



COPY

Resolution No. 2000-859

A RESOLUTION DIRECTING STAFF TO OBTAIN PROPERTY ON KRUEGER ROAD KNOWN AS TAX LOT 1102, WASHINGTON COUNTY ASSESSOR'S MAP 2S2-36, FOR THE PURPOSE OF CONSTRUCTING A WATER RESERVOIR AND DISTRIBUTION FACILITIES

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 water facilities as in the judgement of the City Council are necessary and proper for 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, and rights of way, within or without the limits of the City as in the judgement of the City Council are necessary or proper; and

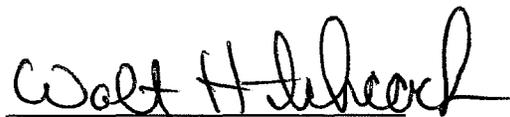
WHEREAS, for the purpose of providing a facility to serve the City of Sherwood and for the health, safety, benefit, and general welfare of the public, the City of Sherwood plans to locate, construct, operate, maintain, and repair water reservoir and distribution facilities for the City of Sherwood, Washington County, Oregon, on the land commonly known as Tax Lot 1102, Washington County Assessor's Map 2S2-36, and more particularly legally described on Exhibit A attached hereto and incorporated herein, said property being at an election suitable and of a size necessary for such reservoir facilities; and

WHEREAS, the City of Sherwood is fully committed to the acquisition of the said property through negotiation 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 land if those negotiations fail to result in agreement.

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 the real property described in Exhibit A attached hereto and by reference incorporated herein is suitable and necessary for said purpose.

2. The water reservoir and distribution facilities can be designated and constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage on said described property.
3. The City of Sherwood's City manager and his designated agents be and they are hereby authorized to attempt to agree with the owners and other persons in interests in the real property described in Exhibit A 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 commend 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, seek immediate possession of the real property.
4. 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 described in Exhibit A in order to establish and implement the City's plans to construct water reservoir and distribution facilities, and therefore, this resolution shall be in force and effect from and after its passage by the City Council of the City of Sherwood.
5. This resolution is passed and adopted by the City Council for the City of Sherwood on the 14th of March, 2000, and be and hereby is entered in full in the minutes and records of the City as of this date.



Walt Hitchcock
Mayor

ATTEST:



C.L. Wiley, City Recorder

Exhibit A

A portion of that certain tract of land in the Southwest quarter of Section 36, Township 2 South, Range 2 West of the Willamette Meridian, Washington County, Oregon, described in deed to Leah A. Zednik and Mary M. Zednik, recorded in Book 598, page 251, Washington County, Oregon, Deed Records, said portion being more particularly described as follows:

Beginning at a point in the center of Kruger Road (County Road No. 101), on the North line of the Southwest quarter of Section 36, which bears North 89°46' West 274.00 feet from the Northeast corner thereof, and running thence, parallel with the East line of said Southwest quarter, South 00°12' East 292.00 feet; thence, parallel with the North line thereof, North 89°46' West 26.00 feet to a point; thence South 00°12' East 353.00 feet, and North 89°46' West 340.00 feet to a point on the West line of said Zednik tract; thence, along the West line thereof, North 00°12' West 645.00 feet to the Northwest corner of said Zednik tract, a point in the center of said Kruger Road; thence, following the North line of said Southwest quarter, in the center of said Road, South 89°46' East 366.00 feet to the place of beginning.

