

RESOLUTION NO. 290

ACCEPTANCE OF DEDICATED RIGHT-OF-WAY FOR THE REMAINDER OF THE TOWN CENTER LOOP WEST AND A T-INTERSECTION WITH PARKWAY AVENUE - PORTIONS OF TAX LOT 100, 101 AND 201, T3S-R1W, SECTION 14D, PORTIONS OF TAX LOT 400, T3S-R1W, SECTION 13 AND TAX LOT 3000, T3S-R1W, SECTION 13B

WHEREAS, Pacific Horizons Real Estate, Inc., represented by Donald Mala, has submitted engineering documents for the dedication of right-of-way for the completion of the Town Center Loop Road West, and

WHEREAS, said engineering documents prepared by Riverside Engineering represent a right-of-way alignment in compliance with the plans previously approved by the Planning Commission and City Council, and

WHEREAS, the Council finds that accepting the dedication of right-of-way prior to initiation of street improvements is a logical and orderly step for its completion of road improvements in compliance with the Capital Improvements Plan, and

WHEREAS, the applicant has requested that Tract 5 as identified in Exhibit 1B be held in reserve to be dedicated at the City's request upon initiation of actual street improvements, and

WHEREAS, the City finds this request appropriate and consistent with the City's Housing policies in that it will prolong the life of the Wilsonville Mobile Park until such time as the land is necessary for street improvements.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Wilsonville City Council does hereby conditionally agree to accept the dedication of right-of-way as herein described.

FINDINGS

The following Findings are hereby adopted by the City Council and entered into the public record in consideration of the request as submitted.

1. The property affected by the right-of-way dedication consists of Tax Lot 100, 101 and 201, T3S-R1W, Section 14D, Tax Lot 400, T3S-R1W, Section 13 and Tax Lot 3000, T3S-R1W, Section 13B.

The Council further finds that the subject property is located in the area designated as the Wilsonville Town Center which is currently zoned Planned Development Commercial under the provisions of the Town Center Master Plan.

2. That in December, 1979, the City Council initiated an LID (No. 5) for construction for the remainder of the Town Center Loop Road. Subsequently, the improvement plans were modified on February 13, 1980, February 19, 1980, June 9, 1980 and June 26, 1980.

Prior to further action on LID No. 5, the Planning Commission identified concerns regarding the proposed alignment of the northwest leg of the loop. Consequently, the Commission initiated a study of the right-of-way alignment which was ultimately reviewed and approved by the Commission on May 11, 1981.

The Commission's alignment was then forwarded to the City Council with said recommendation reviewed and approved by the Council on June 15, 1981.

On January 25, 1982, the City received a request from Pacific Horizons Real Estate, Inc. regarding the acceptance of right-of-way for the loop road as approved by the City. This request was reviewed by the Council on February 1, 1982, at which time Council moved to tentatively approve the right-of-way alignment and directed the applicant to work with City staff to prepare the necessary legal documents for Deed transfer.

3. The applicant has submitted survey drawings, together with legal descriptions, of the property to be dedicated. The drawings and legal descriptions are attached hereto as Exhibit 1A including Riverside Engineering Survey No. 8246 and Exhibit 1B, Riverside Engineering Map No. 8236, together with legal descriptions of said drawings.

The Council further finds that in order to complete the dedication requirements, a title report must be prepared to insure that all properties are free and clear from all encumbrances.

4. Council finds that Tract No. 5 as identified as part of Map 8236 extends into the southern portion of the Wilsonville Mobile Home Park. It is further found that this area is currently occupied by tenants of the Park who are on short-term month-to-month rental agreements with the landowners. The occupants of this portion of the Park are in RV units and are all aware of the pending street improvements.

However, the Council further finds that during the development of the Comprehensive Plan and during the confirmation of the Loop Road right-of-way alignment, there was considerable discussion about prolonging the life of the Wilsonville Park as long as practically possible.

In this regard, the Council finds that no specific timetable has been set for initiation or completion of the street improvements although they were scheduled for fiscal year '82-'83 in the Capital Improvements Plan.

(Priority 1-9) While this project is a high priority scheduling in the Capital Improvements Plan, the current economic conditions do not warrant immediate action on completion of the street improvements.

Therefore, the Council concludes that it would be premature to accept the right-of-way and force the removal of the temporary residences prior to a confirmed construction date of the improvements.

The Council further finds that this tract could be placed in escrow with the condition that Deed transfer occur at the City's request upon initiation of a street improvement project. Until such time, the owner of said property would be entitled to secure rents and associated profits from the operation of the mobile park and would be further obligated to pay taxes on said portion until such time as the City executes the transfer.

5. The Council further finds that during the Planning Commission's discussion and previous Council discussion regarding the Loop Road alignment, it was acknowledged that the Loop Road would serve the north-south arterial street linking to Parkway Avenue. Therefore, while the applicant would be obligated to provide a collector street adequate to serve their properties, they would not be obligated for full-street improvements of an arterial street.

It is further noted that the applicant was a willing participant in the initial LID No. 5 which is still pending further action.

Therefore, the Council acknowledges that in initiating any further action on LID No. 5 or modifications thereof, appropriate consideration must be given to the applicant's fair share of the street improvements noting that the applicant has agreed to a half-street obligation. The LID, therefore, must make appropriate assessments on other parties to account for their main half-street improvement.

6. In accepting the right-of-way dedication, the Council acknowledges the necessity to vacate the existing right-of-way for Parkway Avenue at such time that the Loop Road improvements are made.

The existing right-of-way is under the jurisdiction of Clackamas County. However, the City has an adopted Intergovernmental Agreement with the County for transfer of jurisdiction of streets within the City. Therefore, the City, in approving this dedication, will assume the obligation to initiate and administer a street vacation of the existing portion of Parkway Avenue, also known as Market Road 27, at an appropriate time following initiation of street improvements to the Loop Road.

It is further noted by the Council that said vacation should include a small rectangular section of right-of-way excluded from previous vacation of Barber Street along the north property line of Tax Lot 100, T3S-R1W, Section 14D.

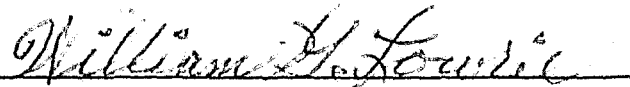
EXHIBITS

The following Exhibits are hereby entered into the public record by the City Council as confirmation of its consideration of


the application as submitted.

- 1.A. Riverside Engineering Survey Map No. 8246 and attached legal description.
- B. Riverside Engineering Survey Map No. 8236 and attached legal description.
2. Letter from Don Mala dated January 24, 1983.
3. Planning Commission Meeting Minutes dated May 11, 1981.
4. Memorandum from Ben Altman dated June 10, 1981.
5. City Council Minutes dated June 15, 1981.
6. Letter from Don Mala dated January 25, 1982.
7. Memorandum from Ben Altman dated January 27, 1982.
8. City Council Minutes dated February 1, 1982.

