

**RESOLUTION NO. 2216**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY RELATED TO INSTALLATION OF A TRANSIT SHELTER AT CANYON CREEK ROAD NORTH.**

WHEREAS, the City of Wilsonville is duly authorized and empowered by virtue of the laws of the State of Oregon to acquire such real property as may be deemed necessary and proper for identified improvements; and

WHEREAS, the City of Wilsonville Transit Master Plan dated August 2008, establishes a viable alternative plan to the single-occupant vehicle by meeting the mobility needs of residents, employers and employees within the entire City; and

WHEREAS, Section 3 ~ Implementation Measures of the Transit Master Plan identifies the importance of providing shelter from weather as well as an opportunity to sit down in locations that serve higher concentrations of transit-users; and

WHEREAS, there is a bus shelter on Canyon Creek Road North in the vicinity of Canyon Creek Apartment Villages for those traveling north but no shelter for those traveling south; and

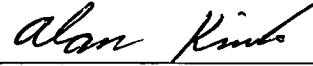
WHEREAS, residents from the Canyon Creek Apartment Villages have requested a transit shelter be installed for those riders traveling south on Canyon Creek Road North to employment sites such as Xerox and Mentor Graphics; and

WHEREAS, the owner of the property known as Canyon Creek Apartment Villages is willing to grant a permanent transit easement, for no financial consideration or cost to the City, over and along the full width and length of the premises described in Exhibit A, attached hereto and incorporated by reference therein.

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

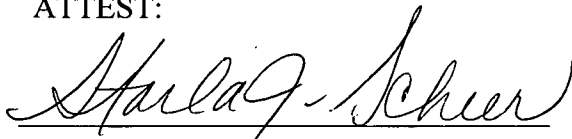
1. There is needed and required, for the public purpose of providing bus transportation improvements, acquisition of real property as identified in Exhibits A, attached hereto and incorporated by reference herein.
2. City staff is authorized to accept the donation of an easement as described in Exhibit A, attached hereto and incorporated by reference herein.
3. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7<sup>th</sup> day of December, 2009, and filed with the Wilsonville City Recorder this date.



Alan Kirk, City Council President

ATTEST:



Starla J. Schur, CMC, Deputy City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Excused
Councilor Kirk	Yes
Councilor Núñez	Yes
Councilor Ripple	Yes
Councilor Hurst	Yes

List of Exhibits

Exhibit A ~ Legal Description

15154LD1  
11/09/09  
mjf

EXHIBIT "A"

www.mackaysposito.com



1325 S.E. Tech Center Drive, Ste. 140, Vancouver, WA 98683 (360) 695-3411 (503) 289-6726 PTLD (360) 695-0833 FAX

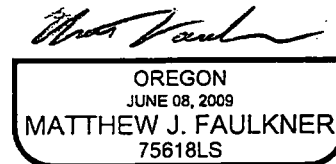
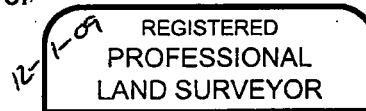
**LEGAL DESCRIPTION**  
**EASEMENT FOR TRANSIT-RELATED FACILITIES**  
**CITY OF WILSONVILLE**  
**CLACKAMAS COUNTY, OREGON**

An easement over real property being a portion Parcel 2, Partition Plat 1997-011, Clackamas County Survey Records, lying in the Northwest quarter of Section 12, Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as follows:

Commencing at Station 51+87.69, being a Point of Reverse Curvature of a 700.00 foot radius curve, as surveyed and shown on the Post Construction Record of Survey of Canyon Creek Road North, being recorded as PS-27725, Clackamas County Survey Records; thence along said curve to the left, through a central angle of 06°53'13", an arc distance of 84.14 feet (having a chord bearing of North 16°13'08" East, a distance of 84.09 feet) to the easterly extension of the south line of said easement; thence North 77°13'28" West along said easterly extension a distance of 31.00 feet to the Westerly right of way line of said Canyon Creek Road North, and being the **Point of Beginning**; thence continuing North 77°13'28" West along said south line a distance of 5.00 feet; thence North 12°23'14" East a distance of 9.00 feet; thence South 78°00'04" East a distance of 5.00 feet to a point on an arc of a 669.00 foot radius non-tangent curve having a radial bearing of North 78°00'04" West, also being a point on said Westerly right of way line; thence along said curve to the right along said westerly right of way line, through a central angle of 00°46'35", an arc distance of 9.07 feet (having a chord bearing of South 12°23'14" West, a distance of 9.07 feet) to the **Point of Beginning**.

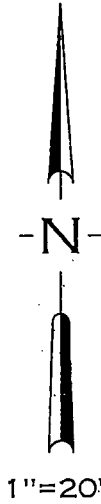
Containing 45 square feet, more or less.

Subject to easements and restrictions of record.

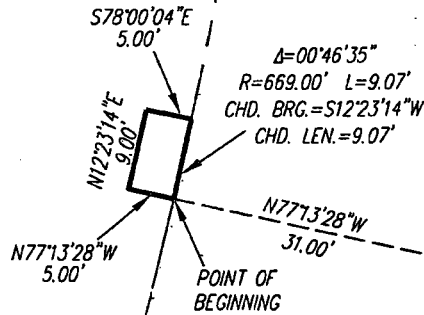


EXPIRES 12/31/09

SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR  
EASEMENT FOR TRANSIT-RELATED FACILITIES  
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON  
NOVEMBER, 2009



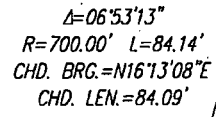
PARCEL 2,  
PARTITION PLAT 1997-011



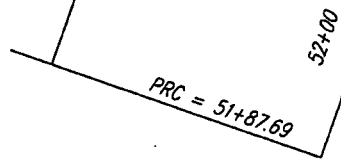
12-7-09  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 08, 2009  
MATTHEW J. FAULKNER  
75618LS

EXPIRES 12/31/09

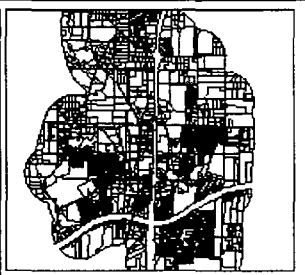


CANYON CREEK ROAD NORTH



Mackay & Sposito, Inc.

1325 SE TECH CENTER DRIVE, SUITE 140  
VANCOUVER, WA 98683  
VANCOUVER: (360) 695-3411  
PORTLAND: (503) 289-6726  
FAX (360) 695-0833  
www.mackaysposito.com



Scale 1:1,411  
1 in = 118 ft

**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

DATE: December 7, 2009  
TO: Honorable Mayor and Councilors  
FROM: Kristin Retherford, Project Manager  
SUBJECT: Canyon Creek Road Transit Shelter

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**Recommendation:** Staff recommends City Council adopt a resolution authorizing staff to accept the donation of a permanent transit-related easement on tax lot 3S1W12 00410 for purposes of installing a transit shelter and amenities for those riders traveling south on Canyon Creek Road North.

**Background:** As outlined in Section 3 of the Transit Master Plan, transit shelters and benches provide the best shelter and comfort at bus stops. Residents from Canyon Creek Apartment Villages have requested a transit shelter be installed for those transit-dependent riders traveling south on Canyon Creek Road North to employment sites such as Xerox and Mentor Graphics.