

RESOLUTION NO. 1102

A RESOLUTION INITIATING THE VACATION OF A PORTION OF PROPERTY DEDICATED TO THE CITY OF WILSONVILLE BY THE ROBERT RANDALL CO., AND ACCEPTING PROPERTY DEDICATED TO THE CITY BY THE PLAT OF WILSONVILLE MEADOWS NO. 6; AND SETTING A PUBLIC HEARING DATE.

WHEREAS, an encroachment of the foundation for a single family dwelling on Lot No. 248, Wilsonville Meadows No. 6, onto recorded City property area for the Geschellshaft Well has occurred and the Robert Randall Co. has proposed an exchange of property to prevent removal of the foundation, assist with an orderly real estate transaction, and to prevent a hardship for affected property owners; and

WHEREAS, Robert Randall Co. has deposited a sum sufficient to cover the cost of publication, posting and other anticipated expenses with a vacation and exchange of property with the City; and

WHEREAS, Robert Randall, through Land Development Consultants, Inc., has filed with Clackamas County, the plat of Wilsonville Meadows No. 6 which dedicates property to recreate the proper land size in exchange for the land affected by the foundation encroachment; and

WHEREAS, Robert Randall Co. has filed with the City, a petition, marked as Exhibit "A", attached hereto and incorporated by reference herein, which sets forth a description of the ground proposed to be vacated by the City as described in Exhibit "1" and located in Exhibit "2" to the petition, in exchange for the property dedicated in the plat; and

WHEREAS, a City governing body may initiate vacation proceedings authorized by ORS 271.080 with a petition of property owners and may engage in exchange of land of equal or greater value; and

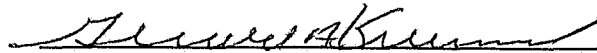
WHEREAS, the City of Wilsonville's use of the Geschellschaft well site will not be adversely affected by the proposed property exchange and the property being exchanged is of equal or greater value; and

WHEREAS, the Wilsonville City Council wishes to address this issue in a timely fashion.

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

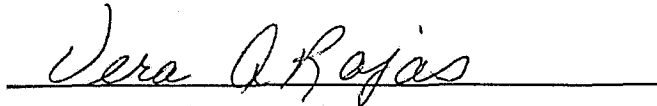
- (1) The City Recorder is directed to publish the appropriate notice; and
- (2) A public hearing regarding the vacation of public property shall be scheduled for May 2, 1994, at a regularly scheduled City Council meeting at the Wilsonville Community Development Hearings Room.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 4th day of April, 1994, and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Sempert	<u>AYE</u>

Exhibit "A"

VACATION OF PUBLIC PROPERTIES

PROPERTY OWNER'S CONSENT FORM:

A request has been received by the City of Wilsonville to vacate public property/right-of-way known as: "Gessellschaft Well."

The property description is as follows:

That portion of the Northeast quarter of Section 13, Township 3 South, range 1 West, W.M., Clackamas County, Oregon. More particularly describes as follows:

Beginning at a point on the South line of said Northeast quarter that lies N89°31'58"E, 573.57 feet from the center of said Section 13; thence S89°31'58"W, 18.75 feet along said South line of the Northeast quarter to a point on the West line of the tract of land described in Document No. 84-07949 of the deed records of said County; thence along the boundary of said tract, N00°06'58"E, 69.02 feet; thence S89°53'02"E, 100.00 feet, thence S00°06'58"W, 18.00 feet; thence leaving said boundary, S89°31'58"W, 81.76 feet; thence S00°28'02"E, 50.00 feet to the point of beginning. Containing 0.06 acre.

I, Steven P. Mozinski, Vice Pres., representing Pacific Frontier Wood Markets,
Name of
Inc. (owner of the property), do hereby give consent to the City

of Wilsonville to begin vacation procedures of these public lands.

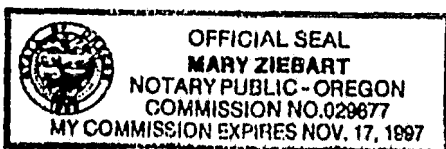
Witness my hand this 24th day of March, 1994.

PACIFIC FRONTIER WOOD MARKETS, INC.