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.

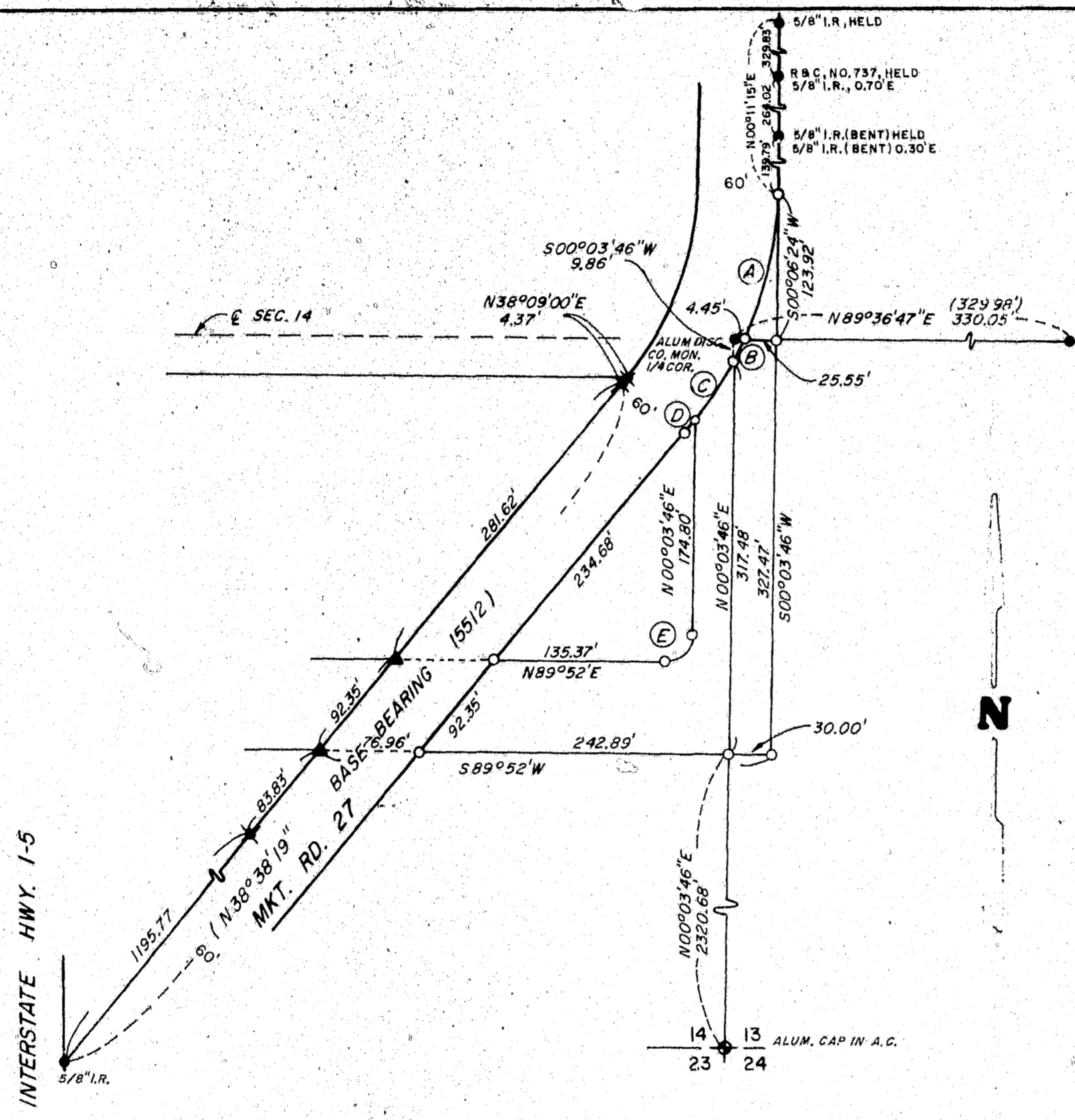

WILLIAM G. LOWRIE, MAYOR

ATTEST:


DEANNA J. THON, City Recorder

Resolution

290



Narrative:
 The purpose of this survey was to monument parcels of land for the future right of way for Town Center Loop.

The basis of bearing was the southerly tangent of this portion of Market Road 27 as monumented on PS-15512 and the survey by R. E. Wood dated 10/11/82. The west line of the southwest quarter of Section 13 was found by tying the southwest corner and the west quarter corner of Section 13. The proposed alignment of Town Center Loop monumented by R. E. Wood was extended easterly to intersect the section line and was monumented as shown. The line extending East from the west quarter corner of Section 13 was obtained by tying the 5/8" iron rod at the southeast corner of PS-12119.

The northerly tangent on this portion of Market Road 27 was found by tying the iron rods shown as being found or set on PS-12119 and holding good the two iron rods on the east line of Market Road 27 as set by PS-12119 and along with the most northerly iron rod set on the east line of Market Road 27 by PS-6305.

The P.I. of the curve was computed and the irons on the curve were then set. Although the new P.I. of the curve does not agree with the ties shown on the county road notes, we have used this curve alignment because the improvement and the existing monuments fit each other closely.

