



RESOLUTION 2020-030

DECLARING THE NEED TO ACQUIRE INTERESTS IN CERTAIN REAL PROPERTY

WHEREAS, the Sherwood City Charter confers upon the City authority to acquire property for public purposes; and

WHEREAS, the City is authorized by ORS 223.105 to acquire, by condemnation if necessary, interests in real property for sanitary sewer systems; and

WHEREAS, the City is authorized by ORS 223.005(1) to appropriate any private real property to any public or municipal use or for the general benefit and use of the people of the City; and

WHEREAS, the City needs to complete the Rock Creek Trunk line project due to capacity issues resulting from the site development of the Tonquin Employment Area (TEA), as well as conditions issues; and

WHEREAS, the City Council deems it necessary and in the public interest to acquire temporary construction and permanent public utility easements in the properties described in "Exhibits A" (TL# 2S129A000400), "Exhibit B" (LT# 2S129D000150), and "Exhibit C" (TL# 2S129A000300) attached hereto and incorporated herein, for the purpose of constructing and maintaining a public sanitary sewer trunk line; and

WHEREAS, it appears to City Council that the proposed use, improvement, or project as described above is planned or located in a manner which will be most compatible with the greatest public good and the least private injury; and

WHEREAS, the City anticipates commencing use of the above-described property within ten years of the date of adoption of this Resolution.

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

Section 1. The Sherwood City Council hereby finds and declares that it is necessary and in the public interest that the City acquire temporary construction and permanent public utility easements in the properties described in "Exhibit A" (TL# 2S129A000400), "Exhibit B" (TL# 2S129D000150), and "Exhibit C" (TL# 2S129A000300), attached hereto and incorporated herein by reference, for the purpose of constructing and maintaining a public sanitary sewer trunk line, a public or municipal use and for the general benefit and use of the people of the City, as authorized by the City Charter and ORS 223.105 and 223.005(1).

Section 2. The Sherwood City Council further finds and declares that the proposed use described above is necessary and that the proposed use, improvement or project described herein is planned or located in a manner which will be most compatible with the greatest public good and the least private injury.

Section 3. The Sherwood City Council further finds and declares that the City anticipates commencing use of the above-described property within ten years of the date of adoption of this Resolution.

Section 4. The Sherwood City Council hereby authorizes the City Manager, his designees, and the City Attorney, and his designees, to attempt to reach agreement with the owners and other persons with interest in the real property described herein as to the compensation to be paid for the appropriation of the properties, and in the event that no satisfactory agreement can be reached, the City Attorney, or designee, is 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 filing of such proceeding, possession of the real property and interest therein may be taken immediately to the extent provided by law.

Section 5. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 2nd of June, 2020.


Keith Mays, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

28,644

EXHIBIT A
TL# 2S129A000400
Sherwood Pacific LLC

NARRATIVE:

