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MAY 17 1976  
CITY OF WILSONVILLE

RESOLUTION NO. LXXV (75)

A RESOLUTION DETERMINING THE NEED OF PRIVATE PROPERTY FOR THE PURPOSE OF CONSTRUCTING A SANITARY SEWER LINE AND AUTHORIZING CONDEMNATION PROCEEDINGS FOR A PERMANENT EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT.

WHEREAS, the City of Wilsonville owns and operates a municipal public sanitary sewer system, and an extension of a sewer line is necessary in order to dispose of sewage at the plant of Pak-Well Paper Products Company which is now under construction and within the City limits; and

WHEREAS, the engineering and design for a sewer line to the Pak-Well property has been approved by DEQ and the City's Engineer and requires a temporary and permanent easement over Tax Lot 400 which is owned by one George Gustafson; and

WHEREAS, the City has made a reasonable effort to locate the said George Gustafson, owner, for the purpose of attempting to agree with him with respect to the compensation to be paid for said easements and the damages, if any, for the taking thereof, but he is either a non-resident of the State or concealed within the State and cannot be found within the State; and

WHEREAS, it is not only necessary that the City secure said easements for the said public purposes but also immediate possession of said property is required in order to complete the installation of the sewer utility lines to serve the Pak-Well property; now, therefore, it is hereby,

RESOLVED by the Wilsonville City Council that the following described property is necessary for public purposes and for the City's use by easements for the purpose of constructing, installing, operating and maintaining a public municipal sanitary sewer line; and immediate possession thereof is necessary. The required easements are described as follows, to-wit:

PARCEL I:

A permanent easement 10 feet wide covering the west 10 feet of even width of the following described parcel:

A tract of land in Section 14, T.3S., R.1W. of the W.M., in Clackamas County, State of Oregon, described as:

Beginning at an iron pipe on the one-quarter section line running North and South through Section 14, T.3S., R.1W. of the W.M., 1000.6 feet South 0°2' West from the one-quarter section corner between Sections 11 and 14, said Township and Range; thence South 89°49' West 1326.10 feet to an iron pipe on the one-sixteenth section line; thence tracing the one-sixteenth section line South 0°13' East 105.22 feet to an iron pipe; thence North 89°49' East 1325.15 feet to an iron pipe on the one-quarter section line; thence North 0°2' East 105.22 feet to the place of beginning.

EXCEPTING from the above described parcel of land the Oregon Electric right of way, also the easterly 20 feet.

PARCEL II:

A temporary construction easement 20 feet wide covering the west 20 feet of the following described parcel:

A tract of land in Section 14, T.3S., R.1W. of the W.M., in Clackamas County, State of Oregon, described as:

Beginning at an iron pipe on the one-quarter section line running North and South through Section 14, T.3S., R.1W., of the W.M., 1000.6 feet South 0°2' West from the one-quarter section corner between Sections 11 and 14, said Township and Range; thence South 89°49' West 1326.10 feet to an iron pipe on the one-sixteenth section line; thence tracing the one-sixteenth section line South 0°13' East 105.22 feet to an iron pipe; thence North 89°49' East 1325.15 feet to an iron pipe on the one-quarter section line; thence North 0°2' East 105.22 feet to the place of beginning.

EXCEPTING from the above described parcel of land the Oregon Electric right of way, also the easterly 20 feet.

BE IT FURTHER RESOLVED that the City commence an action against the said George Gustafson in the Circuit Court of Clackamas County by Complaint to be verified by the Mayor and to condemn the above described property for the purpose of said easements for public use; and

BE IT FURTHER RESOLVED that the true value of the property and compensation for the appropriation of said easements, including damages, if any, is \$400.00 which shall be deposited with the Clerk of the Court in which said action is commenced for the use of the defendant in the action.

Adopted by the Wilsonville City Council at a recessed regular meeting thereof on the 5th day of May, 1976, and filed with

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the City Recorder this 17<sup>th</sup> day of May, 1976.

  
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PHILLIP R. BALSIGER - Mayor

ATTEST:

  
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DEANNA J. THOM - City Recorder