

CITY OF SHERWOOD, OREGON
Resolution No. 96-661

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 public park, swimming and recreational 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 powers; and

WHEREAS, for the purpose of providing swimming pool and recreational 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 and maintain, swimming pool and recreational facility in the City of Sherwood, Washington County, Oregon.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF SHERWOOD AS FOLLOWS:

1. The City of Sherwood does hereby find and declare that there is needed and required for the location, construction, operation and maintenance of a swimming pool and recreational facility, the real property and interests therein, more particularly set forth and described in Exhibit 1 attached hereto and by reference incorporated herein.

2. The location, construction, operation, maintenance, repair, and improvement of the City of Sherwood facility for which the real property and interests therein described in Exhibit 1 attached hereto and by reference incorporated herein is required and is being taken as necessary in the public interest, and that the facility is being planned, designed, located, and will be 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, its City Manager and its attorneys be and they are hereby authorized to attempt to agree with the owners and other persons 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, possession of the real property and interest therein may be taken immediately.

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 acquisition of said property and construction of the facilities, 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 October 22, 1996, and be and hereby is entered in full in the minutes and records of the City as of this date.



Walter Hitchcock, Mayor

ATTEST:



Jon Borner, City Manager-Recorder

EXHIBIT I
RESOLUTION NO. 96-661

Tract "A" according to the duly filed plat of Woodhaven, in the City of Sherwood, filed December 21, 1994, in Plat Book 94, Pages 27 through 35 inclusive, Records of the County of Washington, and State of Oregon.