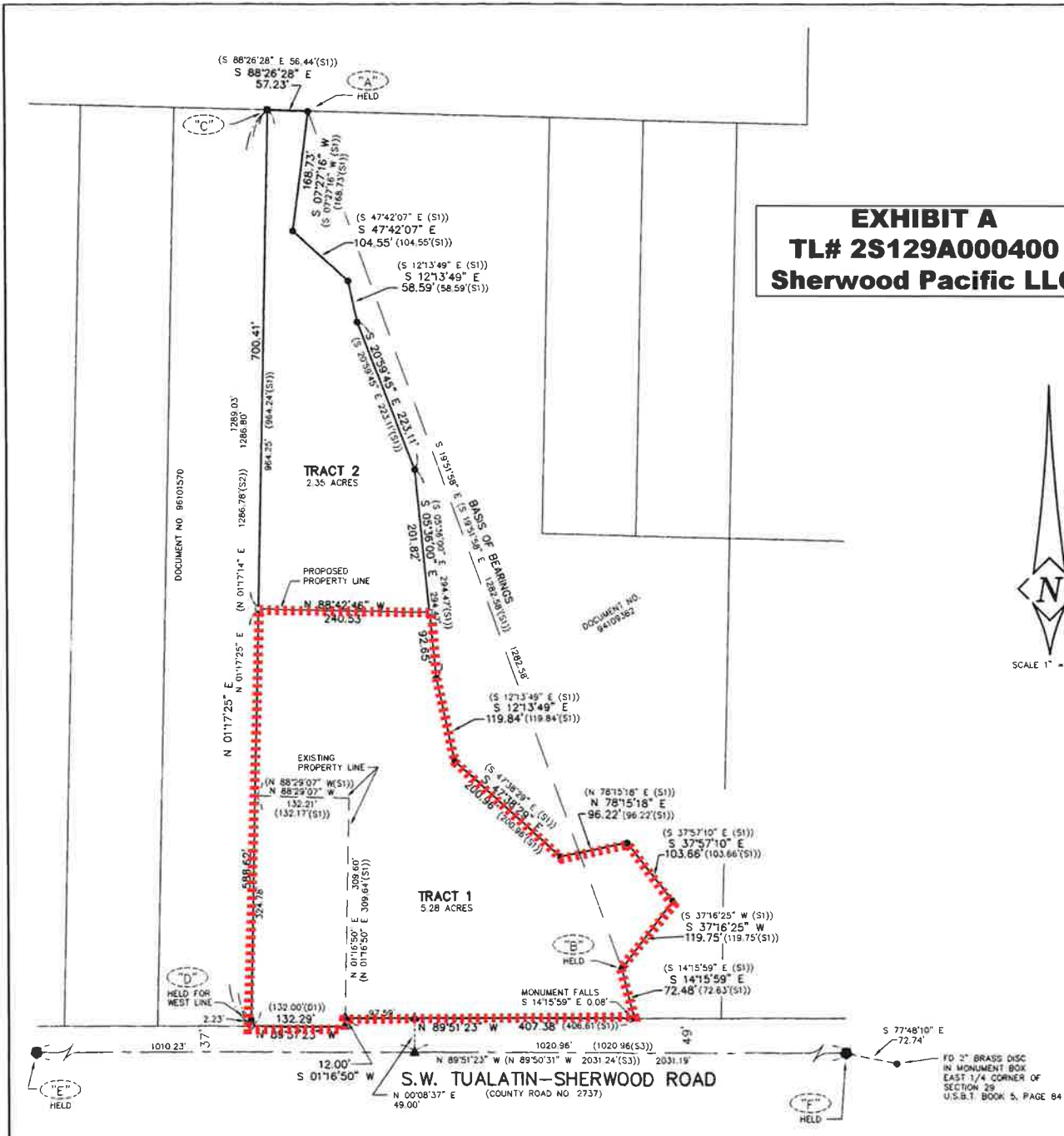
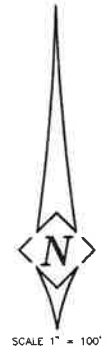
1. THE PURPOSE OF THIS SURVEY IS TO MONUMENT A PROPERTY LINE ADJUSTMENT BETWEEN DOCUMENT NO. 90004127 AND DOCUMENT NO. 89000513, WASHINGTON COUNTY DEED RECORDS AS PER CITY OF SHERWOOD CASE FILE LLA 01-04.
2. BASIS OF BEARINGS: I HELD THE LINE BETWEEN THE FOUND MONUMENTS AT "A" AND "B", TAKING THE BEARING AS CALCULATED FROM DATA SHOWN ON SURVEY NO. 24,902.
3. EAST LINE: I HELD THE FOUND MONUMENTS SET IN SURVEY NO. 24,902 FOR THE EAST LINE.
4. SOUTH LINE: I HELD 48.00 FEET N 00°08'37" E OF AND PARALLEL WITH THE LINE BETWEEN THE FOUND MONUMENTS AT "E" AND "F".
5. WEST LINE: I HELD THE LINE BETWEEN THE FOUND MONUMENTS AT "C" AND "D" AND ITS SOUTHERLY EXTENSION.
6. NORTH LINE: I HELD THE LINE BETWEEN THE FOUND MONUMENTS AT "A" AND "C".

NOTE

--THIS SURVEY PERFORMED FOR: ERIC HOFF

LEGEND:

- SET 5/8" x 30" IRON ROD W/ RED PLASTIC CAP SCRIBED "CENTERLINE CONCEPTS INC." ON JULY 2, 2001
 - FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP SCRIBED "W & H PACIFIC" FROM SN 24902
 - FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP SCRIBED "HART P.L.S. 1003" FROM SN 26540
 - ▲ FOUND AND HELD 5/8" IRON ROD W/ YELLOW PLASTIC CAP SCRIBED "W & H PACIFIC" FOUND IN SN 24902 BELIEVED TO HAVE BEEN SET IN SN 23,608, BUT NO MONUMENTS WERE SHOWN, TO BE SET AT THESE POSITIONS
 - FOUND 5/8" IRON ROD W/ YELLOW PLASTIC CAP SCRIBED "W & H PACIFIC" FROM SN 23,608
- () = RECORD DISTANCES & BEARINGS
 W/ = WITH
 YPC = YELLOW PLASTIC CAP
 SN = SURVEY NUMBER
 WASHINGTON COUNTY SURVEY RECORDS
 S1 = SURVEY NUMBER 24,902
 S2 = SURVEY NUMBER 26,540
 S3 = SURVEY NUMBER 23,608



