

City of Sherwood, Oregon
Resolution No. 96-641

WHEREAS, under and by virtue of the laws of the State of Oregon, the City of Sherwood is duly authorized and empowered to locate, acquire, construct, reconstruct, alter, enlarge, renew, replace, operate and maintain such facilities as in the judgment of its City Council are necessary and proper for the area of the City; and

WHEREAS, under and by virtue of the laws of the State of Oregon the City of Sherwood may acquire by purchase, gift, devise, condemnation proceedings, or otherwise, such real and personal property, interests therein, and rights of way, either within or without the limits of the City as in the judgment of the City Council are necessary or proper to exercise its power; and

WHEREAS, for the purpose of providing a facility to serve the City of Sherwood and for the health, safety, benefit, and general welfare of the public, the City of Sherwood plans to locate, construct, operate, maintain, and repair water reservoir and distribution facilities and park land in the City of Sherwood, Washington County, Oregon on the land commonly known as the Snyder property because it is adjacent to the City's existing water reservoir and distribution system, it occupies a high point in the City, and it provides the opportunity for the City to establish open space and park facilities for its growing population, and

WHEREAS, the City of Sherwood is fully committed to the acquisition of the Snyder property through negotiations with the property owners and their representatives, and the City is committed to compensating the owners a fair amount for the land, however the City must also be prepared to move forward with the acquisition of this most needed land if those negotiations fail, and

WHEREAS, this property has been the subject of some speculation in the development community, and the City has been discussing privately its interest with representatives of the property owner for over four months, thus it is now prudent and fair through this public proclamation to let it be known to all of the City of Sherwood's intent to acquire the land.

NOW THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

1. The City of Sherwood does hereby find and declare that there is needed and required for the location, construction, operation, maintenance, repair, and improvement of the City of Sherwood, land for the construction and operation of water reservoir and distribution facilities and park land, and the real property and interests set forth and described in Exhibit 1 attached hereto and by reference incorporated herein are deemed necessary for the provision of the services noted herein.

2. The location, construction, operation, maintenance, repair, and improvement of the City of Sherwood system and facility for which the real property and interests therein described in Exhibit I attached hereto and by reference incorporated herein is required and is being taken as necessary in the public interest, and that the water reservoir and distribution facilities and park land and will be designed and constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

3. The City of Sherwood and its City Manager and its attorney be and they are hereby authorized to attempt to agree with the owner and other person, in interest in the real property and interest therein described in Exhibit 1 attached hereto and by reference incorporated herein as to the compensation to be paid for the appropriation of the property, and, in the event that no satisfactory agreement can be reached, then the attorneys for City of Sherwood be and the same hereby are directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the real property and interest therein and that upon the filing of such proceeding, seeks immediate possession of the real property and interest therein.

4. Upon the trial of any suit or action instituted to acquire the real property or any interests therein, the attorneys acting for and on behalf of City of Sherwood be and hereby are authorized to make such stipulation, agreement, or admission as in their judgment may be for the best interest of the City of Sherwood.

5. In order to protect the health, safety, and welfare of the public an emergency exists and it is necessary that no undue delay be encountered in obtaining access to and possession of the real property and interests therein described in Exhibit 1 in order to establish and implement the City's plans to construct water reservoir and distribution

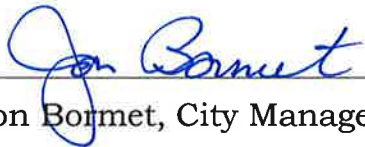
facilities and park land and therefore, this resolution shall be in force and effect from and after its passage by the City Council of the City of Sherwood.

6. This resolution is passed and adopted by the City Council of the City of Sherwood on June 25, 1996, and be and hereby is entered in full in the minutes and records of the City as of this date.