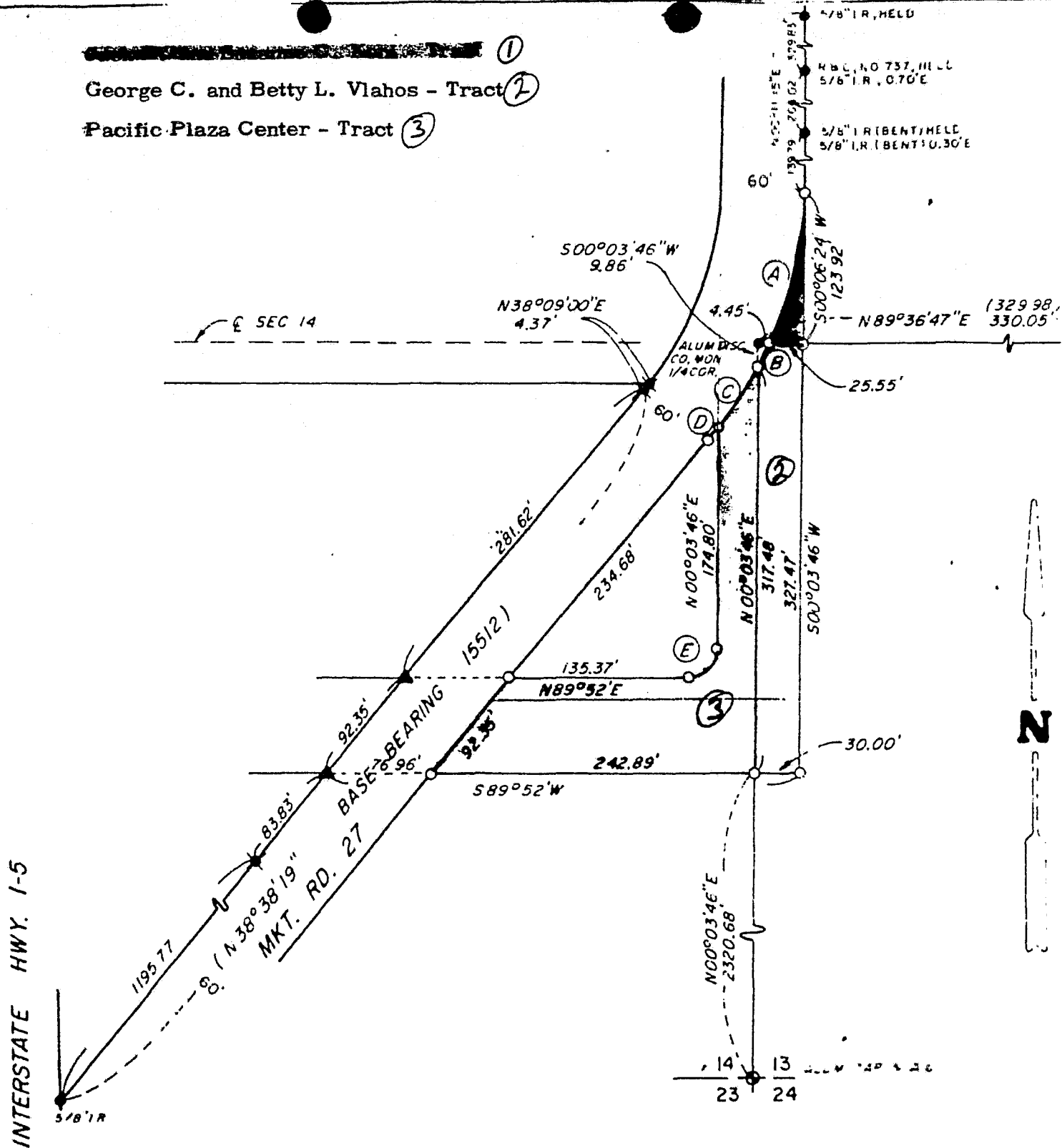
- Reference surveys:**
- PS-6305
 - PS-12119
 - PS-17957
 - PS-10207
 - PS-15512
 - County road notes
 - BT 12, Pg. 45
 - Survey by R. E. Wood dated 10/11/82

CURVE	RADIUS	DELTA	ARC	CHORD	BEARING
A	316.48'	23°06'04"	127.60'	126.74'	N 11°44'17" E
B	316.48'	1°57'50"	10.85'	10.85'	N 24°16'14" E
C	316.48'	10°42'13"	59.12'	59.04'	N 30°36'16" E
D	316.48'	2°40'57"	14.82'	14.82'	N 37°17'50" E
E	20.00'	89°48'14"	31.35'	28.24'	N 44°57'53" E

* DENOTES FOUND 5/8" IRON ROD WITH PLASTIC CAP STAMPED "PACIFIC SURVEYS PLS 104"
 ▲ DENOTES FOUND 5/8" IRON ROD WITH PLASTIC CAP STAMPED "RIVERSIDE ENG PLS 136"
 ○ DENOTES SET 5/8" X 30" IRON ROD WITH PLASTIC CAP STAMPED "RIVERSIDE ENGINEERING"

PREPARED FOR, AND AT THE REQUEST OF PACIFIC PLAZA CENTER & GEORGE VLAHOS	NO. 8248 SCALE 1"=100' DATE 1/6/83
LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO SAID PERSON OR PERSONS.	MON. FOUND () DENOTES RECORD DIST & BEARING
LOCATION: NW SW 13 NE 1/4 SE 1/4 SEC. 14 T. 3 S. R. 1 W. W.M. CLACKAMAS COUNTY, OREGON	
RIVERSIDE ENGINEERING P.O. BOX 13074, 1210 ROYVONNE AV. SALEM, ORE 97309 PHONE (503) 581-6362	

George C. and Betty L. Vlahos - Tract ②
 Pacific Plaza Center - Tract ③



CURVE	RADIUS	DELTA	ARC	CHORD	BEARING
(A)	316.48'	23°06'04"	127.60'	126.74'	N 11°44'17" E
(B)	316.48'	1°57'50"	10.85'	10.85'	N 24°16'14" E
(C)	316.48'	10°42'13"	59.12'	59.04'	N 30°36'16" E
(D)	316.48'	2°40'57"	14.82'	14.82'	N 37°17'50" E
(E)	2000'	89°48'14"	31.35'	28.24'	N 44°57'53" E

EXHIBIT IA

Jack E. and Suzanne C. Kohl Tract

Part of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas, State of Oregon, and more particularly described as follows:

Beginning at an iron rod on the easterly right-of-way of Market Road 27 and on the centerline running East and West through said Section 13, said iron rod bears North $89^{\circ}36'47''$ East 4.45 feet from the quarter corner between Sections 13 and 14 of said Township and Range; thence along the arc of a 316.48 foot radius curve to the left (the chord of which bears North $11^{\circ}44'17''$ East 126.74 feet) 127.60 feet to an iron rod on the east line of said Market Road 27; thence South $0^{\circ}06'24''$ West 123.92 feet to an iron rod on said centerline of Section 13; thence South $89^{\circ}36'47''$ West 25.55 feet along said centerline to the point of beginning.

Said described tract contains 0.0239 acres (1,041 sq. ft.).

George C. and Betty L. Vlahos Tract

Part of the D. S. Minkler heirs D. L. C. No. 44, in Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at an iron rod at the intersection of the east right-of-way of Market Road 27 and the south line of the northwest quarter of said Section 13, said iron rod bears North $89^{\circ}36'47''$ East 4.45 feet from the west quarter corner of said Section 13; thence North $89^{\circ}36'47''$ East 25.55 feet along the centerline running East and West through said Section 13 to an iron rod; thence South $0^{\circ}03'46''$ West 327.47 feet, parallel with the west line of said Section 13, to an iron rod; thence South $89^{\circ}52'$ West 30.00 feet to an iron rod on the west line of said Section 13; thence North $0^{\circ}03'46''$ East 317.48 feet along said west line to an iron rod on the easterly right-of-way of Market Road 27; thence along the arc of a 316.48 foot radius curve to the left (the chord of which bears North $24^{\circ}16'14''$ East 10.85 feet) 10.85 feet to the point of beginning.