Mary Ziebart
NOTARY PUBLIC, STATE OF OREGON

Steven P. Mozinski, Vice Pres.
By Steven P. Mozinski, Vice Pres.

My commission expires: 11/17/97



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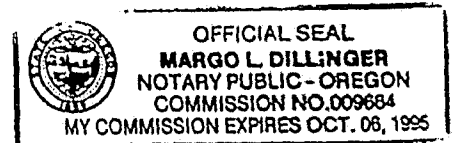
Beginning at a point on the South line of said Northeast quarter that lies N89°31'58"E, 573.57 feet from the center of said Section 13; thence S89°31'58"W, 18.75 feet along said South line of the Northeast quarter to a point on the West line of the tract of land described in Document No. 84-07949 of the deed records of said County; thence along the boundary of said tract, N00°06'58"E, 69.02 feet; thence S89°53'02"E, 100.00 feet, thence S00°06'58"W, 18.00 feet; thence leaving said boundary, S899°31'58"W, 81.76 feet; thence S00°28'02"E, 50.00 feet to the point of beginning. Containing 0.06 acre.

I, Cynthia M. Siler, representing Palladian
Name of
Properties, Inc., do hereby give consent to the City

of Wilsonville to begin vacation procedures of these public lands.

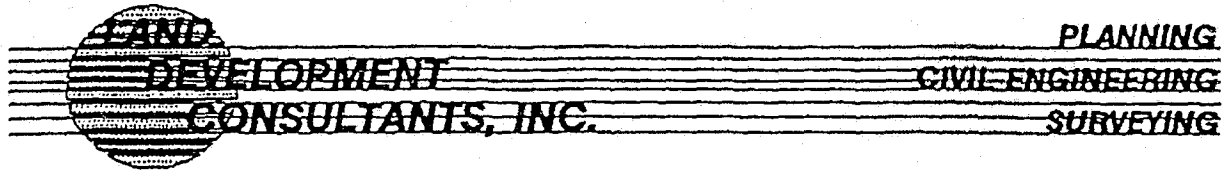
Witness my hand this 3/1st day of June, 1994.

Margo L. Dillinger
NOTARY PUBLIC, STATE OF OREGON



My commission expires: Oct 6, 1995

Exhibit "1"



233 S.E. WASHINGTON STREET, HILLSBORO, OREGON 97123

PHONE: (503) 648-4061 FAX: (503) 681-7646

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 3 SOUTH, RANGE 1 WEST, W.M., CLACKAMAS COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER THAT LIES N89°31'58"E, 573.57 FEET FROM THE CENTER OF SAID SECTION 13; THENCE S89°31'58"W, 18.75 FEET ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER TO A POINT ON THE WEST LINE OF THE TRACT OF LAND DESCRIBED IN DOCUMENT NO. 84-07949 OF THE DEED RECORDS OF SAID COUNTY; THENCE ALONG THE BOUNDARY OF SAID TRACT, N00°06'58"E, 69.02 FEET; THENCE S89°53'02"E, 100.00 FEET; THENCE S00°06'58"W, 18.00 FEET; THENCE LEAVING SAID BOUNDARY, S89°31'58"W, 81.76 FEET; THENCE S00°28'02"E, 50.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.06 ACRE

DESCRIPTION SKETCH

PROPOSED "WILSONVILLE MEADOWS NO. 6"

