

THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE

URA RESOLUTION NO. 144

A RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY INTEREST FOR THE CONSTRUCTION OF A WESTSIDE NEIGHBORHOOD ELEMENTARY SCHOOL AND ASSOCIATED PLAYFIELDS AND AUTHORIZING TITLE TO VEST IN THE CITY OF WILSONVILLE

WHEREAS, under and by virtue of the laws of the State of Oregon and The Wilsonville West Side Urban Renewal Plan ("Plan"), the City of Wilsonville Urban Renewal Agency is duly authorized and empowered to acquire such real property as may be deemed necessary and proper for identified public improvements; and

WHEREAS, Plan Section V entitled "Urban Renewal Projects" provides for "The development of a public building, i.e. an elementary school and related playfields." and "Land acquisition and disposition."; and

WHEREAS, more specifically in Section V.B.1.a the Plan "authorizes the Agency to participate in the cost of acquisition and development of a site for an elementary school and associated playfields"; and

WHEREAS, Section V.B.1.a the Plan states that "an elementary school will serve and benefit the Area by helping create a complete community and by minimizing travel by students within the Area to other parts of the City"; and

WHEREAS, Section V.B.1.a the Plan states that "the associated playfields will provide an additional recreational amenity to residents of the Area and the general public"; and

WHEREAS, the West Linn-Wilsonville School District has stated that the minimum site size for an elementary school and associated playfields is 10 acres; and

WHEREAS, a 9.81 acres site owned by Sharon L. Lund, identified in Clackamas County Tax Records as 3S1W15 Tax Lot 1100 and Tax Lot 1101 (Exhibit A and Exhibit B – Title Reports), is within the Plan Area and is designated within the Villebois Master Plan as a future school site; and

WHEREAS, the appraised value of this site as established in a January 12, 2006 appraisal report prepared by Craig Zell, MAI, SRA is \$4,150,000; and

WHEREAS, the Urban Renewal Agency of the City of Wilsonville is authorized to acquire property by legal means, including eminent domain, for a public purpose; and

WHEREAS, the procedures for property acquisition requiring eminent domain shall conform to all statutory requirements to ensure that property owners' rights are fully respected.

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. There is needed and required, for the public purpose of developing an elementary school site and associated playfields for the residents of the City of Wilsonville and its Urban Renewal Area, acquisition of property interest of that property identified as 3S1W15 Tax Lot 1100 and Tax Lot 1101. The property interest is required as a result of the aforementioned public improvements, and the improvements have been planned and located in a manner most compatible with the greatest public good and the least private injury.

2. The Urban Renewal Agency staff and attorneys are authorized and directed to negotiate with the owners of the real property herein described as to the compensation to be paid for the acquisition of the property and is authorized to acquire the property for the appraised value of \$4,150,000. In the event agreement cannot be reached, the Urban Renewal Agency staff and attorneys are authorized to commence and prosecute to final determination such condemnation proceedings as may be necessary to acquire the real property or property interest.

3. Upon trial of and action of condemnation, the attorneys for the City are authorized to make such stipulation, agreement or admission as in their judgment may be in the best interests of the City.

4. The Urban Renewal Agency anticipates it will acquire the above-described property in the summer of 2006

5. In accordance with the above recitals, the City Manager acting as the Agency's Executive Director is authorized to transfer title of identified property to the City of Wilsonville by deed or directly through negotiation.

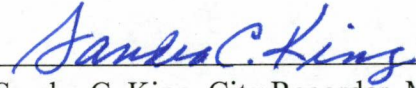
6. This resolution is effective upon adoption.

ADOPTED by the Wilsonville Urban Renewal Agency at a regular meeting thereof this 5th day of June, 2006 and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Board Chair

ATTEST:



Sandra C. King, City Recorder, MMC

SUMMARY OF VOTES:

Chair Lehan	Yes
Member Knapp	Yes
Member Ripple	Excused
Member Kirk	Yes
Member Holt	Yes

**COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: June 5, 2006
TO: Agency Board Chair and Members
FROM: Kristin Retherford, Urban Renewal Project Manager
SUBJECT: Acquisition of Property for an Elementary School Site and Associated Playfields

Summary: The City of Wilsonville's West Side Urban Renewal Plan (the "Plan") identifies the need for the development of an elementary school and related playfields within the Plan area and authorizes the Urban Renewal Agency to participate in the cost of acquisition and development. The elementary school will serve and benefit the Plan area by helping create a complete community and by minimizing travel by students within the Plan area to other parts of the City. The associated playfields will provide an additional recreational amenity to residents of the Plan area and the general public.