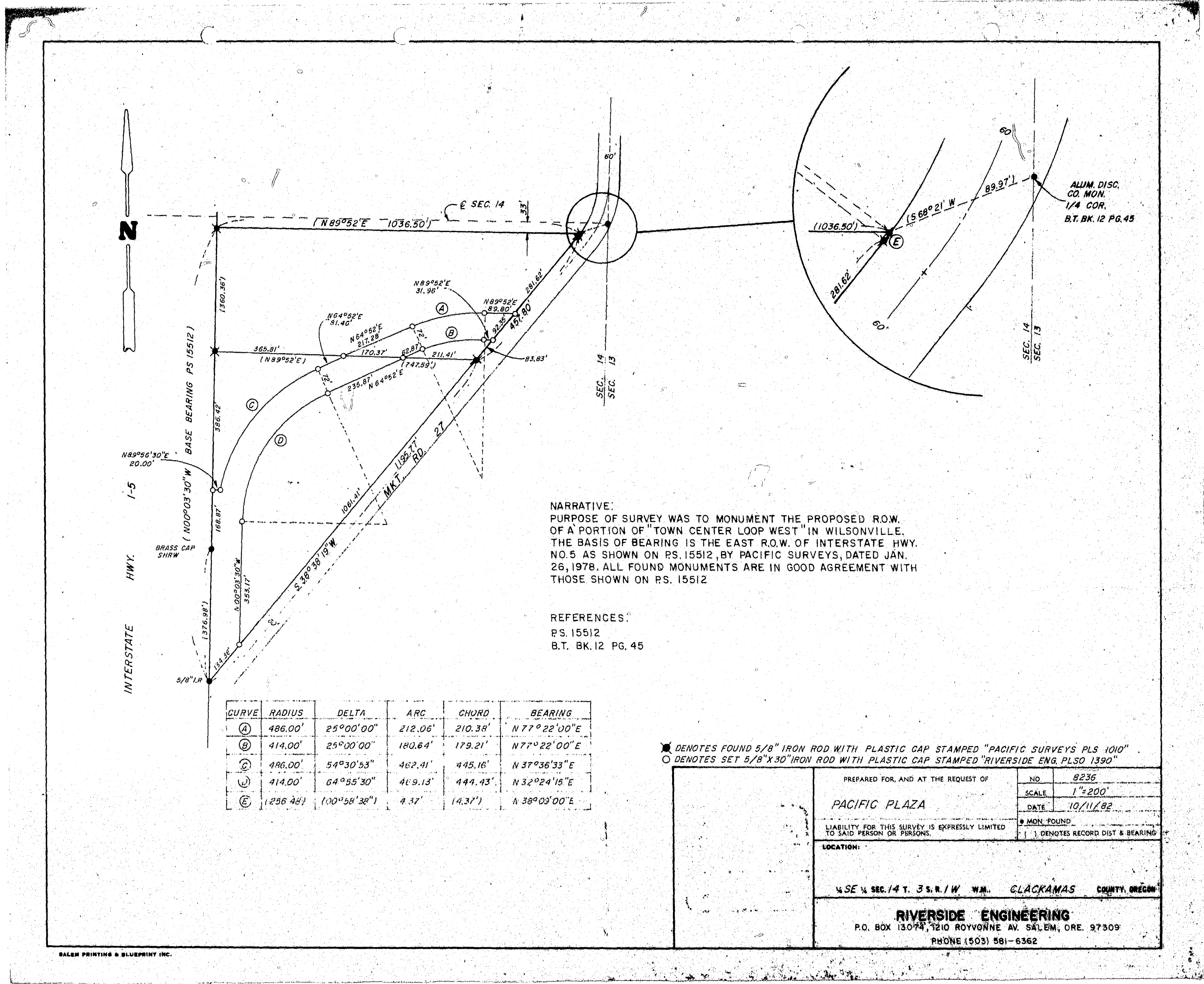
Said described tract contains 0.225 acres (9800 sq. ft.)

Pacific Plaza Center
Town Center Loop
R.O.W. Dedication

Part of the southeast quarter of Section 14, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at an iron rod on the east line of said Section 14, said iron rod bears South $0^{\circ}03'46''$ West 9.86 feet from the quarter corner between Sections 14 & 13 of said Township and Range; thence South $00^{\circ}03'46''$ West 317.48 feet ^{to an iron rod;} thence South $89^{\circ}52'$ West 242.89 feet to an iron rod on the east line of Market Road 27; thence North $38^{\circ}38'19''$ East 92.35 feet along the east line of Market Road 27 to an iron rod; thence North $89^{\circ}52'$ East 135.37 feet to an iron rod; thence along the arc of a 20.00 foot radius curve to the left (the chord of which bears North $44^{\circ}57'53''$ East 28.24 feet) 31.35 feet to an iron rod; thence North $0^{\circ}03'46''$ East 174.80 feet to an iron rod on the east line of Market Road 27; thence along the arc of a 316.48 foot radius curve to the left (the chord of which bears North $30^{\circ}36'16''$ East 59.04 feet) 59.12 feet to an iron rod on the east line of said Section 14, said point being the point of beginning.

Said described tract contains 0.5062 acres (22,049 sq. ft.).



NARRATIVE:
 PURPOSE OF SURVEY WAS TO MONUMENT THE PROPOSED ROW,
 OF A PORTION OF "TOWN CENTER LOOP WEST" IN WILSONVILLE.
 THE BASIS OF BEARING IS THE EAST R.O.W. OF INTERSTATE HWY.
 NO. 5 AS SHOWN ON P.S. 15512, BY PACIFIC SURVEYS, DATED JAN.
 26, 1978. ALL FOUND MONUMENTS ARE IN GOOD AGREEMENT WITH
 THOSE SHOWN ON P.S. 15512

