

RESOLUTION NO. 1042

A RESOLUTION AUTHORIZING SETTLEMENT OF THE CERTAIN DISPUTE FOR STORM SEWER PIPELINE EXTENSION INVOLVING PROPERTY WITHIN L.I.D. #4, FORMERLY OWNED BY JOHN KINSMAN.

WHEREAS, a dispute has arisen between John Kinsman, and the City of Wilsonville over whether an easement was provided to the City of Wilsonville over Kinsman's property for a storm sewer pipeline extension as part of L. I. D. #4 in consideration of the City paying a portion of the extension and whether the parties had agreed to using an open ditch in substitution for the piping, and whether the ditch is appropriately located in the easement area; and

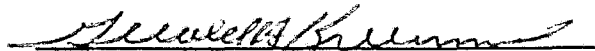
WHEREAS, John Kinsman has sold the property and the proposed development has been conditioned to provide the storm sewer pipeline extension and necessary easement and the owner has made claim against Kinsman who in turn seeks contribution from the City; and

WHEREAS, the Community Development Director and City Attorney recommend settling the dispute for \$2,000, which is in keeping with the original agreement of a 22% contribution and that with the forth coming easement, any property encroachment issues, involving the Kinsman property and its subsequent owner, will be resolved.

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

1. The City Council approves and authorizes the Community Development Director and the City Attorney to settle the disputed claim of payment for storm water pipeline extension over the property formerly owned by John Kinsman within L.I.D. #4 of the sum of \$2,000 which sum shall be used toward the installation of the storm water pipeline extension.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 16th day of August, 1993 and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:

Vera A. Rojas

VERA A. ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel AYE

Councilor Van Eck AYE

Councilor Carter AYE

Councilor Hawkins AYE

Councilor Lehan AYE