CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 11-45

A RESOLUTION DECLARING THE NEED TO ACQUIRE PROPERTY FOR THE PURPOSE OF CONSTRUCTING, OPERATING AND MAINTAINING A POTABLE WATER PUMP STATION AS PART OF THE LAKE OSWEGO-TIGARD WATER PARTNERSHIP AND AUTHORIZING IMMEDIATE POSSESSION OF THE PROPERTY

WHEREAS, the City Charter grants the City of Tigard ("City") the authority to acquire land for public purposes; and

WHEREAS, the City is authorized by ORS 223.005 ct seq. and ORS 35.015 et seq. to purchase, acquire, take, use, enter upon and appropriate land and property within or without its corporate limits for the purpose provided in those statutes; and

WHEREAS, the cities of Tigard and Lake Oswego are working together to develop a new water system that will meet both communities' future water needs; and

WHEREAS, the new water system necessitates the construction of several capital improvement projects, including the potable water pump station; and

WHEREAS, the potable water pump station will move water, via Tigard's distribution system, to customers and to several storage facilities; and

WHEREAS, the City needs to acquire real property on which it can construct, operate and maintain the potable water pump station; and

WHEREAS, the best location for the potable water pump station is a vacant, 1.8-acre parcel located on Milton Court ("Property") because it:

- Is located in close proximity to emergency interties and existing water transmission pipelines within Bonita Road.
- Enables the city to distribute water to customers in the 410- and 470-foot zones and transmit water directly to several reservoirs.
- Allows the city to maintain water quality standards throughout the system and when transitioning from Portland to Lake Oswego water.
- Involves the least private injury; and

WHEREAS, immediate possession of the Property is necessary due to the time and resource constraints of getting the new water system online by 2016; and

WHEREAS, the acquisition of this Property is necessary is for the health, safety, benefit, and general welfare of the public and to operate the water system that serves 58,000 customers who reside in the Tigard Water Service Area.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City does hereby find and declare that Property located in the City of Tigard, Washington County, Oregon is immediately needed and required for the construction, operation, and maintenance of a potable water pump station to provide water to the 58,000 customers within the Tigard Water Service Area. This Property is described and depicted in Exhibit A; this exhibit is incorporated herein by this reference.

SECTION 2: The City does hereby find the acquisition of the Property is necessary and is in the public interest, and the improvements to the Property will be planned, designed, located and constructed in a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

SECTION 3: The city manager, city's agent, and the city's real estate attorney are authorized to negotiate with the owners and other persons who have an interest in the compensation for the Property.

SECTION 4: In the event that no satisfactory agreement can be reached on the Property purchase, the city's real estate attorney is directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the Property, including exercise of eminent domain, and upon the filing of such proceedings, possession of the Property therein may be taken immediately to the extent provided by law.

SECTION 5: This resolution is effective immediately upon passage.

PASSED: This 20th day of December 2011.

Gretchen E Bell

~~Mayor~~ - City of Tigard
Council President

ATTEST:

