



RESOLUTION 2023-040

DECLARING THE NEED TO ACQUIRE REAL PROPERTY INTERESTS TO COMPLETE THE HIGHWAY 99W PEDESTRIAN OVERCROSSING PROJECT

WHEREAS, the Sherwood City Charter confers upon the City, a local municipal corporation, 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, multi-modal transportation facilities, and public 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 Highway 99W Pedestrian Overcrossing Project (CIP Project ID P-27, County TDT Project ID-4031) will establish a grade-separated multi-modal crossing (bridge) over SW Pacific Highway (OR-99W) due north of SW Sunset Blvd that is compliant with the Americans with Disabilities Act of 1990; and

WHEREAS, this resolution declares the need to acquire property interests to complete the Highway 99W Pedestrian Overcrossing Project and includes a list of properties, by Taxlot ID, impacted by the proposed project; and

WHEREAS, the Sherwood City Council deems it necessary and in the public interest to acquire real property interests, specifically public right-of-way, public access easements, public utility easements, and temporary construction easements, from the properties identified in Exhibits A, B, C, and D attached hereto and incorporated herein by reference, for the purpose of constructing, owning, operating, and maintaining the infrastructure installed by the Highway 99W Pedestrian Overcrossing Project; and

WHEREAS, it appears 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, C, and D attached hereto and incorporated herein by reference, for the purpose of completing the Highway 99W Pedestrian Overcrossing Project, 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 6th of June 2023.



Tim Rosener, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

Exhibit A (List of Properties Anticipated be Impacted by the Highway 99W Pedestrian Overcrossing Project)

Exhibit to the ROW resolution to be adopted by City Council on June 6th, 2023

See Exhibit B and Exhibit C for Taxlot Maps

PROPERTY INFORMATION			
<i>Casefile #</i>	<i>Owner Name</i>	<i>Taxlot ID</i>	<i>Site Address</i>
1	SHERWOOD-ROBINHOOD LODGE NO 2342	2S131B000600	22770 SW ELWERT RD, SHERWOOD, OR 97140
2	SHERWOOD SCHOOL DISTRICT 88J	2S2360000207	18800 SW HAIDE RD, SHERWOOD, OR 97140
3	City of Sherwood / YMCA of Columbia Willamette	2S131CB09100	23000 SW PACIFIC HWY, SHERWOOD, OR 97140

End of List of Impacted Properties

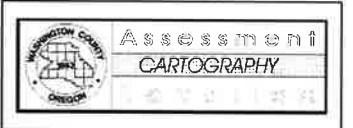
WASHINGTON COUNTY OREGON
NW 1/4 SECTION 31 T2S R1W
SCALE 1"= 200'



34	31	33	34	35	36	37	BB	BA	AB	AA
1	8	5	4	3	2	1	1	8	5	4
12	7	6	8	10	11	12	BC	BD	AC	AD
13	18	17	16	15	14	13	2	9	6	5
24	19	20	21	22	23	24	CC	CA	CB	DA
25	26	29	28	27	28	26	3	10	7	6
36	31	32	33	34	35	36	CC	CD	DC	DD
1	4	5	4	3	2	1	4	3	2	1