SIGNED ON: 8-14-01
REGISTERED PROFESSIONAL LAND SURVEYOR

Wade G. Donovan III
 OREGON
 JAN 18, 1987
WADE G. DONOVAN III
 2276

VALID THROUGH DECEMBER 31, 2001
 I CERTIFY THAT THIS SURVEY WAS PREPARED USING HP PRODUCT #51640A ON CONTINENTAL #PC4M2 POLYESTER FILM

WASHINGTON COUNTY SURVEYOR'S OFFICE
 RECEIVED 7-11-01
 ACCEPTED FOR FILING 8-20-01

PROPOSED PROPERTY LINE ADJUSTMENT N.E. 1/4 SEC. 29, T.2S., R.1W., W.M.	DOCUMENT NO. 90004127 AND DOCUMENT NO. 89000513
CITY OF SHERWOOD WASHINGTON COUNTY, OREGON JULY 2, 2001	Centerline Concepts Inc. EMAIL: WWW.CCEMAIL@AO.COM 640 82nd Drive Goldstone, Oregon 97027 503 650-0188 Fax 503 650-0189
DRAWN BY: MPW CHECKED BY: WGD SCALE 1"=100' ACCOUNT # 767-03	
M:\BND\HOFF-03\HOFFPLA	

28,065

Record of Survey

A TRACT OF LAND IN:
S.E. 1/4 SEC. 29, T.2S., R.1W., W.M.
Washington County, Oregon

AREA: 2,289,645 Square Feet
 52.104 Acres

For: Brown/Steiger

Narrative:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE BOUNDARY LINES, CORNER MONUMENTS OF RECORD AND OR SET CORNER MONUMENTS OF THE REAL PROPERTY DESCRIBED IN BOOK 1047, PAGE 261 AND BOOK 800, PAGE 607, WASHINGTON COUNTY DEED RECORDS.

PROCEDURE: MONUMENTS OF RECORD WERE LOCATED IN THE FIELD, MEASURED BY THE CLOSED TRAVERSE, SIDE TIE METHOD USING A GEODIMETER 6105, 03" INSTRUMENT. THE FIELD DATA WAS THEN CALCULATED FOR RELATIVE POSITIONS TO SECTION MONUMENTS, DEED CALLS AND RECORD DATA LISTED IN THE REFERENCES BELOW. THE BASIS OF BEARINGS FOR THIS SURVEY WAS CORRELATED TO THE CENTER OF SECTION LINE BETWEEN THE FOUND NORTH AND SOUTH 1/4 CORNER MONUMENTS OF SECTION 29 PER PARTITION PLAT NO. 1994-013, DEPICTED ON THE PLAT MAP AS N 00°20'48"W.

THE NORTH LINE WAS HELD 37 FEET SOUTHERLY OF FOUND CENTERLINE MONUMENTS ESTABLISHED BY SN 25092 AND RIGHT-OF-WAY DOCUMENTS 92056842, 92078194. ALSO HELD FOUND CORNER MONUMENTS SET IN PARTITION PLAT NO. 1995-100.

THE WEST LINE WAS HELD PER FOUND MONUMENTS ESTABLISHED BY SN 14734 AS CALLED IN BOOK 800, PAGE 607, SAID DEED RECORDS.

THE SOUTH LINE WAS LOCATED PER DEED BOOK 50, PAGE 212 HOLDING DISTANCE CALLS FROM THE EAST SECTION LINE AND THE EXISTING RAILROAD TRACKS THAT MONUMENT THE CENTERLINE OF THE RIGHT-OF-WAY.

THE FOUND QUARTER SECTION MONUMENTS DETERMINED THE EAST LINE OF THE PROPERTY ALONG WITH THE FOUND MONUMENTS PER RECORDED SURVEY NUMBERS 24935 AND 18502 LOCATING THE LANDS DESCRIBED IN DOCUMENT NO. 94113277, WASHINGTON COUNTY DEED RECORDS.