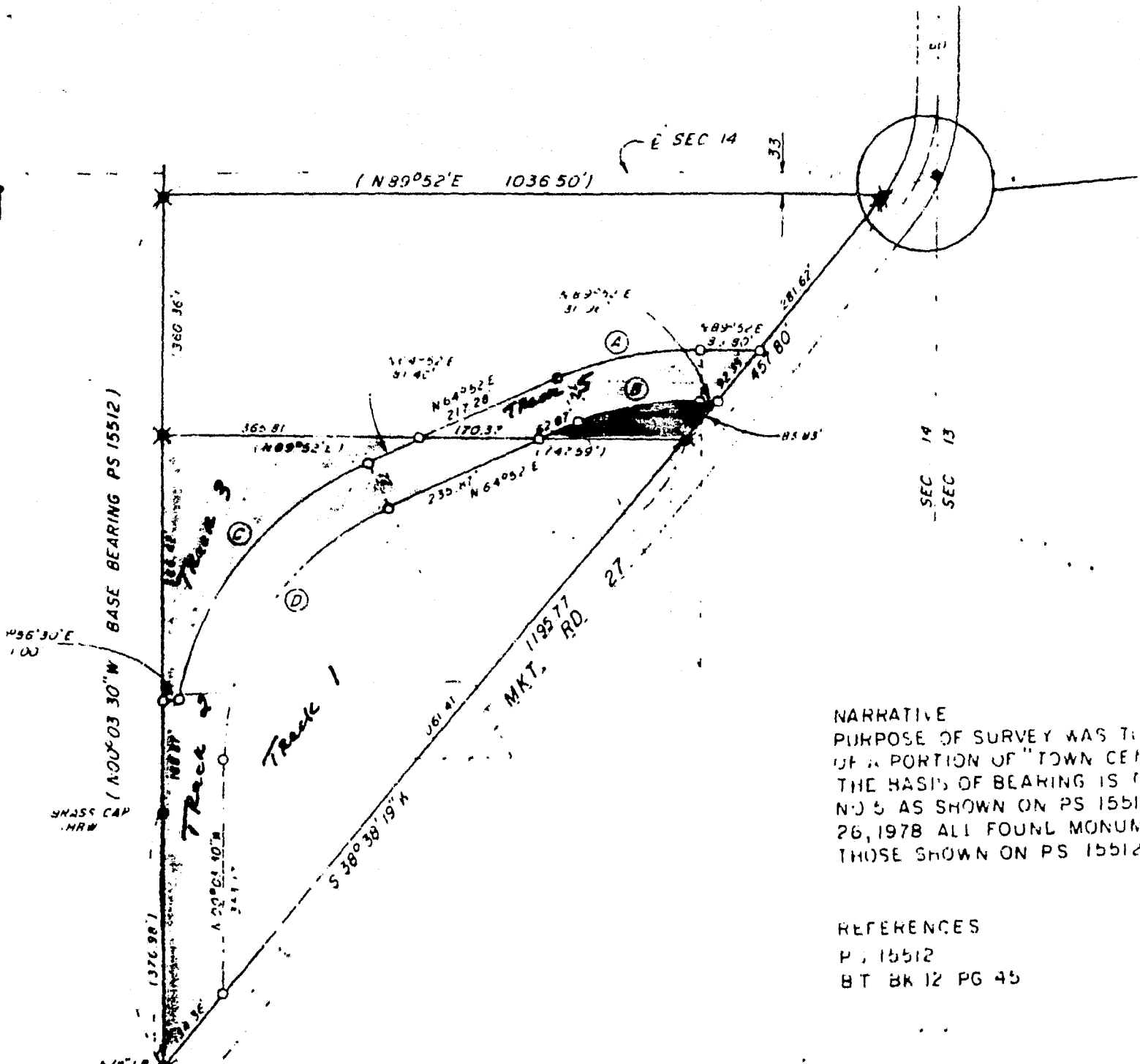
REFERENCES:
 P.S. 15512
 B.T. BK. 12 PG. 45

CURVE	RADIUS	DELTA	ARC	CHORD	BEARING
(A)	486.00'	25°00'00"	212.06'	210.38'	N77°22'00"E
(B)	414.00'	25°00'00"	180.64'	179.21'	N77°22'00"E
(C)	414.00'	54°30'33"	462.41'	445.16'	N37°36'33"E
(D)	414.00'	64°25'30"	419.13'	444.43'	N32°24'15"E
(E)	256.48'	100°58'36"	4.37'	(4.37')	S38°03'00"E

* DENOTES FOUND 5/8" IRON ROD WITH PLASTIC CAP STAMPED "PACIFIC SURVEYS PLS 100"
 O DENOTES SET 5/8"x30" IRON ROD WITH PLASTIC CAP STAMPED "RIVERSIDE ENG. PLSD 1390"

PREPARED FOR, AND AT THE REQUEST OF	NO.
PACIFIC PLAZA	5236
	SCALE
	1"=200'
	DATE
	10/11/98
LIABILITY FOR THIS SURVEY IS EXPRESSLY LIMITED TO SAID PERSON OR PERSONS.	9 MON. FOUND
	1 DENOTES RECORD DIST & BEARING
LOCATION:	
1/4 SEC. 14 T. 3 S. R. 1 W. W.M. CLACKAMAS COUNTY, OREGON	
RIVERSIDE ENGINEERING	
P.O. BOX 13074, 1210 ROYVONNE AV. SALEM, ORE. 97309	
PHONE (503) 581-6362	

BAKER PRINTING & BLUEPRINT INC.



NARRATIVE
 PURPOSE OF SURVEY WAS TO
 OF A PORTION OF "TOWN CEN
 THE BASIS OF BEARING IS
 N 0 S AS SHOWN ON PS 1551
 26, 1978 ALL FOUND MONUM
 THOSE SHOWN ON PS 15512

REFERENCES
 P. 15512
 BT BK 12 PG 45

CURVE	RAD. US	DELTA	ARC	CHORD	BEARING
(A)	486.00'	25° 00' 00"	212.06'	210.38'	N 77° 22' 00" E
(B)	414.00'	25° 00' 00"	180.64'	179.21'	N 77° 22' 00" E
(C)	486.00'	54° 30' 53"	362.41'	445.16'	N 57° 36' 33" E
(D)	414.00'	64° 55' 30"	469.13'	444.43'	N 32° 24' 15" E
(E)	1256.48'	(100° 58' 38")	4.97'	(14.37')	N 38° 09' 00" E

● DENOTE
 ○ DENOTE

EXHIBIT 1B

Tract No. 1

Part of the Southeast $\frac{1}{4}$ of Section 14, T. 3 S., R. 1 W., of the W. M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point on the Westerly right-of-way of Market Road 27, 33.00 feet South of the $\frac{1}{4}$ section line running East and West through Section 14, said point also being South $68^{\circ}21'$ West, 89.97 feet from the East $\frac{1}{4}$ corner of said Section 14; thence South $89^{\circ}52'$ West parallel with and 33.00 feet South of the center of the section line, 1036.50 feet to a point on the Easterly right-of-way of Interstate Hwy. 5; thence South $0^{\circ}03'30''$ East along said right-of-way 1296.63 feet to a $\frac{5}{8}$ " iron rod marking the intersection of the easterly right-of-way of Interstate Hwy. 5 with the Westerly right-of-way of Market Road 27; thence North $38^{\circ}38'20''$ East along the Westerly right-of-way of Market Road 27 134.36 feet to the point of beginning of the tract to be described; thence North $0^{\circ}03'30''$ West 353.17 feet; thence along the arc of a 414 foot radius curve (the chord of which bears North $32^{\circ}24'15''$ East 444.43 feet) 469.13 feet; thence North $64^{\circ}52'$ East 235.87 feet; thence North $89^{\circ}52'$ East 211.41 feet more or less to the Westerly right-of-way of said Market Road 27; thence South $38^{\circ}38'20''$ West 1061.41 feet to the point of beginning.

Said tract described contains 4.93 acres (214,945 sq. ft.)