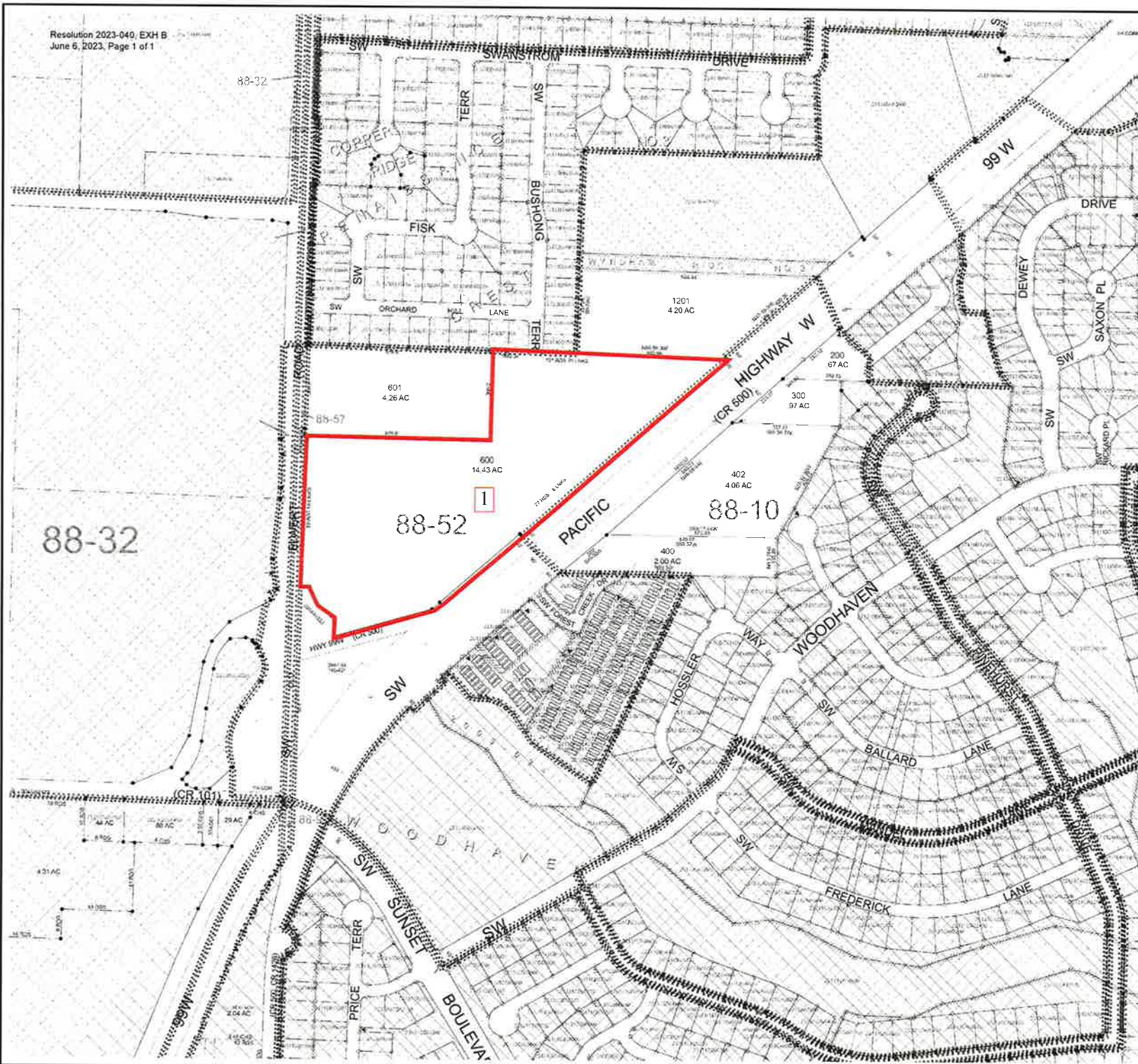
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us