References:

SURVEY OF RECORD, WASHINGTON COUNTY SURVEY RECORDS:
 (R-1) = SN 14734 (R-4) = SN 18502 (P-1) = PARTITION PLAT NO. 1995-100
 (R-2) = SN 8747 (R-5) = SN 25632 (P-2) = PARTITION PLAT NO. 1994-013
 (R-3) = SN 24935 (R-6) = SN 25092 (P-3) = SHERWOOD COMMONS NO. 2
 (R-7) = SN 4038

DEED DOCUMENTS, WASHINGTON COUNTY DEED RECORDS:
 (D-1) = BOOK 1047, PAGE 261 (D-6) = DOC. 98094905
 (D-2) = BOOK 544, PAGE 632 (D-7) = BOOK 50, PAGE 212
 (D-3) = BOOK 800, PAGE 607 (D-8) = DOC. 92078194
 (D-4) = BOOK 1029, PAGE 32 (D-9) = DOC. 92056842
 (D-5) = DOC. 94113277

Legend:

- SET 5/8" X 30" IRON ROD W/YPC INSCRIBED "PELSER PLS 2801", SET JAN. 7, 2000.
- FOUND 5/8" IRON ROD WITH 1-5/8" METAL CAP INSCRIBED "ZAROSINSKI-TATONE, INC. PER PARTITION PLAT NO. 1994-013.
- ▲ FOUND 5/8" IRON ROD W/YPC INSCRIBED "W&H PACIFIC" PER SN 25092.
- △ FOUND 5/8" IRON ROD UNMARKED, ASSUMED PER SN 14734.
- ✕ FOUND 5/8" IRON ROD W/YPC INSCRIBED "DRINKWATER PLS 928" PER SN 18502.
- ✗ FOUND 5/8" IRON ROD W/YPC ILLEGIBLE PER SN 24935.
- ⊕ FOUND BRASS SCREW WITH 3/4" BRASS WASHER INSCRIBED N.C.D.I. PER SN 24935.
- ⊙ FOUND 5/8" IRON ROD W/YPC INSCRIBED "REPPETO LS 857" PER SN 25632.
- ⊕ FOUND 5/8" IRON ROD W/YPC INSCRIBED "REPPETO LS 857" PER PARTITION PLAT NO. 1995-100.
- FOUND 5/8" IRON ROD UNMARKED, ASSUMED PER SN. 4038.
- FOUND WASHINGTON COUNTY SECTION CORNER MONUMENT AS NOTED ON THE MAP.

SN = SURVEY NUMBER PER WASHINGTON COUNTY SURVEY RECORDS, W/YPC= WITH YELLOW PLASTIC CAP, (R-D) = REFERENCE TO SURVEY NUMBER, (P-D) = REFERENCE TO PARTITION PLAT NO. OR SUBDIVISION PLAT, (D-D) = REFERENCE TO DEED DOCUMENTS.

JOB NO. 2994B

NORTH 1/4 CORNER SECTION 29 FOUND 2" BRASS CAP IN MONUMENT BOX PER U.S.B.T. BOOK 5, PAGE 146

TUALATIN-SHERWOOD ROAD CENTERLINE CURVE DATA
 Δ = 1°05'28"
 R = 4000.00'
 CB = N 88°59'42"E
 C = 76.13'