Catherine Wheatley

City Recorder - City of Tigard

Res. NO. 11-45

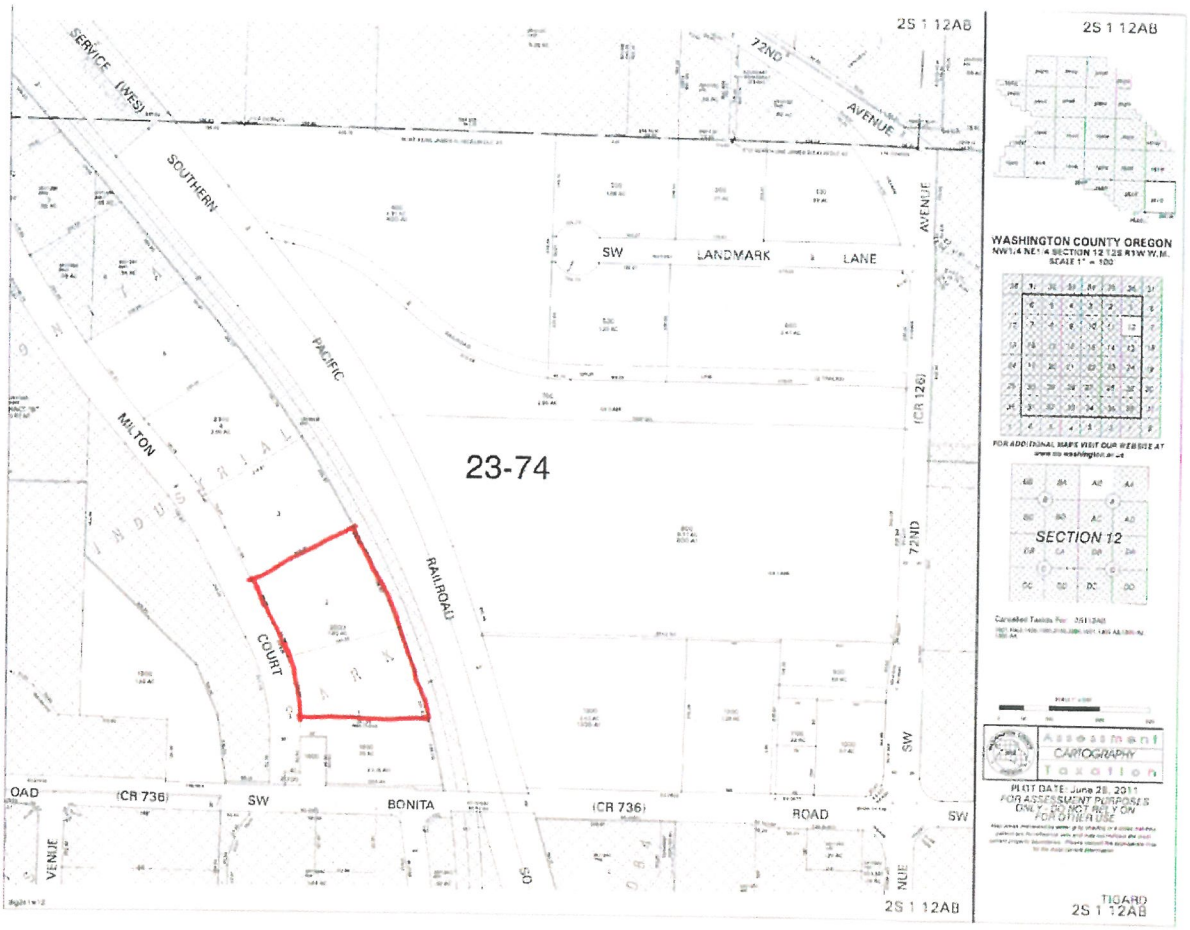
EXHIBIT "A"