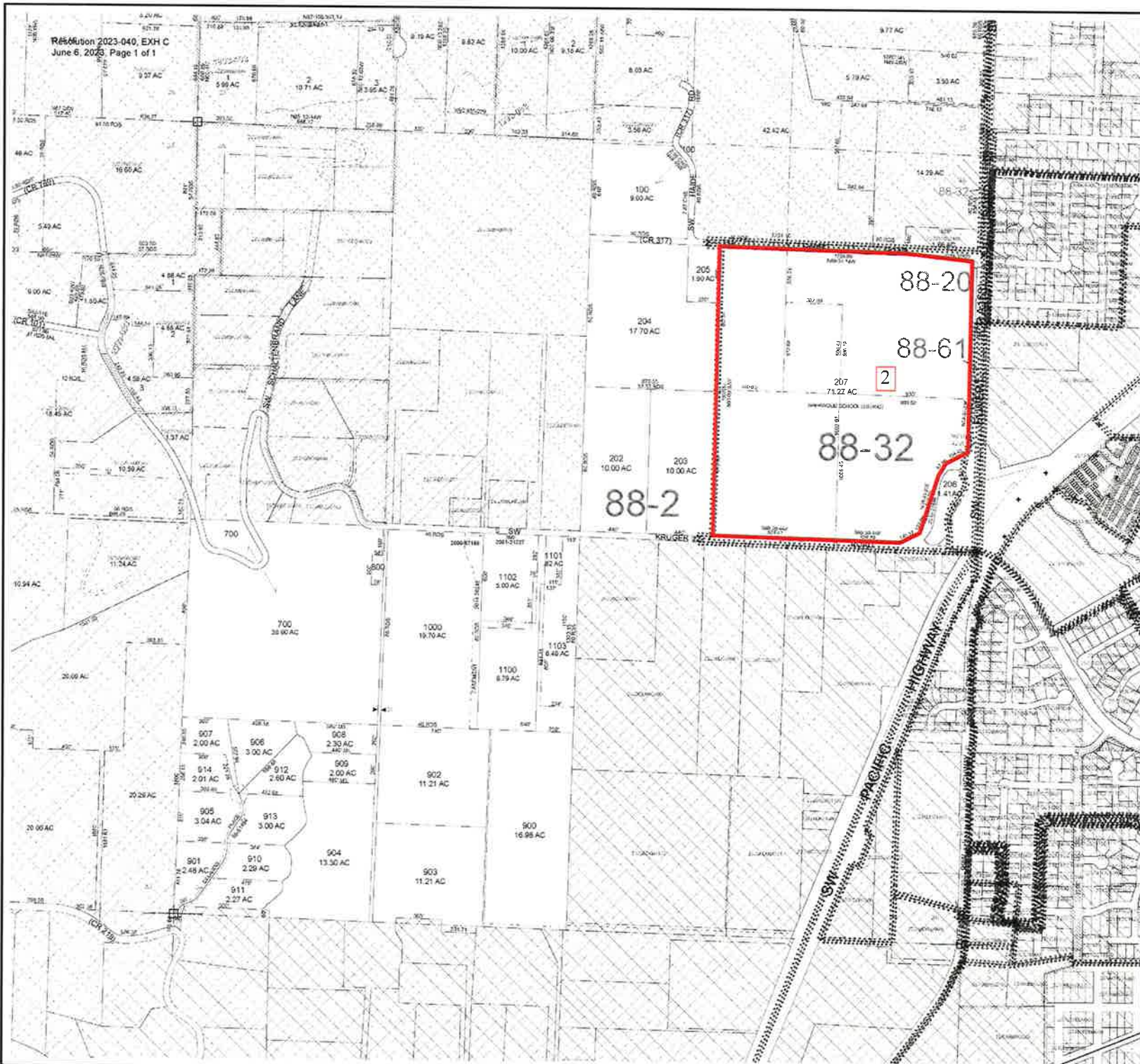
Cancelled Taxlots For: 2S131B
1200 1100 801 401 501 301 1300 700 1102 800 900 901 1000 100 500,
1500 1600 1700 1800 201, 1900-3500



PLOT DATE: 9/16/2022
FOR ASSESSMENT PURPOSES
ONLY - DO NOT RELY ON
FOR OTHER USE

Map user: Information is provided by or through a public utility provider and is provided as is and may not be accurate, current, complete, or correct. Please contact the utility provider for more information.





WASHINGTON COUNTY OREGON
SECTION 36 T2S R2W
SCALE 1" = 400'



