTH LINE OF SAID PROPERTY; THENCE ALONG SAID SOUTH LINE, NORTH $88^{\circ}54'40''$ WEST, 5.13 FEET TO THE POINT OF BEGINNING.

CONTAINING 125 SQUARE FEET MORE OR LESS.

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TOEGHER WITH A 15.00 FOOT WIDE TEMPORARY CONSTRUCTION EASEMENT TO BE EXTINGUISHED UPON COMPLETION OF ROADWAY IMPROVEMENTS AND ACCEPTANCE BY THE GOVERNING AUTHORITY, ALONG AND ADJACENT TO THE EASTERLY LINES OF THE ABOVE DESCRIBED RIGHT-OF-WAY DEDICATIONS, RIGHT-ANGLE MEASURE, THE EASTERLY LINES TO BE EXTENDED TO THE NORTHERLY AND SOUTHERLY LINES OF SAID PROPERTY DESCRIBED IN DEED DOCUMENT NO. 98-092591.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE WEST LINE OF "BRIDLE TRAIL RANCHETTS" PER SURVEY NO. 27,749, CLACKAMAS COUNTY SURVEY RECORDS

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Jean M. Dalrymple-Feigion

OREGON
JULY 14, 1998
JEAN M. DALRYMPLE-FEIGION
2875

EXP 12-31-05

EXHIBIT "B"

POINT OF BEGINNING
PARCEL 1
N.W.
CORNER
LOT 15

S 88°55'04" E
3.05'

15.11'

PARCEL 1

56.58'

$\Delta=6^{\circ}10'02''$

R=527.00'

L=56.72'

CB=N 04°52'09" E,
56.70'

DEED DOCUMENT
NO. 98-092591

(RADIAL)

130.00'

N 01°47'04" E

S 88°12'52" E

$\Delta=14^{\circ}35'10''$

R=512.00'

L=130.34'

CB=S00°51'39"W,
129.99'

73.42'

$\Delta=8^{\circ}00'05''$

R=527.00'

L=73.60'

CB=S02°12'55"E,

15.00' 73.54'

15.00' WIDE
TEMPORARY
CONSTRUCTION
EASEMENT

PARCEL 2

POINT OF BEGINNING
PARCEL 2

5.13'

15.13'

N 88°54'40" W



SCALE:
1" = 20'

LOT 15
"BRIDLE TRAIL RANCHETTS"

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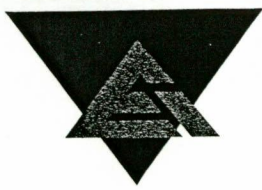
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ALPHA ENGINEERING, INC.

AUGUST 3, 2004

LEGAL DESCRIPTION
6.00 FOOT WIDE PUBLIC UTILITY EASEMENT

JOB NO. 771-001

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COMMENCING AT THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN DOCUMENT NO. 98-092591, CLACKAMAS COUNTY DEED RECORDS, ALSO BEING THE NORTHWEST CORNER OF LOT 15, "BRIDLE TRAIL RANCHETTS"; THENCE ALONG THE NORTH LINE OF SAID LOT, SOUTH 88°55'04" EAST, 3.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 88° 55' 04" EAST, 6.04 FEET; THENCE LEAVING SAID NORTH LINE, ALONG THE ARC OF A 521.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS SOUTH 81° 58' 04" EAST, BEING CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 14° 19' 58", 130.33 FEET (CHORD BEARS SOUTH 00° 51' 57" WEST, 129.99 FEET), TO A POINT ON THE SOUTH LINE OF SAID PROPERTY; THENCE ALONG SAID SOUTH LINE, NORTH 88° 54' 40" WEST, 6.05 FEET; THENCE LEAVING SAID SOUTH LINE, ALONG THE ARC OF A 527.00 FOOT RADIUS CURVE, THE RADIUS POINT OF WHICH BEARS NORTH 83° 47' 02" EAST, BEING CONCAVE EASTERLY, THROUGH A CENTRAL ANGLE OF 14° 10' 07", 130.32 FEET (CHORD BEARS NORTH 00° 52' 06" EAST, 129.99 FEET), TO THE POINT OF BEGINNING.

