

**RESOLUTION NO. 2386**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTERESTS RELATED TO THE CONSTRUCTION OF THE KINSMAN TRANSMISSION MAIN SEGMENT 3B FROM BARBER STREET TO BOECKMAN ROAD**

WHEREAS, the City of Wilsonville has entered into an Intergovernmental Agreement with the City of Sherwood dated January 23, 2012 regarding Segment 3B of the Kinsman Transmission Main from Barber Street to Boeckman Road in order to sell water to the City of Sherwood; and

WHEREAS, Segment 3B of the Kinsman Transmission Main will connect to the Wilsonville water distribution system and improve long term delivery of water to Wilsonville residents; and

WHEREAS, this project is identified in the City's Water Master Plan; and

WHEREAS, this project is identified as Project 1055 in the City's adopted 2012/13 Budget; and

WHEREAS, construction of this project is scheduled to begin the summer of 2013 and property interests in the form of permanent waterline easements and temporary construction easements need to be acquired prior to the onset of construction; and

WHEREAS, legal descriptions of the needed property interests are attached hereto as Exhibits 1 through 15; and

WHEREAS, the City acquires real property in accordance with guidelines set forth in its Urban Renewal Agency's adopted "*Appraisal and Acquisition Policies*"; 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, title to the acquired public property shall vest directly in the name of the City of Wilsonville to provide for necessary care, maintenance and public safety authority.

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

1. There is needed and required for the public purpose of providing needed public improvements the acquisition of real property interest as described on the attached Exhibits 1 through 15, incorporated herein by this reference.
2. The property interest is acquired as a result of the aforementioned public improvements, and the improvements have been planned and located in a manner most compatible with the greatest public good and the least private injury.
3. City 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 and, in the event agreement cannot be reached, return to City Council to recommend the acquisition for condemnation and then, upon authorization from City Council, to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the real property or property interest.
4. Upon trial of and action of condemnation, the attorneys for the City are authorized to make such stipulation, agreement or admission as in their judgment may be in the best interests of the City.
5. City staff anticipates it will acquire the above-described property in the spring of 2013, acquisition costs to be shared between the cities of Wilsonville and Sherwood.
6. Title to the acquired right of way shall vest directly in the name of the City of Wilsonville.
7. This resolution is effective upon adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 3rd day of December, 2012, and filed with the Wilsonville City Recorder this date.

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TIM KNAPP, MAYOR

ATTEST:

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Sandra C. King, MMC, City Recorder

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SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Núñez	Yes
Councilor Starr	Yes
Councilor Fitzgerald	Yes
Councilor Goddard	Yes

Exhibits 1 through 15 Legal Descriptions