Walter A. Hitchcock, Mayor

ATTEST:



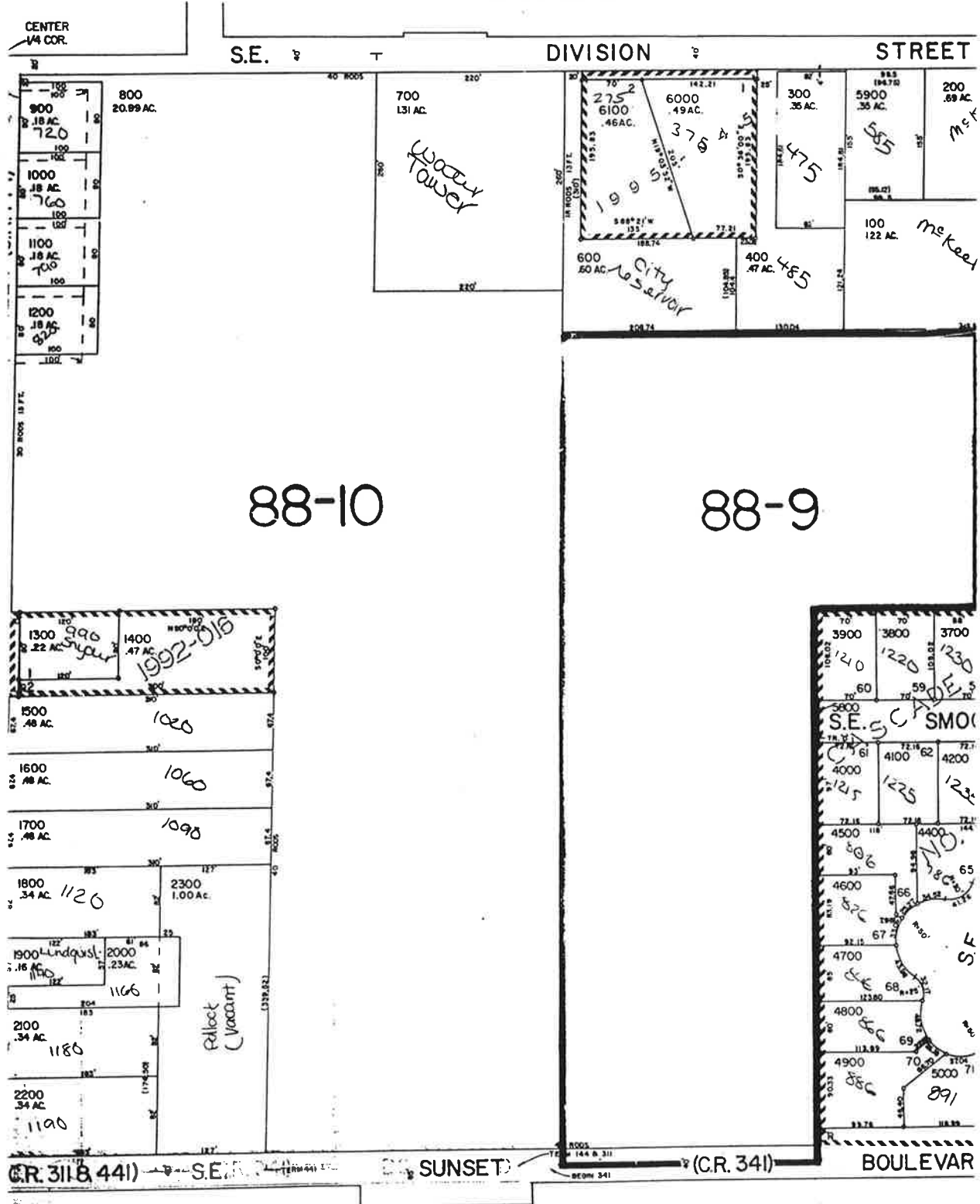
Jon Bormet, City Manager-Recorder

Map No. 2S1 32DB
Tax Lot 800

Resolution No. 96-641
Exhibit 1
SCALE 1" = 100'

USE.

SEE MAP 2S 1 32AC



SEE MAP 2S 1 32DC