



## RESOLUTION 2022-026

### **DECLARING THE NEED TO ACQUIRE REAL PROPERTY INTERESTS TO CONSTRUCT AND THEREAFTER OPERATE & MAINTAIN INFRASTRUCTURE RELATED TO THE SW OREGON ST IMPROVEMENTS PROJECT**

**WHEREAS**, the Sherwood City Charter confers upon the City the authority to acquire real property, and interests therein, for all public purposes, including the establishment of public rights-of-way and easements for roadways and utilities; and

**WHEREAS**, the City is additionally authorized by ORS 223.005 & 223.105 to acquire, by condemnation if necessary, real property interests within or without its corporate limits for the construction, operation and maintenance of public or municipal uses, including transportation facilities and utility infrastructure as well as other similar or complementary public uses, for the benefit and use of the people of the City; and

**WHEREAS**, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 ("Uniform Act") outlines the requirements for property acquisition on federally funded projects, including a requirement for local municipalities to declare publicly, by resolution, the need to acquire interests in specific real properties in order to institute eminent domain proceedings and file for condemnation if settlement cannot be reached with a property owner; and

**WHEREAS**, the SW Oregon Street Improvements Project will generally reconstruct the entire road along the length of the corridor, including the utility infrastructure within the existing right-of-way, and widening of the road in some areas, which is necessary due to limited existing right-of-way in some areas and to provide adequate facilities for all modes of travel, including compliance with the Americans with Disabilities Act; and

**WHEREAS**, the Sherwood City Council deems it necessary and in the public interest to acquire real property interests, specifically right-of-way, public utility easements, stormwater easements, and temporary construction easements, in the properties identified in Exhibits A, B, and C, attached hereto and incorporated herein by reference, for the purpose of constructing, owning, operating, and maintaining the transportation corridor and infrastructure installed by the SW Oregon Street Improvements Project between SW Langer Farms Parkway and SW Murdock Road; 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 right-of-way, public utility easements, stormwater easements, and temporary construction easements in the properties described in Exhibits A, B, and C, attached hereto and incorporated herein by reference, for the purpose of installing, operating, and maintaining transportation and utility infrastructure associated with the SW Oregon Street Improvements, which is a public or municipal use for the general benefit and use of the people of the City, as authorized by the City Charter and ORS 223.005-105.

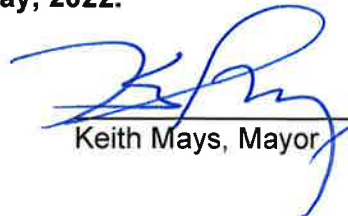
**Section 2.** The Sherwood City Council further finds and declares that the proposed use described above is necessary and that the proposed use, improvement, or project described herein is planned, designed, and located, and will be constructed, in a manner that will be most compatible with the greatest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

**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 Sherwood 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 interests described herein as to the compensation to be paid for the acquisition of the property interests. In the event that no satisfactory agreement or settlement can be reached with such owners and interest holders, the City Attorney, or designee, is hereby directed and authorized to commence with condemnation and prosecute to final determination such proceedings as may be necessary to acquire the real property and interests therein. Upon the filing of such proceeding, including the advance deposit of the amount estimated to be the just compensation with the clerk of the circuit court, possession of the real property and interests 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 17<sup>th</sup> day of May, 2022.**

  
\_\_\_\_\_  
Keith Mays, Mayor

Attest:

  
\_\_\_\_\_  
Sylvia Murphy, MMC, City Recorder

Taxlot ID	
1	Railroad Property
2	2S129DC00800
3	2S129DC00700
4	1S129DC00600
5	2S129DC00500
6	2S129D000600
7	2S129D000602
8	2S128C000400
9	2S132AB01200
10	2S132AB00902
11	2S132AB00906
12	2S132AB07100
13	2S132AB07200
14	2S132AB07500
15	2S132AB07600
16	2S132AB14500
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18	2S132AB14800
19	2S132AB14700
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23	2S132AB12000
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26	2S132AB13400
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31	2S132AA00309
32	2S132AA00310
33	2S132AA06300
34	2S132AA03200
35	2S132AA10000
36	2S132AA10200
37	2S132AA09900
38	2S132AA06500







