



## **RESOLUTION 2006-053**

### **A RESOLUTION DETERMINING AN EMERGENCY EXISTS POSING A THREAT TO PUBLIC SAFETY AND REQUIRING IMMEDIATE POSSESSION OF CERTAIN PROPERTY FOR RIGHT-OF-WAY PURPOSES.**

**WHEREAS**, the Sherwood City Council previously passed Resolution 2006-049 declaring it necessary for the City to acquire the property (Property) described in that resolution for right-of-way purposes;

**WHEREAS**, the Sherwood City Council reasonably believed it had a legal interest in the Property and passed said resolution as a precautionary measure;

**WHEREAS**, the City has repeatedly attempted to contact the Property's owners thorough a variety of means without any success; and

**WHEREAS**, the City must have access to and possession of the Property by October 12, 2006 to safely facilitate pedestrian and street improvements near and over the Property.


### **NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:**

- Section 1. The City's Engineering Department advises that without possession and access to the Property pedestrians will not have reasonable access to Old Town from Willamette Street, including access that complies with the Americans with Disabilities Act.
- Section 2. The Engineering Department advises that the existing access from Willamette Street to Old Town adjacent to the Property is located on a very narrow temporary street and that any pedestrians attempting to access Old Town on this narrow street will face a variety of construction hazards.
- Section 3. The Engineering Department further advises that with possession and access to the Property, the street can be widened, sidewalks can be constructed and safe and reasonable access for pedestrians will be established from Willamette Street to Old Town.

Section 4. The City Council concludes that these facts present an emergency and a threat to public safety and directs the City Attorney to take any and all steps necessary to secure possession of the Property as quickly as possible.

Section 5. This resolution is effective upon its passage by the Council and execution by the Mayor.

Duly passed by the City Council this 19<sup>th</sup> day of September 2006

  
Keith S. Mays, Mayor

ATTEST:

  
Sylvia Murphy, City Recorder