The West Linn-Wilsonville School District has stated that the minimum site size for an elementary school and associated playfields is approximately 10 acres. A 9.81 acre property owned by Sharon L. Lund lies within the Plan area and is identified within the Villebois Master Plan as a future school site.

Recommendation: As the Wilsonville area is experiencing rapidly increasing land costs, Staff recommends that the Urban Renewal Agency Board adopt a resolution authorizing acquisition of the above-mentioned property for the development of an elementary school site and associated playfields.

Kristin Retherford
Urban Renewal Project Manager

Date

DESCRIPTION

Parcel 1, PARTITION PLAT NO. 1994-182, in the County of Clackamas and State of Oregon.

GENERAL EXCEPTIONS (Standard Coverage Policies only)

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- b. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. a. Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records.
- b. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
4. a. Unpatented mining claims;
- b. Reservations or exceptions in patents or in Acts authorizing the issuance thereof;
- c. Water rights, claims or title to water;
- whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
5. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

SPECIAL EXCEPTIONS

6. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied, in addition thereto a penalty may be levied if notice of disqualification is not timely given.
7. Easements as dedicated or delineated on the recorded plat.
For: Perpetual common access and utility
Affects: The Northwest corner
8. An easement created by instrument, including terms and provisions thereof;
Dated: May 13, 1994
Recorded: May 13, 1994
Recorder's Fee No.: 94 40311
In Favor Of: The State of Oregon through its department of Environmental Quality
For: On-site sewage disposal system
Affects: See document for exact location

Said easement is also delineated upon the recorded plat.
9. Encroachment disclosed by Partition Plat 1994-182
Surveyor: G & L Land Surveying, Inc.
Survey No.: 1281
Being: Fences

NOTE: Property address is identified as:
11650 SW Tooze Road, Wilsonville, OR 97070

NOTE: We find no judgments or United States Internal Revenue liens against:
City of Wilsonville, a municipal corporation of the State of Oregon

NOTE: No search has been made or will be made for water, sewer, or storm drainage charges unless the city/service district

Order No.: 402180

claims them as liens (i.e., foreclosable) and reflects them on its lien docket at the date of closing. Buyers should check with the appropriate city bureau or water/service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

NOTE: Taxes for the fiscal year 2005-2006, paid in full;

Amount: \$1,544.94

Levy Code: 305-009

Account No.: 00812482

Map No.: 31W15

Tax Lot No.: 01100

END OF REPORT

cc:

CITY OF WILSONVILLE

SHARON L. LUND

DeHaas & Associates, Inc. Marlin J. DeHaas

de/grs

May 23, 2006

SECTION 15 T.3S. R.1W. W.M.
CLACKAMAS COUNTY

1" = 400'

This map was prepared for
assessment purpose only.