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

BB	BA	AB	AA
BC	BD	AC	AD
CB	CA	DB	DA
CC	CD	DC	DD

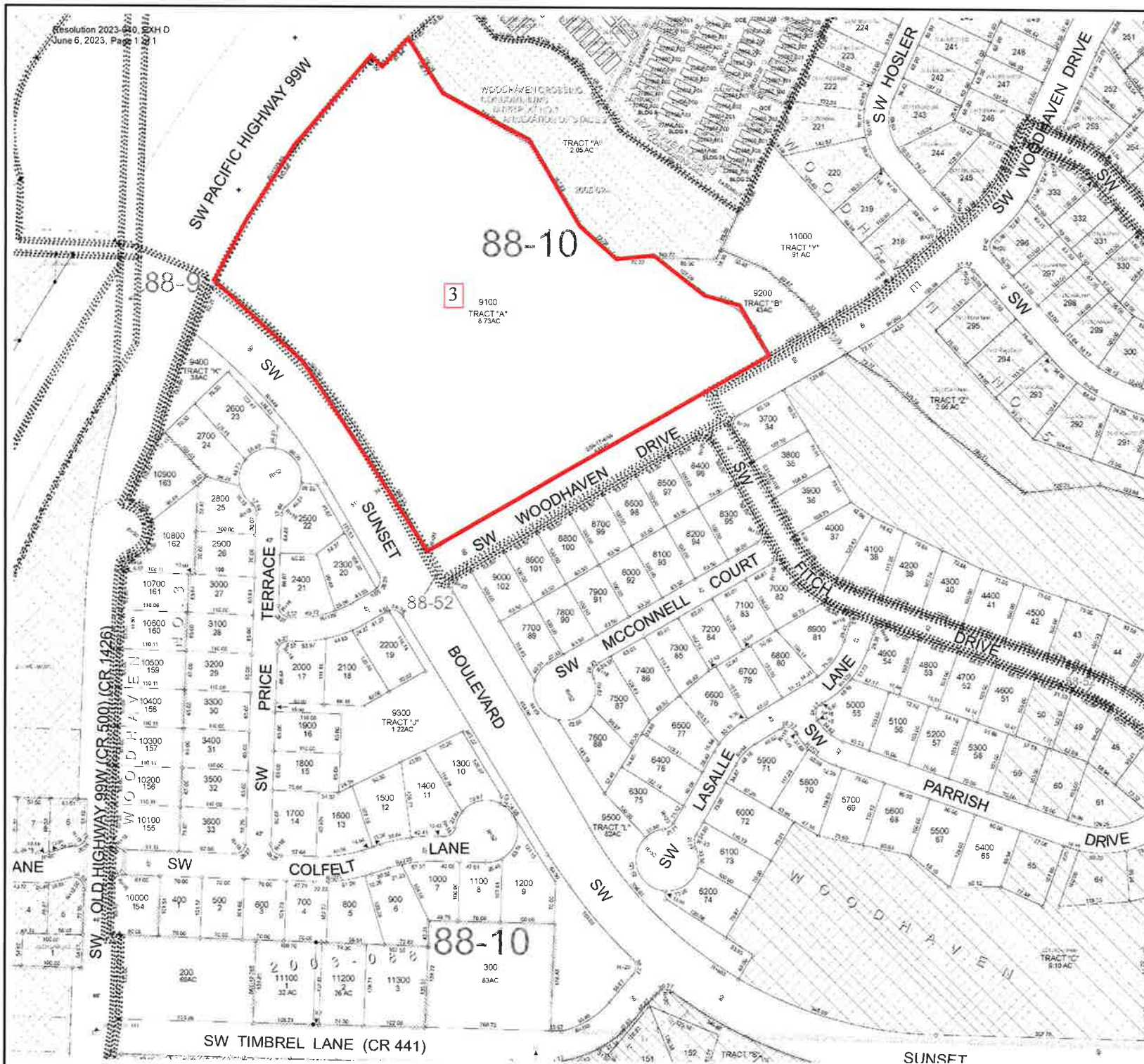
FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
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Cancelled Taxlots For: 2S236
609 610 402 403 614 101 613 605 612 617 300 400 401 404 405 406,
500 601 602 603 604 606 607 608 611 615 616 200 201



PLOT DATE: 4/11/2022
FOR ASSESSMENT PURPOSES
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WASHINGTON COUNTY OREGON
NW 1/4 SW 1/4 SECTION 31 T2S R1W
SCALE 1"= 100'

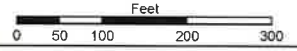


28	21	32	33	34	24	31	BB	BA	AB	AA
1	8	5	4	3	2	7	BC	BD	AC	AD
12	7	8	6	10	11	12	1	2	3	4
13	13	14	15	16	17	18	5	6	7	8
21	19	20	21	22	23	24	9	10	11	12
25	26	29	28	27	25	26	13	14	15	16
38	31	32	33	34	35	36	17	18	19	20
1	2	3	4	5	6	7	OC	OD	DC	DD

SECTION 31

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
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Cancelled Taxlots For: 2S131CB
100



PLAT DATE: 4/19/2022
 Edition 6
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