Tract No. 2

Part of the southeast $\frac{1}{4}$ of Section 14, T. 3 S., R. 1 W., of the W. M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way of Market Road 27, 33.00 feet South of the $\frac{1}{4}$ section line running East and West through Section 14, said point also being South $68^{\circ}21'$ West, 89.97 feet from the East $\frac{1}{4}$ corner of said Section 14; thence South $89^{\circ}52'$ West, parallel with and 33.00 feet South of the center of the section line, 1036.50 feet to a point on the easterly right-of-way of Interstate Hwy. 5; thence South $0^{\circ}03'30''$ East along said right-of-way 1296.63 feet to the point of beginning of the tract to be described; said point also being the intersection of the westerly right-of-way of Interstate Hwy. 5 and the westerly right-of-way of Market Rd. 27; thence North $0^{\circ}03'30''$ West, along said Interstate Hwy. 5 right-of-way, 545.85 feet; thence North $89^{\circ}56'30''$ East 20.00 feet; thence along the arc of a 486 foot radius curve (the chord of which bears North $37^{\circ}36'34''$ East 445.16 feet) 462.41 feet; thence North $64^{\circ}52'$ East 81.46 feet; thence North $89^{\circ}52'$ East 170.37 feet; thence South $64^{\circ}52'$ west 235.87 feet; thence along the arc of a 414 foot radius curve (the chord of which bears South $32^{\circ}24'15''$ West 444.43 feet) 469.13 feet; thence South $0^{\circ}03'30''$ East 353.17 feet to a point on the westerly right-of-way of Market Road 27; thence South $38^{\circ}38'20''$ West 134.36 feet to the point of beginning.

Said tract described contains 1.92 acres (83,496 sq. ft.)

Tract No. 3

Part of the southeast $\frac{1}{4}$ of Section 14, T. 3 S., R. 1 W., of the W. M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way of Market Road 27, 33.00 feet South of the $\frac{1}{4}$ section line running East and West through Section 14, said point also being South $68^{\circ}21'$ West, 89.97 feet from the east $\frac{1}{4}$ corner of said Section 14; thence South $89^{\circ}52'$ West, parallel with and 33.00 feet South of the center of the section line, 1036.50 feet to a point on the easterly right-of-way of Interstate Hwy. 5; thence South $0^{\circ}03'30''$ East along said right-of-way 360.36 feet to the point of beginning of the tract to be described; thence North $89^{\circ}52'$ East 365.82 feet; thence South $64^{\circ}52'$ West 81.46 feet; thence along the arc of a 486 foot radius curve (the chord of which bears South $37^{\circ}36'34''$ West 445.16 feet) 462.41 feet; thence South $89^{\circ}56'30''$ West 20.00 feet to a point on the easterly right-of-way of Interstate Hwy. 5; thence North $0^{\circ}03'30''$ West 386.42 feet to the point of beginning.

Said tract described contains 1.15 acres (50,042 sq. ft.)

TRACT NO. 5 ~~7~~

Part of the southeast one-quarter of Section 14, Township 3 South, Range 1 West, of the Willamette Meridian, in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way of Market Road 27, 33.00 feet South of the one-quarter section line running East and West through Section 14, said point also being South $68^{\circ}21'$ West, 89.97 feet from the East one-quarter corner of said Section 14; thence South $89^{\circ}52'$ West, parallel with and 33.00 feet South of the center of the section line, 1036.50 feet to a point on the easterly right-of-way of Interstate Highway 5; thence South $0^{\circ}03'30''$ East along said right-of-way 360.36 feet; thence North $89^{\circ}52'$ East 365.82 feet to the point of beginning of the tract to be described; thence North $64^{\circ}52'$ East 217.28 feet; thence along the arc of a 486 foot radius curve (the chord of which bears North $77^{\circ}22'$ East 210.40 feet) 212.06 feet; thence North $89^{\circ}52'$ East 89.80 feet to a point on the westerly right-of-way of said Market Road 27; thence South $38^{\circ}38'19''$ West along said westerly right-of-way 92.35 feet; thence South $89^{\circ}52'$ West 31.96 feet; thence along the arc of a 414 foot radius curve (the chord of which bears South $77^{\circ}22'$ West 179.21 feet) 180.64 feet; thence South $64^{\circ}52'$ West 62.88 feet; thence South $89^{\circ}52'$ West 170.37 feet to the point of beginning.

Said described tract contains 0.66 acres (28,606 sf).

Tract No. 6

Part of the southeast $\frac{1}{4}$ of Section 14, T. 3 S., R. 1 W., of the W. M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at a point on the westerly right-of-way of Market Road 27, 33.00 feet South of the $\frac{1}{4}$ section line running East and West through Section 14, said point also being South $68^{\circ}21'$ West, 89.97 feet from the East $\frac{1}{4}$ corner of said Section 14; thence South $89^{\circ}52'$ West, parallel with and 33.00 feet South of the center of the section line, 1036.50 feet to a point on the easterly right-of-way of Interstate Hwy. 5; thence South $0^{\circ}03'30''$ East along said right-of-way 360.36 feet; thence North $89^{\circ}52'$ East 536.18 feet to the point of beginning of the tract to be described; thence North $89^{\circ}52'$ East 211.41 feet to a point on the westerly right-of-way of Market Rd. 27; thence North $38^{\circ}38'20''$ East, along said westerly right-of-way, 83.83 feet; thence South $89^{\circ}52'$ West 31.96 feet; thence along the arc of a 414 foot radius curve (the chord of which bears South $77^{\circ}22'$ West 179.21 feet) 180.64 feet; thence South $64^{\circ}52'$ West 62.88 feet; to the point of beginning.

Said described tract contains 0.24 acres (10,348 sq.ft.)



PACIFIC HORIZONS REAL ESTATE, INC.
REAL ESTATE SECURITIES & BROKERAGE

30150 S.W. PARKWAY AVENUE

WILSONVILLE, OREGON 97070

503/682-3771

January 24, 1983

City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

Attn: Ben Altman, City Planner

Re: City Center Loop Road West/Parkway Avenue Extension

Dear Ben:

Enclosed are twelve copies of each of the two recorded surveys of referenced roadways. It is my understanding that the surveys will be presented to the City Council on February 7, 1983 as a preliminary step in the dedication process. It is important to the land owners that the parcels to be dedicated for roadways be removed from the tax roles prior to April 1, 1983. Also, an agreement with the City of Wilsonville regarding vacation of existing right of ways needs to be resolved at the City Council meeting scheduled for February 7, 1983.

If you need additional information or documentation prior to the City Council meeting, please give me a call (682-3771).

Sincerely,

Donald F. Mala
Property Manager

DFM:mmm

Enclosures:

1. Riverside Engineering Survey #8236 of the Town Center Loop West Roadway traversing the Plaza Royal and Wilsonville Park, Ltd. properties, dated October 11, 1982 (Twelve copies).
2. Riverside Engineering Survey #8246 of the Town Center Loop West and Parkway Avenue extension roadways traversing the Pacific Plaza Center, George and Betty Vlahos, and Jack and Suzanne Kohl properties, dated January 6, 1983 (Twelve copies).

EXHIBIT 2

existing Parkway Avenue alignment. Problems with that include impacting the access to Lot 200 and 201 and creates an odd-shaped development lot in the middle with the entire right-of-way coming from Lots 100 and 101.

Rich Drew opened the public hearing asking for proponents.

Don Mala, 30245 S. W. Parkway Avenue, Wilsonville, stated the gas company has a major 8" high-pressure line running from the existing Parkway Avenue down to Salem via old Boones Ferry Road. There is also a major sewer trunkline running through his property. Tri-Met has stated they do not want a bus stop at the intersection of Parkway and Town Center Loop, but do recommend a bus lane be provided through the center of City Center which would interconnect with Wilsonville Road.