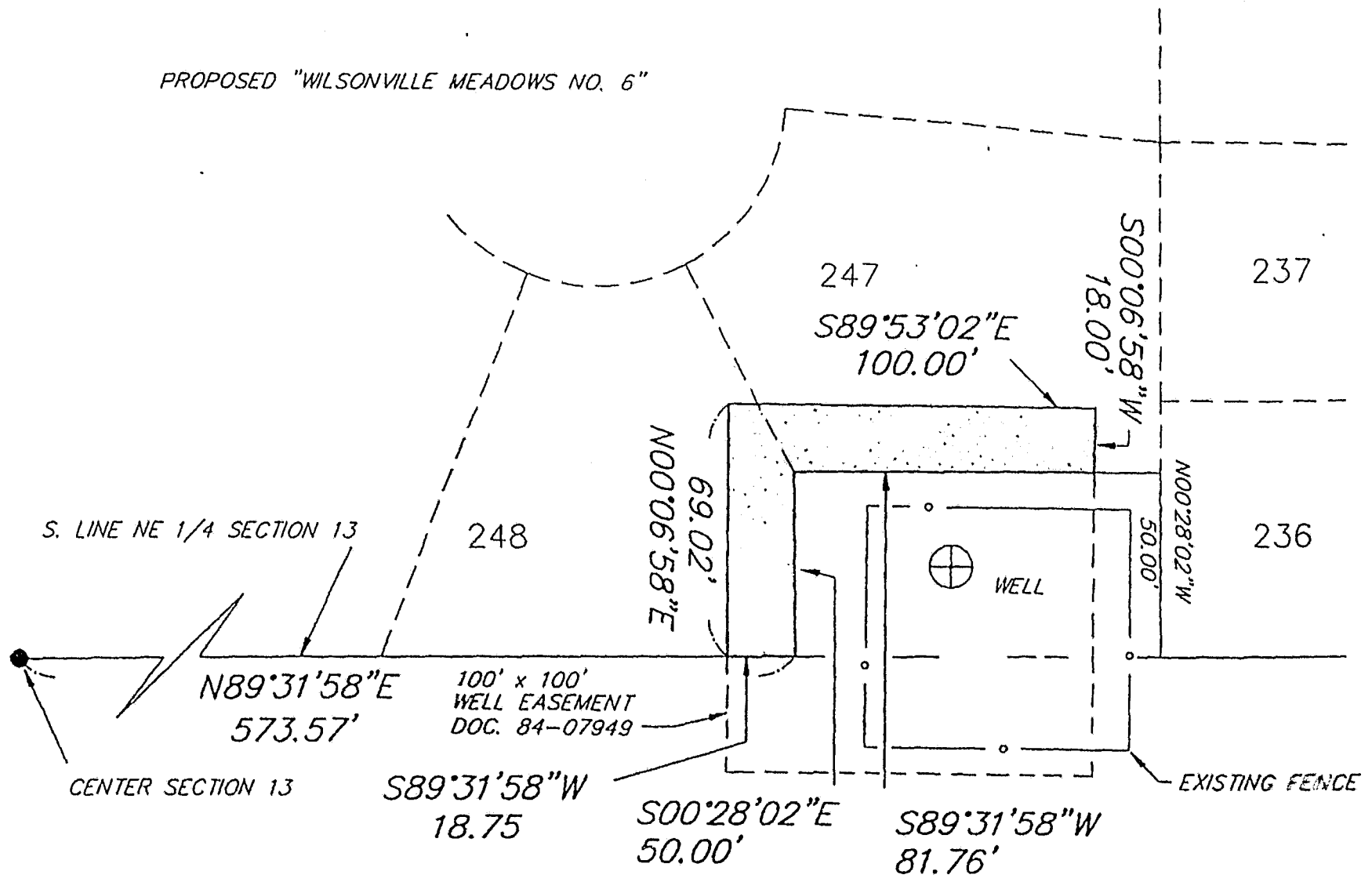
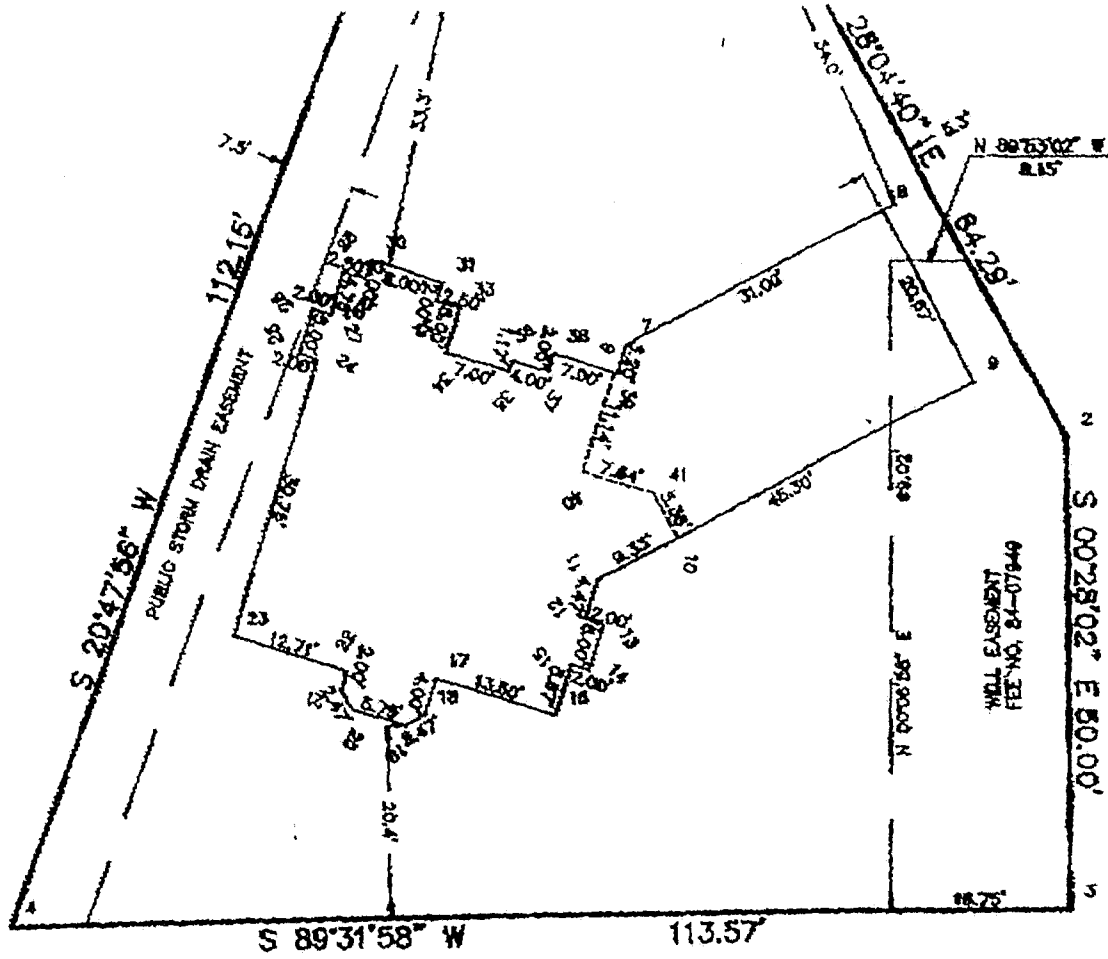