CONTAINING 782 SQUARE FEET MORE OR LESS.

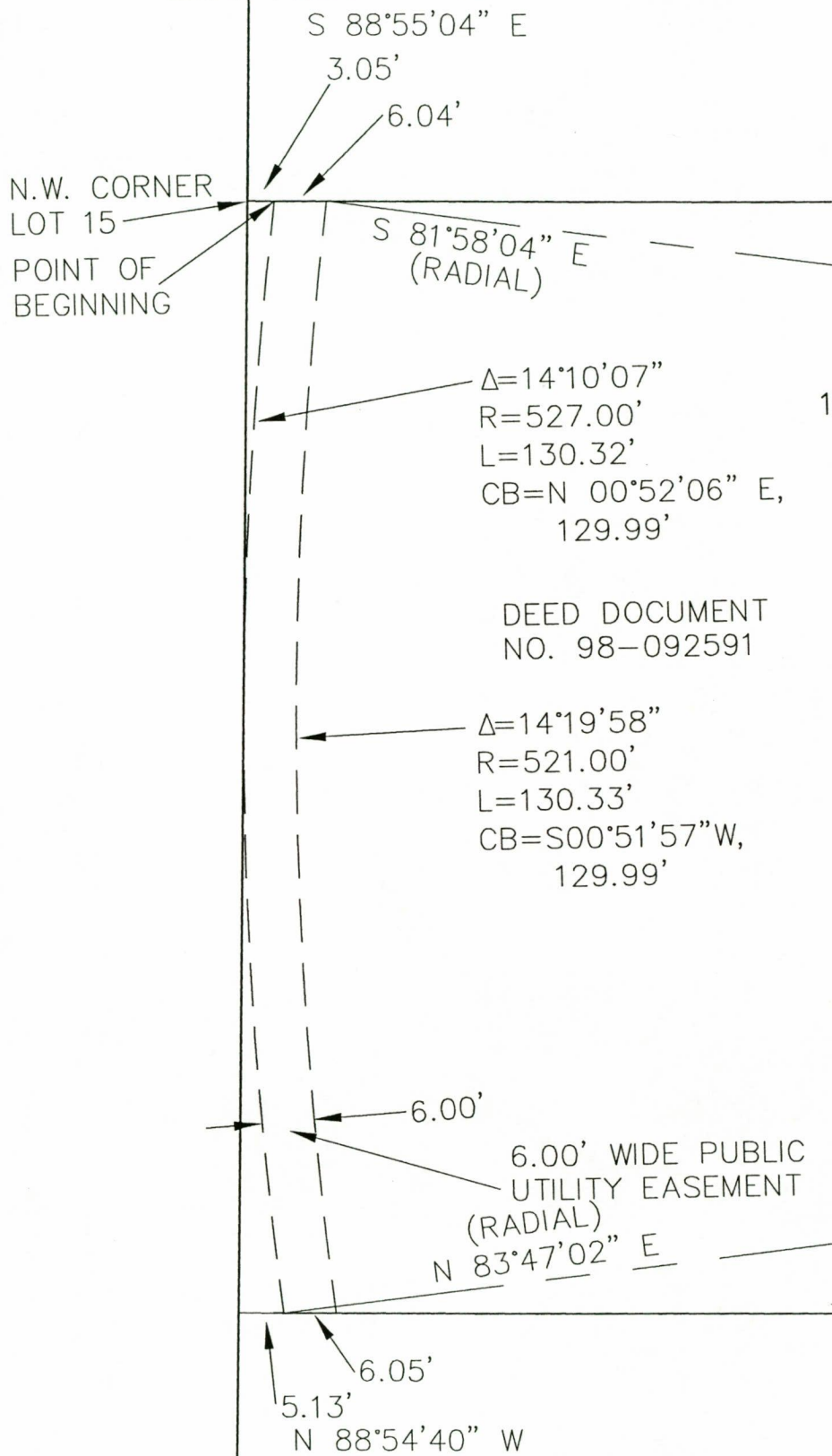
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EXHIBIT "B"

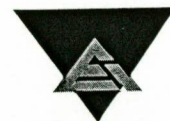


SCALE:
1" = 20'

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