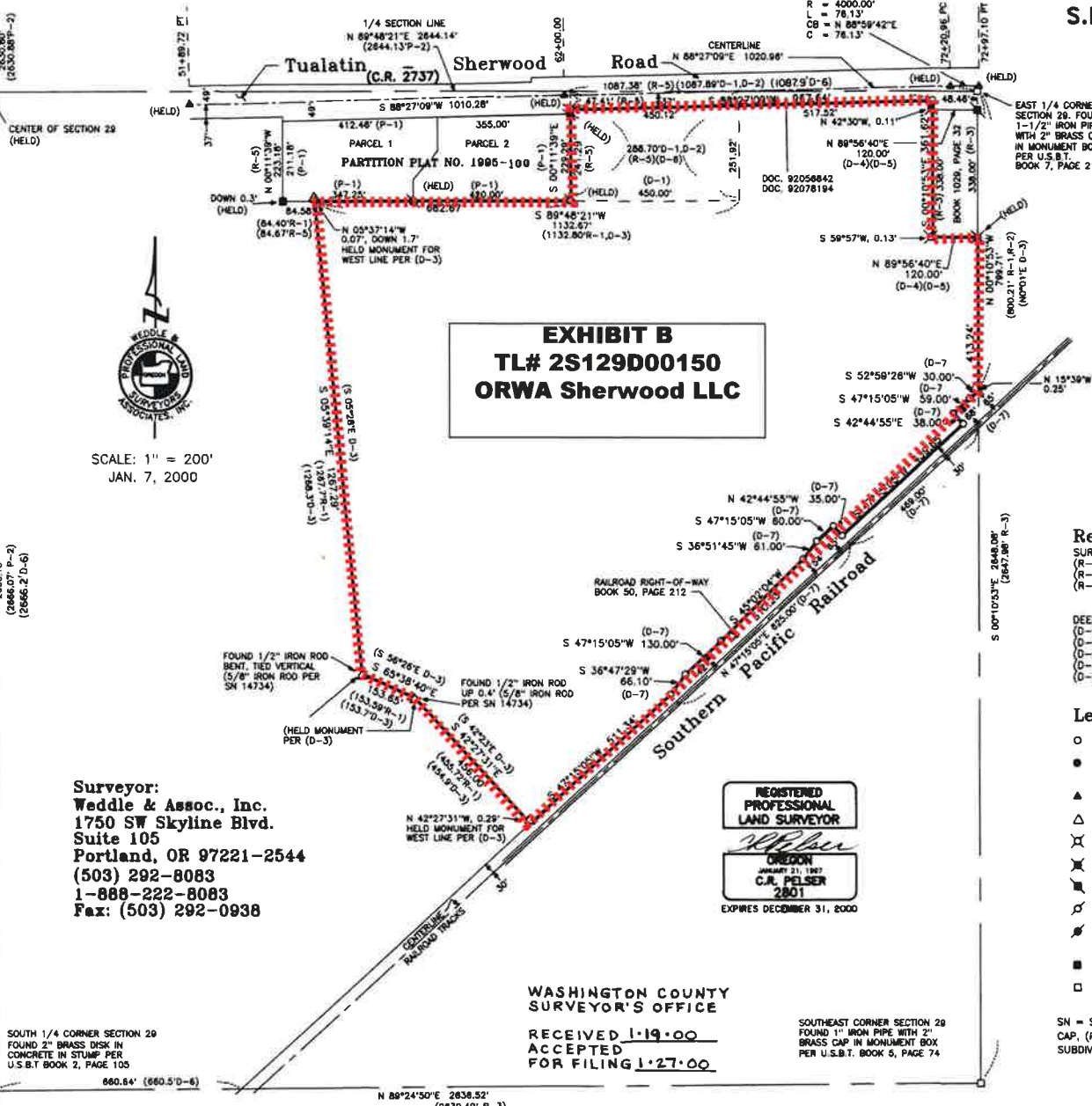


EXHIBIT B
TL# 2S129D00150
ORWA Sherwood LLC



SCALE: 1" = 200'
 JAN. 7, 2000

Surveyor:
Weddle & Assoc., Inc.
 1750 SW Skyline Blvd.
 Suite 105
 Portland, OR 97221-2544
 (503) 292-8083
 1-888-222-8083
 Fax: (503) 292-0938

REGISTERED PROFESSIONAL LAND SURVEYOR
 C.R. PELSER
 2801
 EXPIRES DECEMBER 31, 2000

WASHINGTON COUNTY SURVEYOR'S OFFICE
 RECEIVED 1-19-00
 ACCEPTED FOR FILING 1-27-00

SOUTH 1/4 CORNER SECTION 29 FOUND 2" BRASS DISK IN CONCRETE IN STUMP PER U.S.B.T. BOOK 2, PAGE 105

SOUTHEAST CORNER SECTION 29 FOUND 1" IRON PIPE WITH 2" BRASS CAP IN MONUMENT BOX PER U.S.B.T. BOOK 5, PAGE 74

28,644

EXHIBIT C
TL# 2S129A000300
TMK Properties LLC

NARRATIVE:

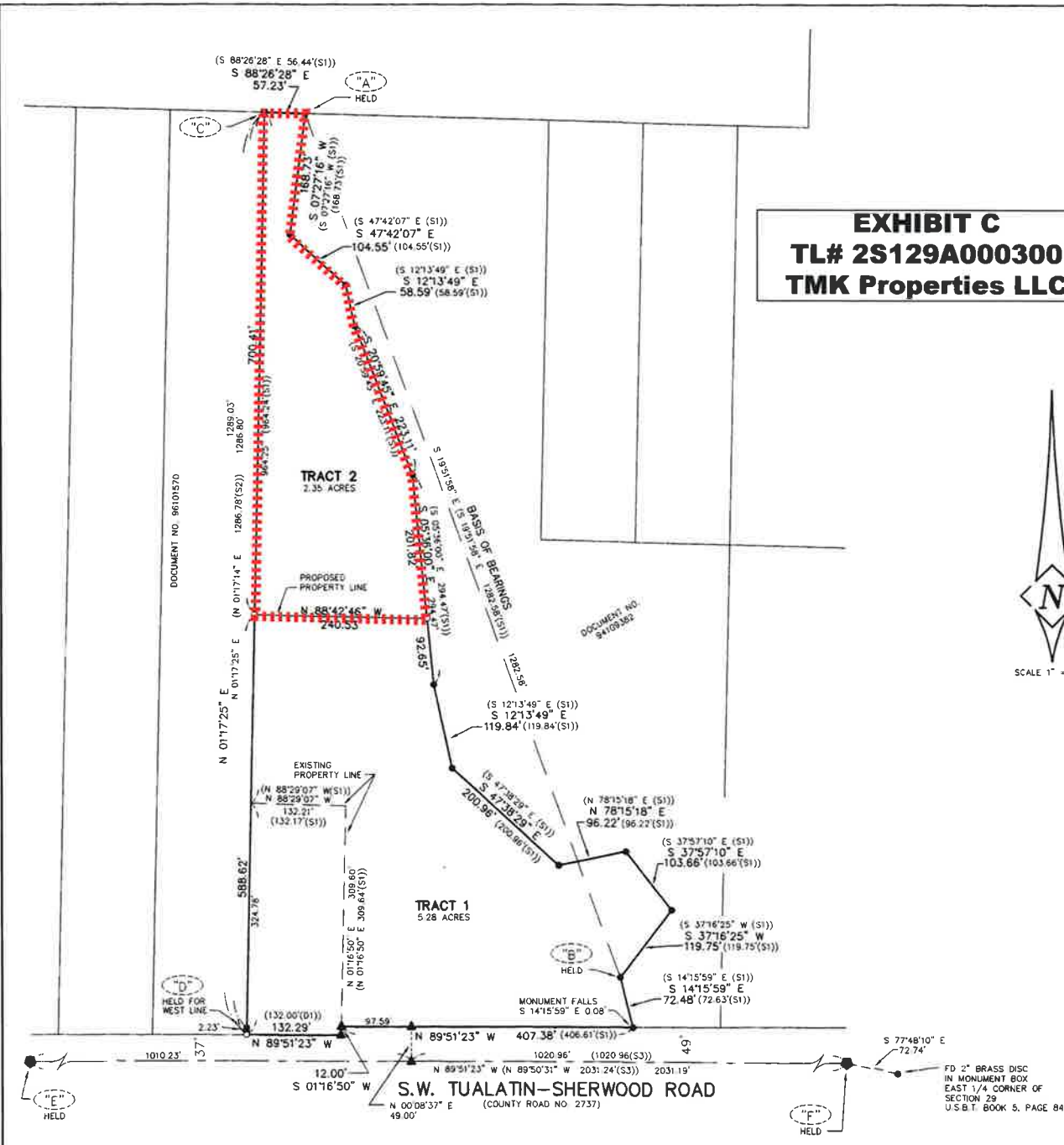
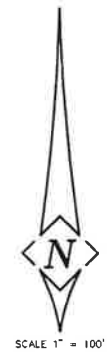
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SIGNED ON: 8-14-01

REGISTERED PROFESSIONAL LAND SURVEYOR

Wade G. Donovan III
 OREGON
 JULY 19, 1987
 WADE G. DONOVAN III
 2276

WASHINGTON COUNTY SURVEYOR'S OFFICE

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CITY OF SHERWOOD WASHINGTON COUNTY, OREGON JULY 2, 2001	Centerline Concepts Inc. EMAIL: WWW.CCENAIL@AOL.COM 640 82nd Drive Godstone, Oregon 97027 503 650-0188 fax 503 650-0189
DRAWN BY: MPW CHECKED BY: WGD III SCALE 1"=100' ACCOUNT # 767-03 M. BOND / HOFF - 03 / HOFF P.L.A.	