Ben Altman stated from a land development standpoint and from a design standpoint he felt the original alignment would serve better. It would provide a buffer from the Freeway and would provide a better lotting pattern on the east side.

Don Mala stated he felt the City should pay a portion of the cost of the road rebuilding.

Rich Drew suggested Bill Stark and Bob Dant be the Planning Commission recommendations to the Town Center Design Committee.

Rich Drew moved that Planning Commission communicate to City Council the following:

Because the current alignment of Town Center Road will lead to unsafe conditions, the Planning Commission recommends strongly to City Council that the Town Center Loop be designed along the lines of the original Master Plan for reasons outlined in the May 7 Memo from Ben Altman to Planning Commission.

Alternative A recommended in Ben Altman's Memo is deemed by the Planning Commission to be impractical from a land planning point of view as it leaves triangular lots. Further, the Planning Commission notes that the alternative would take Town Center Loop parallel to the Freeway as the original Master Plan requiring several additional acres of property and several hundreds of thousands of dollars of additional road construction costs. However, the Planning Commission feels that this is the best long-term solution and asks that City Council work with the property owners to implement this solution.

Planning Commission further recommends Bill Stark and Bob Dant to a committee to arrive at the final design if the City chooses to appoint a Town Center Design Committee.

Marian Wiedemann seconded the motion which passed 5-0.

GENERAL PLANNING

C. Urban Growth Boundary Amendments

CITY OF


Wilsonville

P.O. Box 220 / Wilsonville, Oregon 97070
503/682-1011

MEMORANDUM

TO: CITY COUNCIL
FROM: BEN ALTMAN
DATE: JUNE 10, 1981
RE: PLANNING COMMISSION RECOMMENDATION FOR ALIGNMENT OF
THE TOWN CENTER LOOP WEST

LID No. 5L has been tabled by the City Council for quite some time awaiting a recommendation from the Planning Commission regarding the ultimate alignment of the Town Center Loop Road West. Following considerable staff review supported by Bill Stark of the Planning Commission and including comments from Carl Buttke and Tri-Met, at their May 11, 1981 meeting, the Planning Commission reviewed optional alignments for completing the west leg of the Town Center Loop. As a result of considerable discussion on this matter, and a review of the alternative alignments, the Commission decided to recommend to the City Council that the west leg of the Town Center Loop should be aligned in accordance with the original Master Plan where it paralleled the Freeway and then gradually curve to the east to the "T" intersection with Parkway Avenue.

This decision was based on an attempt to reduce the tight curve required to continue on the existing Parkway alignment as currently designed through LID No. 2, to provide adequate turn lane and stacking distance at the "T" intersection with Parkway Avenue and a logical lotting pattern to accommodate the development planned for the Town Center.

From a functional design standpoint, I strongly support this alignment. However, it is important for the City Council to recognize that this specific alignment places an unequal burden on the owners of Tax Lot 100 and 101 to provide a full right-of-way for the Loop Road. The Town Center Loop West is designed to function as a portion of the major north-south arterial on the east side of the Freeway. This street will not only serve adjacent properties within the Town Center, but will also serve through traffic north and south bound to the Freeway interchanges. Therefore, it is not reasonable

to expect two properties to bear the full burden of providing right-of-way for a segment of a major arterial street. While financing of the construction is not being determined at this point, this issue has been raised to insure that Council understands the implications of approving this alignment.

The drawing of the proposed alignment as recommended by the Planning Commission identifies a roadway section which continues the four-lane boulevard design as established in LID No. 2. The street is designed within a 78 foot right-of-way with a 10 foot bike path proposed to be provided on a separate easement. Minimum curve radii of 450 feet have been maintained with the exception of the 304 foot radius originally designed in LID No. 2 where it currently intersects with Parkway Avenue. The drawing also identifies the street section as proposed by Carl Buttke at the "T" intersection where two 12 foot southbound and one 16 foot northbound lanes are provided within the standard 60 foot right-of-way.

The Plan also identifies the conceptual bus lane which would travel through the middle of the Town Center rather than having buses travel on either the east or west leg. This is a conceptual recommendation only and would require considerable design study to determine its feasibility and compatibility with the Town Center Plan.

BJA:jme

6. Final Payment Sanitary Sewer Infiltration/Inflow Correction Project

Councilwoman Abele moved to approve this request as presented by Mr. Blanchard. Councilman Harris seconded the motion which carried 5-0.

7. Capital Improvement Project/Proposal from Westech Engineering

A memo from Larry Blanchard was handed out to explain this item. Mr. Blanchard reported this project is work that was approved by the Budget Committee. However, if the project is going to be completed during this construction season, it needs to be started as soon as possible. There is money left in the current budget to take care of any payments for engineering services that might occur during the time left in June. There followed discussion of the funds available to finance this project. After which, Councilman Harris moved to approve the engineering proposal to begin the design phase of Seely Ditch Improvements and Wilsonville Road Bike Path Extension. Councilwoman Abele seconded the motion which carried 5-0.

At this time Council was requested to set a date for a Public Hearing for Falcon Construction for a zone change. It was decided to have the Public Hearing on July 20, 1981.

8. Schedule of Bills

Councilwoman Abele moved to approve the Schedule of Bills as presented. Councilman Vlahos seconded the motion which carried 5-0.

9. Planning Commission Recommendation for Alignment of Town Center Loop West

Ben Altman, Planning Director, gave a report on this project to coincide with his memo in Council's packets. As a result of considerable discussion on this matter, and a review of the alternative alignments, the Planning Commission decided to recommend to the City Council that the west leg of the Town Center Loop should be aligned in accordance with the original Master Plan.

There followed discussion of the proposed alignment of Town Center Loop West. After which Councilwoman Abele moved to approve the road alignment for the west end of the Loop Road as shown on the drawing dated May 14, 1981, by Ryan O'Brien for the location of the west end of the Loop Road. Councilman Vlahos seconded the motion which carried 5-0.



PACIFIC HORIZONS REAL ESTATE, INC.
REAL ESTATE SECURITIES & BROKERAGE

80150 S.W. PARKWAY AVENUE

WILSONVILLE, OREGON 97070

503/682-3771

January 25, 1982

City Council
P.O. Box 220
Wilsonville, OR 97070

Attn: Mayor William Lowrie

Re: Alignment of Town Center Loop West

Dear Mayor Lowrie:

The property owners affected by the new alignment of the Town Center Loop West roadway have hired Riverside Engineering to determine the location and land area of the right of way to be dedicated for the roadway and utilities. The attached map indicates the approximate alignment approved by the City Council on June 15, 1981. If the alignment indicated on the attached map is satisfactory, the property owners will proceed with the necessary legal description for the purpose of dedicating the right of way to the City of Wilsonville.

