

RESOLUTION NO. 283

A RESOLUTION APPROVING THE PAYMENT OF \$1000 TO THE STATE OF OREGON, STATE HIGHWAY DIVISION, RIGHT-OF-WAY UNIT, FOR SERVICES RENDERED IN THE REVISIONS TO THE WASTEWATER OUTFALL EASEMENT.

WHEREAS, the City Staff has prepared a report on the above captioned subject which is attached hereto as Exhibit "A", and

WHEREAS, the City Council has duly considered the subject and the recommendation(s) contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit "A", with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of February, 1983, and filed with the Wilsonville City Recorder this same day.

  
\_\_\_\_\_  
WILLIAM G. LOWRIE, Mayor

ATTEST:

  
\_\_\_\_\_  
DEANNA J. THOM, City Recorder

CITY OF WILSONVILLE

**MEMO**

December 6, 1982

DATE

EXHIBIT "A"  
STAFF REPORT

TO: Mayor and City Council

FROM: Larry R. Blanchard, Public Works Director *L.B.*

SUBJECT: Reprocessing Costs - Wastewater Outfall Easement Relocation

The attached letter from W. G. Hight, Regional Property Agent, Oregon Department of Transportation, Right-of-Way Unit, indicates that the city owes the state \$1000 for services rendered in revising the Wastewater Outfall Easement. The \$1000 is the cost for the state processing the Wastewater Outfall Easement and to provide the city with an up-to-date copy of the documents.

The reason for the city asking the State of Oregon to revise the Wastewater Outfall Easement was due to a previous error in the original Wastewater Outfall Easement. The city, in reviewing the Outfall Easement for the Wastewater Outfall Extension Project, found that the easement description had the wastewater outfall 150 feet to the east from where it was suppose to be. Therefore it was necessary to revise the legal description and resubmit to the state for final approval.

The easement was approved at the October 18, 1982, City Council meeting, and the Outfall Extension was completed in September 1982.

Recommendation

Approve the payment of \$1000 to the State of Oregon for the revisions to the Wastewater Outfall Easement. Funds shall be allocated from 02-50-72210 account.

LRB/fr

Attachment



*Department of Transportation*  
**STATE HIGHWAY DIVISION**

Right of Way Unit

9002 S.E. McLOUGHLIN BLVD., MILWAUKIE, OREGON 97222 PHONE 653-3113

November 1, 1982

Larry Blanchard  
City of Wilsonville  
P.O. Box 220  
Wilsonville, Oregon 97070

File 22382  
N.Tigard-Hubbard Int.  
Pacific Highway  
Clackamas County

The Oregon Department of Transportation, Highway Division has determined the cost to prepare the new easement together with all costs incurred while comparing the sewer outfall as constructed to the description of the easement is \$1,000. Also included in this \$1000 amount is our estimate of damage to the flexibility of the property to future development.

Enclosed you will find a Bid Form and a self-addressed envelope. The envelope is to return the completed bid form together with a check in the amount of \$1,000.

Your prompt attention to this matter will assist us in getting this transaction concluded before the end of the year. Thank you for your cooperation.

Very truly yours,

  
W.G. Hight  
Regional Property Agent

WGH:kf

cc Jim Dixon, Salem

BID FORM

Direct Sale/~~Public Auction~~ - November 1, 1982  
(Date)

Minimum Acceptable Bid	AMOUNT OF BID
<u>\$1,000.00</u>	<u>1,000</u>
LESS DEPOSIT (cash)	<u>1,000</u>
TOTAL Due	<u>-0-</u>

CONDITIONS OF SALE:

The undersigned as bidder agrees to the terms set forth in the "Terms of Sale," as detailed on the reverse, which terms are incorporated herein by reference and made a part hereof and agrees to pay the State of Oregon, by and through its Department of Transportation, Highway Division, the sum indicated above as the "Amount of Bid".

Accompanying the bid is a check payable to the Oregon State Highway Division, in the amount of \$ 1,000. Property to be purchased on a (cash/contract) basis. Balance of (down payment/purchase price), in the amount of \$ NA, to be paid by NA (Date) Contract interest rate shall be NA %.

The deposit shall be applied to the bid for the property on which the undersigned is the successful bidder. In the event bidder fails to pay the balance due in the time specified, or meet contract terms when executed, all rights of the bidder in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the State, free of any claim or equity in the undersigned bidder or those claiming through him, and the State shall retain all payments or deposits as liquidated damages for failure of bidder to complete the purchase or meet the conditions of the contract.

\_\_\_\_\_  
(Names to be placed on document ~~and marital status~~)

\_\_\_\_\_  
(Property Agent's Signature)

*\* William H. Louie*  
\_\_\_\_\_  
(Purchaser's Signature)

\_\_\_\_\_  
(Mailing Address)

NOTE: Said State of Oregon, by and through its Department of Transportation, Highway Division, reserves the right to reject any or all bids at any time prior to recording of deed or execution of contract.

BID FORMDirect Sale/~~Public Auction~~ - November 1, 1982  
(Date)

Minimum Acceptable Bid	AMOUNT OF BID
<u>\$1,000.00</u>	<u>1,000</u>
LESS DEPOSIT (cash)	<u>1,000</u>
TOTAL Due	<u>-0-</u>

## CONDITIONS OF SALE:

The undersigned as bidder agrees to the terms set forth in the "Terms of Sale," as detailed on the reverse, which terms are incorporated herein by reference and made a part hereof and agrees to pay the State of Oregon, by and through its Department of Transportation, Highway Division, the sum indicated above as the "Amount of Bid".

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(Date) Contract interest rate shall be NA %.

The deposit shall be applied to the bid for the property on which the undersigned is the successful bidder. In the event bidder fails to pay the balance due in the time specified, or meet contract terms when executed, all rights of the bidder in said real property shall cease and all right, title and interest in said real property shall continue to remain vested in the State, free of any claim or equity in the undersigned bidder or those claiming through him, and the State shall retain all payments or deposits as liquidated damages for failure of bidder to complete the purchase or meet the conditions of the contract.

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(Names to be placed on document ~~and marital status~~)

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(Property Agent's Signature)

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x William H. Lewis  
(Purchaser's Signature)

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(Mailing Address)

NOTE: Said State of Oregon, by and through its Department of Transportation, Highway Division, reserves the right to reject any or all bids at any time prior to recording of deed or execution of contract.