Exhibit "2"

LAND DEVELOPMENT CONS. TEL NO 503-681-7646

Mar 4 '94 15:59 No.023 P.03

MAR 3 '94 15149 FR CENTERLINE CONCEPTS 503 6500189 TO 6396744 P.03/03



---EIGHT FOOT PUBLIC UTILITY EASEMENT
 ALONG PUBLIC STREETS.
 ---FIVE FOOT PUBLIC UTILITY EASEMENT
 ALONG SIDE AND REAR LOT LINES.

STAKEOUT	
N.E. 1/4 SEC.13, T.3S, R.1W, W.M.,	
CITY OF WILSONVILLE	
CLACKAMAS COUNTY, OREGON	
MARCH 3, 1994	
DRAWN BY: BTA	CHECKED BY: WGDIII
SCALE 1"=20' ACCOUNT # 366	





City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

ENGINEERING DEPARTMENT
MEMORANDUM

DATE: MARCH 31, 1994

TO: ARLENE LOBLE
CITY MANAGER

FROM: JIM LONG *Jim Long*
DESIGN SURVEY TECH

SUBJECT: VACATION OF THE GESELLSCHAFT WELL SITE

In the process of the plat of Wilsonville Meadows No. 6, the Robert Randall Company, through their engineering firm, found that a 100 X 100 lot given to the City of Wilsonville did not match the existing one-quarter section line nor did it match the proposed plat lines. The Randall Co. proposed to the City that the well lot be adjusted to match proposed plat lines using the same amount of property.

The City Engineer's Office has reviewed this proposal and determined that none of the well site facilities would be affected by this property exchange and no adjustment will be needed. The area affected is all grass covered and outside the existing fence.

The Randall Co. had been told that a vacation process would be needed to complete the exchange of property but had not done so before one lot was sold. I have included that lot owner as a partitioner in this process.

It is our recommendation that this vacation process be approved.

jl:md

pc: file