WASHINGTON COUNTY OREGON  
NE 1/4 NE 1/4 SECTION 32 T2S R1W W.M.  
SCALE 1" = 100'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
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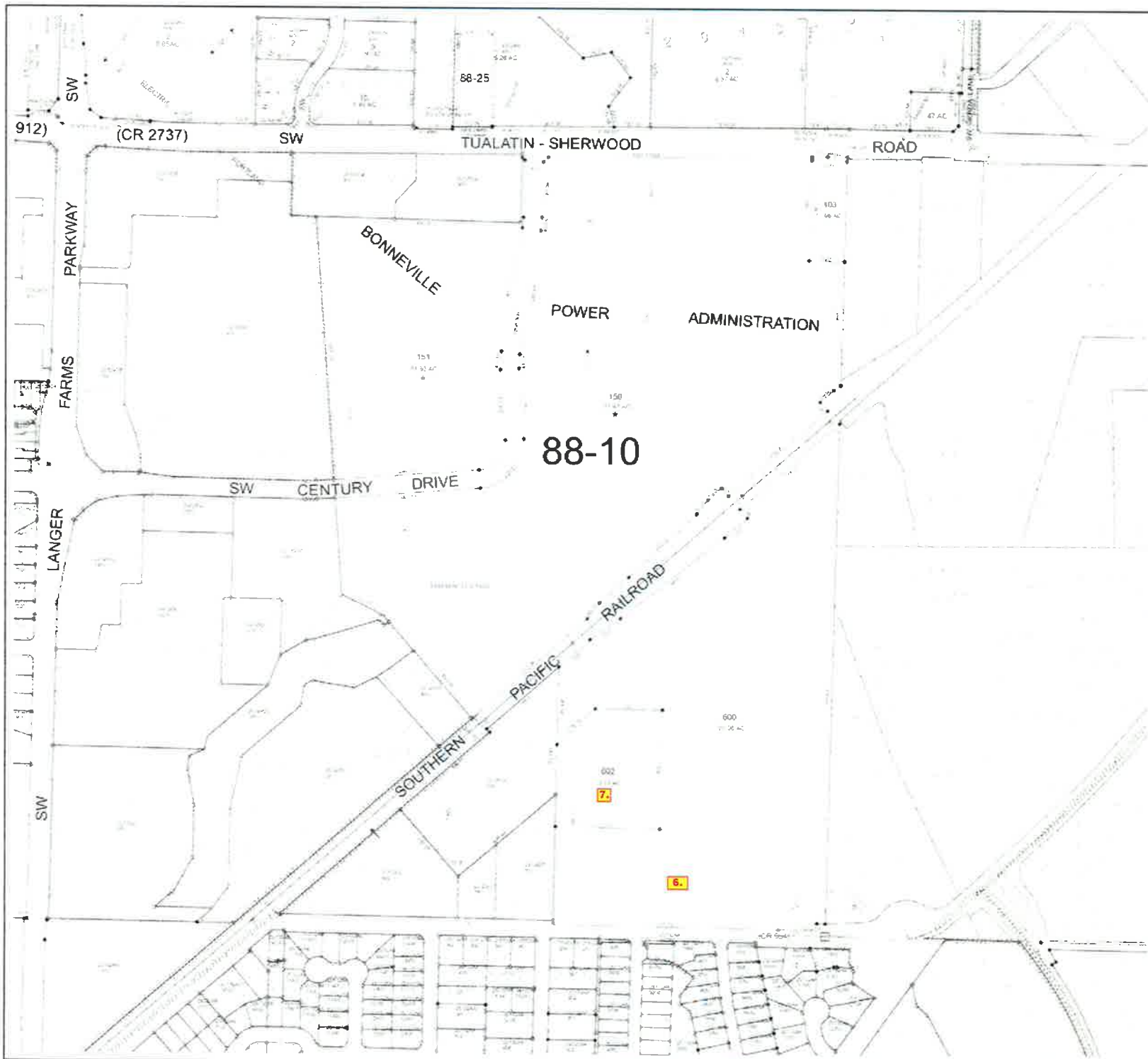
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130 611 663 667 1123



PLOT DATE 8/6/2019  
FOR ASSESSMENT PURPOSES  
ONLY - DO NOT RELY ON  
FOR OTHER USE

EXHIBIT B





2S129D

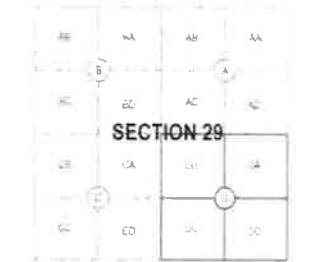
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WASHINGTON COUNTY OREGON  
 SE 1/4 SECTION 29 T2S R1W W.M.  
 SCALE 1" = 200'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
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Cancelled Taxlots For: 2S129D  
 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000