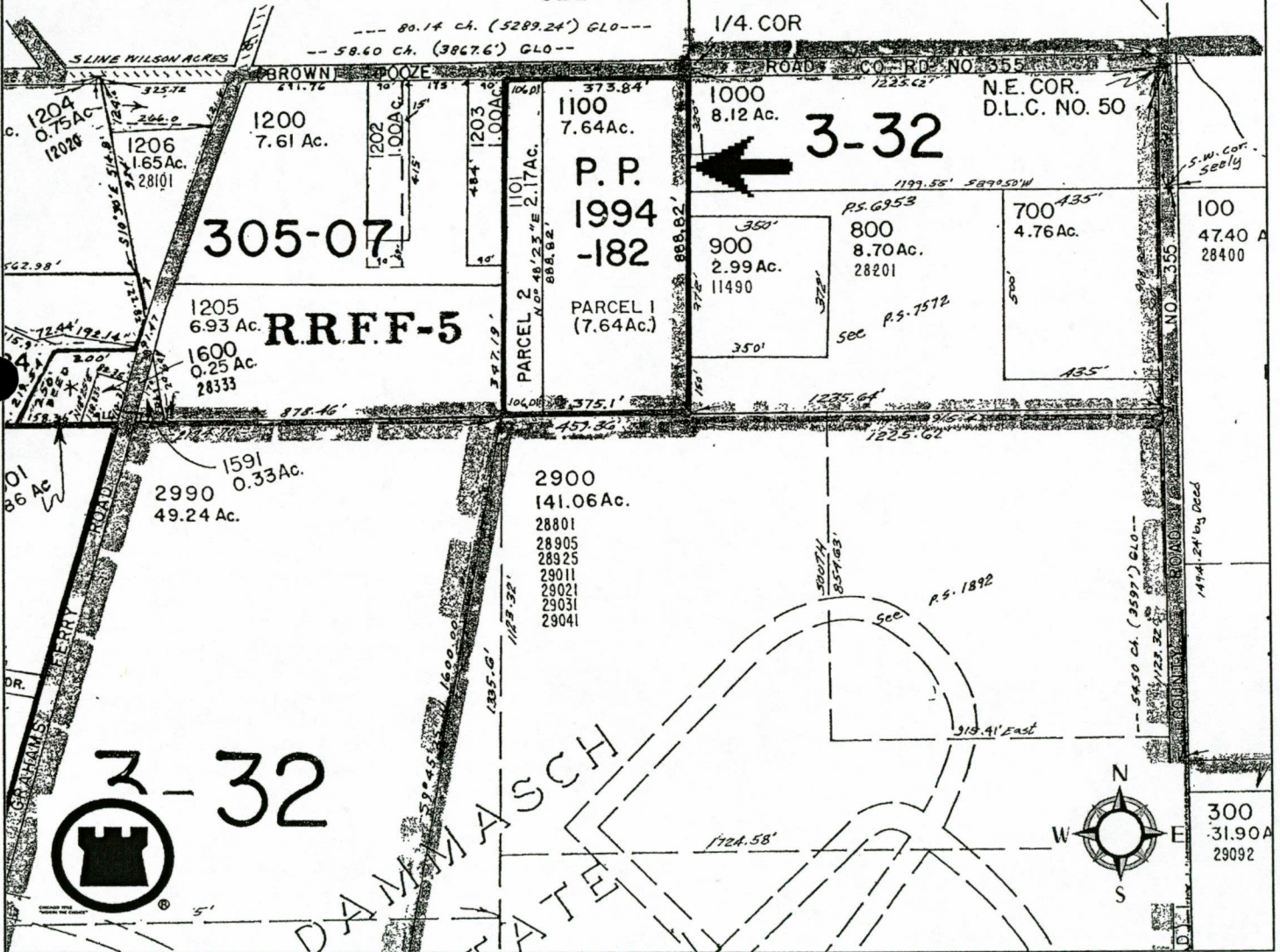
11500

305-01

SEE MAP 3 1W 10

1/4 COR

1501 Should
cause the north
line on road by deeds



CHICAGO TITLE

This plat is for your aid in locating your land with reference to streets and other parcels.
While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon.

Map No. 31W15 01100
CHICAGO TITLE INSURANCE COMPANY
10001 S.E. SUNNYSIDE ROAD
CLACKAMAS, OREGON 97015


Chicago Title Insurance Company of Oregon
**FIRST SUPPLEMENTAL
PRELIMINARY TITLE REPORT**

May 23, 2006

 TO: City of Wilsonville
 30000 SW Town Center Loop - E
 Wilsonville, OR 97070

 Order No.: 402181
 Escrow No.: -402181-
 Ref: LUND/CITY OF WILSONVILLE

ATTN.: Kristin Morse

Phone No.: (503)570-1561

ALTA Own. Policy (10/17/92) Coverage	\$ 1,000.00	Premium	\$ 200.00
Extended Lender's Coverage	to be determined	Premium	to be determined
Municipal Lien Search			\$ 50.00

We are prepared to issue a title insurance policy in ALTA (1992) form and amount shown above insuring the title to the property described herein. This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued, and the full premium therefore paid.

Dated as of: May 16, 2006 at 08:00 AM

Vestee: Sharon L. Lund

Subject to the exceptions, exclusions, conditions and stipulations which are part of said policy, and to exceptions as shown herein.

**CHICAGO TITLE INSURANCE COMPANY OF
OREGON**

 By: *Cindy Aleksa*

 Cindy Aleksa
 Title Officer
 10135 SE Sunnyside Road, Suite 200
 Clackamas, OR 97015
 phone (503)653-7300 fax (503)653-7763

DESCRIPTION

PARCEL II, PARTITION PLAT NO. 1994-182, in the County of Clackamas and State of Oregon

GENERAL EXCEPTIONS (Standard Coverage Policies only)

1. a. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
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NOTE: Property address is identified as:
11650 SW Tooze Road, Wilsonville, Oregon 97070, USA

NOTE: No search has been made or will be made for water, sewer, or storm drainage charges unless the city/service district claims them as liens (i.e., foreclosable) and reflects them on its lien docket at the date of closing. Buyers should check with the appropriate city bureau or water/service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

NOTE: Taxes for the fiscal year 2005-2006, paid in full;
Amount: \$790.98
Levy Code: 305-009
Account No.: 01638017
Map No.: 31W15
Tax Lot No.: 01101

NOTE: Taxes for the fiscal year 2005-2006, paid in full;
Amount: \$638.01
Levy Code: 305-009
Account No.: 01612348
Mobile Home No.: X228062

