

AFFIDAVIT OF POSTING ORDINANCE #93

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS,)
AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

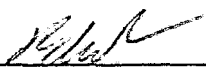
On the 30th day of January, I caused to be posted copies of the attached Ordinance #93, an Ordinance to purchase from Willamette Factors, Inc. new Water Well Sites, in the following four public and conspicuous places of the City, to wit:

Wilsonville Post Office
Wilsonville City Hall
Lowrie's Food Market
Kopper Kitchen

The notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on the 6th day of February, 1978.


Deanna J. Thom, City Recorder

Subscribed and sworn to before me
this 13th day of March, 1978.



NOTARY PUBLIC, STATE OF OREGON
My Commission Expires: _____

My Commission Expires February 14, 1981

ORDINANCE NO. 93

AN ORDINANCE AUTHORIZING PURCHASE FROM WILLAMETTE FACTORS, INC. OF NEW WATER WELLS AND WELL SITES; AUTHORIZING RECONVEYANCE TO WILLAMETTE FACTORS, INC. OF TWO PARCELS OF REAL PROPERTY WHICH ARE NOT REQUIRED AND CANNOT BE USED FOR WATER OR OTHER CITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, Willamette Factors, Inc., an Oregon corporation, owner and developer of CHARBONNEAU, a residential community in the City of Wilsonville, has cooperated with the City in its search for an additional source of municipal water, and in that regard has previously conveyed to the City without cost two separate parcels of real property for water well sites on which wells were drilled and tested at the sole expense of said company; and

WHEREAS, the wells as drilled and tested proved to be inadequate for the City's needs or municipal purposes, but the company has made water well tests at another location on its property and located an adequate source and supply of potable water for municipal purposes, and is willing to convey said property to the City for the actual costs incurred in that project which involved the drilling of two (2) wells at a total actual cost of \$29,456.00; and

WHEREAS, the City's water bond issue approved by the voters August 23, 1977, authorized, among other things, the City's purchase and development of two or more new water wells, and the wells drilled on the property of said company will provide new sources of municipal water with adequate supply, and the company's costs of the wells are reasonable for those facilities and the amount of water which will be produced according to the tests which have been completed; now, therefore,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: The City shall purchase from Willamette Factors, Inc. the new water wells which it has recently drilled and tested with sufficient land to adequately accommodate such facilities and pay therefor the sum of \$29,456.00. That such payment be made initially from the City's Water Reserve Fund and that a like amount be transferred back into that Fund from the proceeds of the City's water bond issue when the bonds have been sold and delivered.

Section 2: That the two parcels of real property previously acquired by the City from Willamette Factors, Inc. are not required for City purposes and

should be reconveyed to said company, and the Mayor and City Recorder are hereby authorized and directed to make, execute and deliver appropriate Deeds to Willamette Factors, Inc. for reconveyance to said company of the two parcels of real property as described in Deeds dated September 27, 1976 and each recorded November 18, 1976, in Clackamas County Deed Records as Recorder's Fee Nos. 76-41379 and 76-41436 respectively.


Section 3: That the reconveyance of real property and payment to Willamette Factors, Inc. as authorized by Section 1 of this Ordinance be made concurrently with the City's receipt and acceptance of a good and sufficient Warranty Deed from said company for the site of the new water wells and the wells which are now located thereon, and together with necessary Easements or rights-of-way for ingress and egress to and from said wells.

Section 4: In view of the shortage of municipal water, there is an immediate need to develop and equip the new water wells and water well sites to be acquired by purchase from Willamette Factors, Inc., and an emergency is therefore hereby declared to exist, and this Ordinance shall take effect immediately upon final reading and enactment by the City Council.

Passed by the Wilsonville City Council at a regular meeting thereof on January 3, 1978; ordered posted in three (3) public and conspicuous places in the City of Wilsonville for a period of five (5) consecutive days as required by the Wilsonville City Charter; and to come up for final reading and action of the Wilsonville City Council at a regular meeting thereof to be held on the sixth day of Feb., 1978, at the hour of 8:00 o'clock p.m. at the Council's regular meeting place at the Wilsonville Grade School.


WILLIAM G. LOWRIE - Mayor

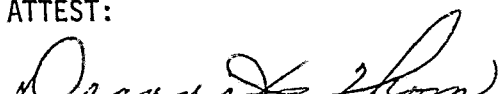
ATTEST:


DEANNA J. THOM - City Recorder

Passed on final reading at a regular meeting of the Wilsonville City Council this sixth day of February, 1978, by the following vote: Yeas 5, Nays 0.


WILLIAM G. LOWRIE - Mayor

ATTEST:


DEANNA J. THOM - City Recorder