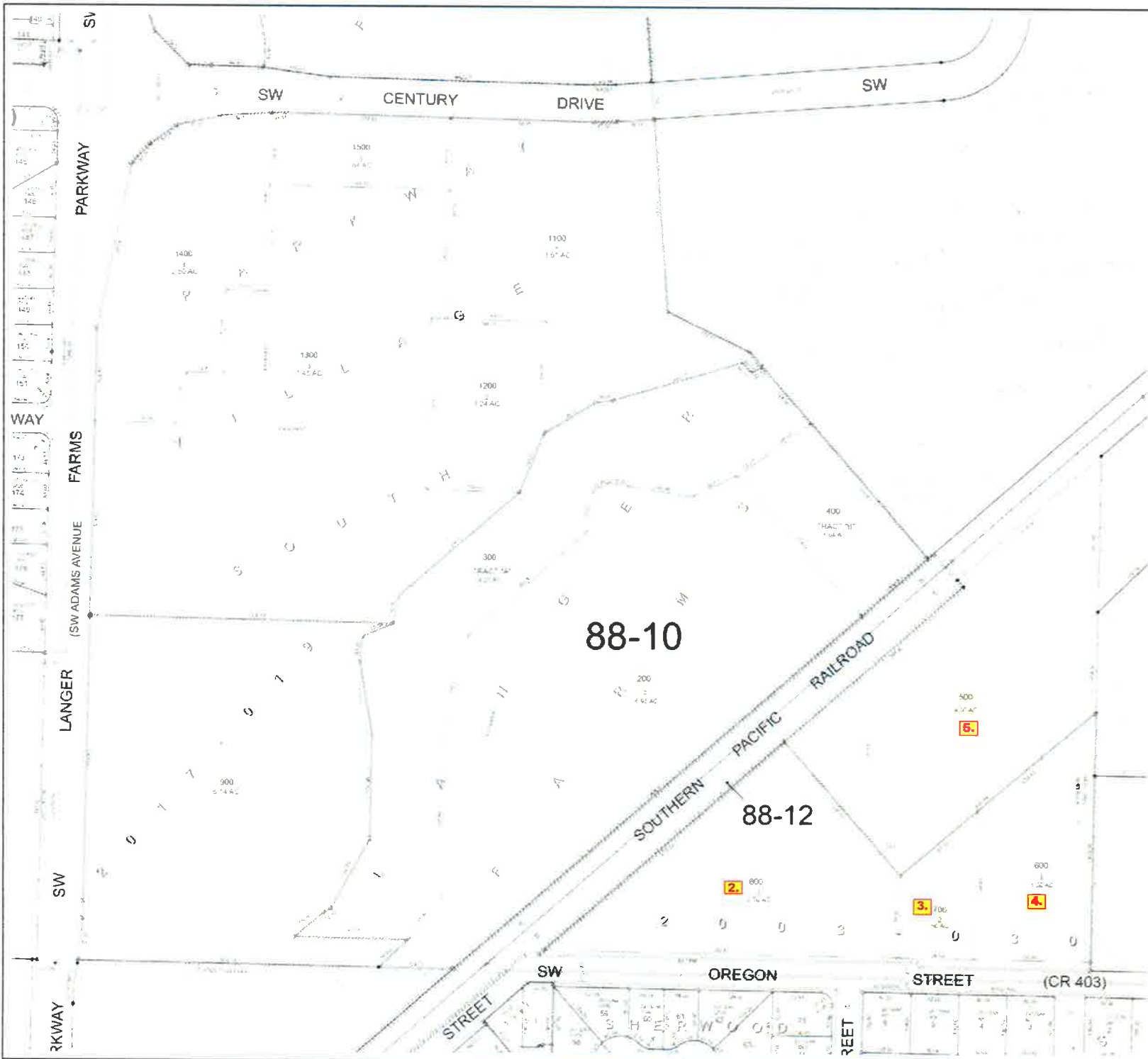


PLOT DATE: 2/16/2021  
 FOR ASSESSMENT PURPOSES  
 ONLY - DO NOT RELY ON  
 FOR OTHER USE

SHERWOOD  
 2S129D

EXHIBIT B





2S129DC

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WASHINGTON COUNTY OREGON  
 SW 1/4 SE 1/4 SECTION 29 T2S R1W W.M.  
 SCALE 1" = 100'

36	31	32	33	34	35	36	31
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Cancelled Taxlots For: 2S129DC



PLOT DATE: 2/18/2021  
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SHERWOOD  
 2S129DC

EXHIBIT B  
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