END OF REPORT

cc:
CITY OF WILSONVILLE
SHARON L. LUND

Order No.: 402181

DeHaas & Associates, Inc. Marlin J. DeHaas

ca/grs
May 23, 2006

SECTION 15 T.3S. R.1W. W.M
CLACKAMAS COUNTY

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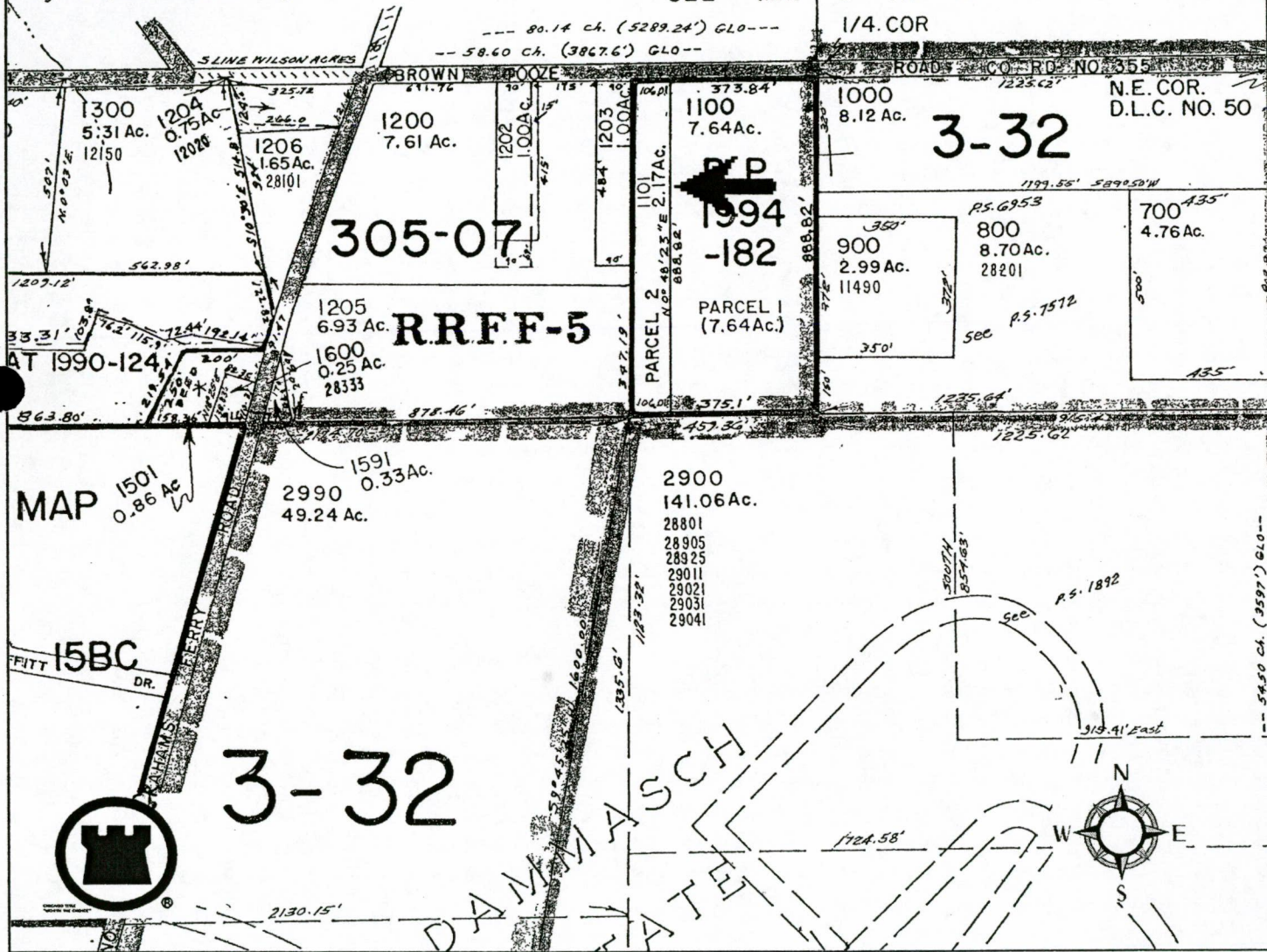
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11500

305-01

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SEE MAP 3 IW 10



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CLACKAMAS, OREGON 97015



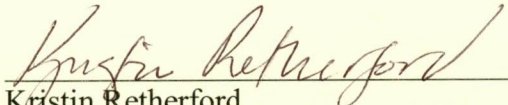
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Kristin Retherford
Urban Renewal Project Manager

5-31-06

Date