As the process to effect this dedication is not known by the property owners, it is requested that the City Council establish the procedure for making the aforementioned dedication.

I will be available at the City Council meeting scheduled for February 1, 1982 to answer any questions regarding this proposal. If you have any questions regarding this correspondence or the enclosures, please give me a call (682-3771).

Sincerely,

Donald F. Mala
Property Manager

DFM:nm

- Enclosures:
1. Memorandum to City Council from Ben Altman dated June 10, 1981 with attached page 12 of City Council meeting of June 15, 1981.
 2. Map of Town Center Loop, Wilsonville, undated.

EXHIBIT 6



P.O. Box 220 / Wilsonville, Oregon 97070
503/882-1011

MEMORANDUM

TO: CITY COUNCIL
FROM: BEN ALTMAN
DATE: JANUARY 27, 1982
RE: RIGHT-OF-WAY ACCEPTANCE FOR TOWN CENTER LOOP WEST

We have received a letter from Don Mala requesting a determination from the Council whether the City would accept the right-of-way for the Town Center Loop West if said property was dedicated to the City prior to actual street construction.

The alignment depicted on the attached drawings has been confirmed by the Planning Commission and City Council. The processing of LID No. 5L was previously tabled pending the determination of the appropriate street alignment. Since the alignment has now been confirmed, we can now proceed with the processing of LID No. 5. However, revisions would be necessary to the Engineer's Report to address the realignment of the right-of-way. Additional considerations must also be given as to possible reimbursement or compensation for the cost of the right-of-way from loss of development potential as a result of the dedication.

Since the entire right-of-way would be dedicated from properties owned by Don Mala et al. and several property transfers, etc. would be required prior to further action on an LID, Mr. Mala is proposing to dedicate the right-of-way so that specific property lines can be determined. The dedication of the right-of-way and the reparceling of the adjacent property would substantially affect the tax assessment, which, because of current economic conditions, should be resolved as soon as possible.

The bottom line to this request is, if Mr. Mala and his partners dedicate the necessary right-of-way for the completion of the Town Center Loop West, would the City accept said right-of-way?

BJA:jme

EXHIBIT 7

IV. COMMUNICATIONS

A. Oral

None

B. Written

None

V. CONSENT AGENDA

A. Bid Received for 1957 International Van

B. Schedule of Bills

C. Approval of Liquor License Applications

Councilman Ludlow asked to have Item A removed from the Consent Agenda as he had some questions of the bidding process. Was this item advertised for bid to purchase or was it an offer to buy the City's van? Larry Blanchard stated this was an offer not a bid. Councilman Ludlow requested it be stated in the minutes this item was an offer to buy the City's van, not a bid on a van.

Councilman Vlahos moved to approve Items A, B and C of the Consent Agenda. Councilman Stark seconded the motion which carried 4-0.

VI. CONTINUING BUSINESS

A. Right of Way Acceptance Town Center Loop Road

Mr. Altman explained the property owners involved have asked if the City would accept the right-of-way for Town Center Loop West if said property was dedicated to the City prior to actual street construction. Once the alignment of Town Center Loop West is confirmed, work can be initiated on LID #5 once more.

Mr. Potter pointed out that there is a gas line on the existing right-of-way which will have to be discussed with the gas company as to whether or not they would move the line or if an easement would have to be obtained.

Mr. Altman stated he had spoken with the gas company and they have indicated that, other than cost, there is no technical problem in relocating the line. However, it is an 8" line and there would be a lot of cost involved in moving the line. There would have to be a determination made whether it is economically feasible to relocate the line. If not, it does create some development constraints on the property as there would have to be at least a fifteen foot easement maintained through

the property in question, which is primarily owned by Don Mala and his company.

Mr. Mala approached Council at this time, stating it was his understanding the City Council had already accepted the alignment of Town Center Loop West. The property owners are requesting that the City accept the right-of-way before development of the street. Mr. Mala went on to explain the request in detail. The property owners are hesitant to expend monies for engineering to realign the road unless they have some assurance from the City that they will accept the dedicated right-of-way.

Mr. Kohlhoff pointed out there are certain formalities to be followed before the City could accept any dedication. Need to have legal descriptions of the properties involved, copy of the title report, etc.

Discussion followed on this proposal, after which, Councilman Ludlow moved to ask Mr. Kohlhoff to prepare a resolution to accept the proposed alignment of right-of-ways for future engineering of City Center Loop West.

Mr. Mala suggested the motion state Council is prepared to accept the republic right-of-way without the improvement in place prior to development of the road.

Mr. Kohlhoff suggested staff work with Mr. Mala to develop an acceptable right-of-way dedication. Discussion continued on the procedure to be followed in order to accept the right-of-way dedication. Upon conclusion of which, Councilman Ludlow moved for the tentative approval of the right-of-way road alignment as proposed on the schematic, subject to final determination after complete engineering and other documentation is made. Councilman Vlahos seconded the motion.

Mayor Lowrie asked if the right-of-way is accepted, would the property owners be willing to proceed with the LID. Mr. Mala replied they probably would not proceed with LID #5, per se, because the original LID did not include Mr. Mala's part of the arterial. Would most likely have to implement a new LID to take care of the West Loop Road. Mayor Lowrie then asked if the property owners are prepared to proceed with

Town Center Loop West. Mr. Mala stated the property owners would be dedicating that property for the alignment of the road and would be willing to participate in development of half of the street. The City and other land owners would be responsible for the development of the remaining half of the street.

The question on the motion was called for, with the motion passing with three aye votes and one no vote, that of Mayor Lowrie.

B. PGE Proposal Relating to Relocation of Utility Facilities

Mr. Potter reviewed his memo of January 27th, placed in Council's packets. PGE has requested the Public Utilities Commissioner, by rule, to make a determination that they would not provide any conversion from overhead facilities to underground facilities to the customers within the boundaries of the local government requiring such conversion. Mr. Potter reported there are three methods of responding to the PGE proposal. One would be by a brief, another would be by written comment and the third alternative would be with both a brief and a written comment. Mr. Potter asked Council how they wished to handle this response.

Mr. Kohlhoff recommended written comments be made to be submitted by the March 1st deadline. After a brief discussion, Councilman Ludlow moved to direct staff to coordinate efforts to prepare a written comment by the March 1st deadline. Councilman Stark seconded the motion which passed 4-0.

VII. NEW BUSINESS

A. City Hall Building Lease

Mayor Lowrie recommended Mr. Potter be instructed to proceed with lease negotiations in order to have figures for the budget.

B. Suggested Alternative Site for Senior Citizen Center

Mr. Potter stated that a communication from Mr. Pete Olson had been received on a suggested site for the Senior Citizen Center. This site is adjacent to the proposed City Hall site. It was Mr. Potter's contention that if the City requested additional funds from CDBG to fund the new site, the City would lose all funds. Therefore, based on this reason, Mr. Potter recommended thanking Mr. Olson for his offer and indicate to him that no funds are available.

Mr. Olson asked to clarify his memo in that it was his intention