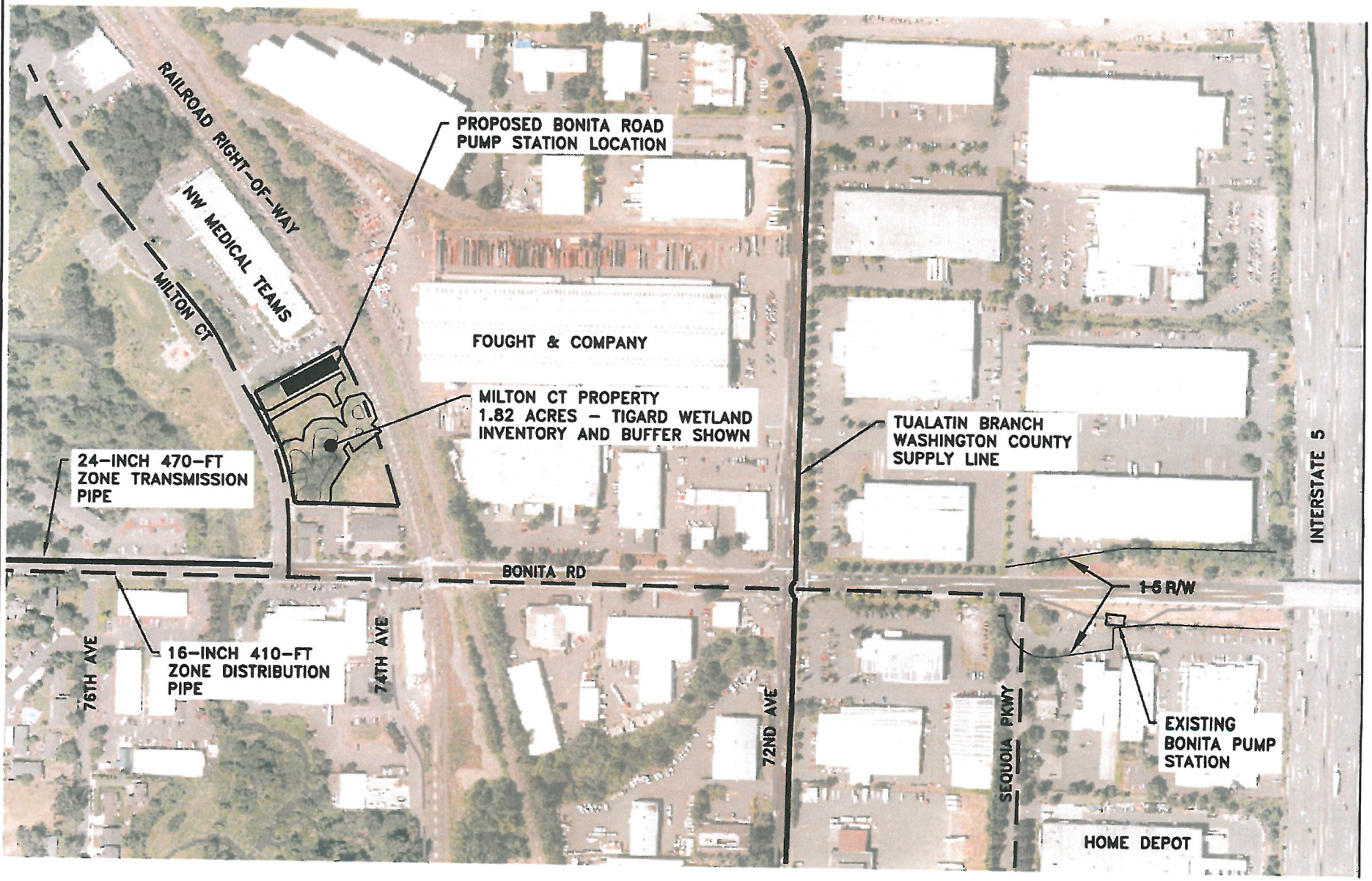
ALL OF LOT 2 AND A PORTION OF LOT 1, "BONITA INDUSTRIAL PARK" A PLAT OF RECORD IN THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF TIGARD, WASHINGTON COUNTY, OREGON SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MOST WESTERLY LINE OF SAID LOT 1, WHICH POINT BEARS NORTH 04°20'02" WEST 41.46 FEET FROM THE MOST WESTERLY SOUTHWEST CORNER OF LOT 1 SAID POINT OF BEGINNING ALSO BEING ON THE EAST RIGHT OF WAY LINE OF SW MILTON DRIVE, AND RUNNING THENCE NORTH 89°17'03" EAST 251.59 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE ALONG THE BOUNDARY OF SAID LOT 188.30 FEET ALONG THE ARC OF A 1736.73 FOOT RADIUS NON TANGENT CURVE TO THE LEFT (THE LONG CHORD OF WHICH BEARS NORTH 19°19'09" WEST 188.21 FEET) TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 73°02'59" WEST, ALONG THE SOUTH LINE THEREOF, 226.46 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE 118.20 FEET ALONG THE ARC OF A 505.00 FOOT RADIUS NON TANGENT CURVE TO THE RIGHT (THE LONG CHORD OF WHICH BEARS SOUTH 13°23'34" EAST 117.94 FEET) TO THE POINT OF BEGINNING.

CONTAINING 79361 SQUARE FEET TOTALLY, MORE OR LESS.

THE PURPOSE OF THIS DESCRIPTION IS TO ACCOMPLISH A LOT LINE ADJUSTMENT.


2S 1 12AB
SERVICE (WES)
SOUTHERN
PACIFIC
RAILROAD
72ND
AVENUE
SW
LANDMARK
LANE
(CR 126)
MILTON
COURT
23-74
(CR 736)
BONITA
ROAD
WASHINGTON COUNTY OREGON
SECTION 12
Assessment
CARTOGRAPHY
Taxation
PLOT DATE: June 28, 2011
FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE
TIGARD
2S 1 12AB



Plotted by:RAY WOOLF on Friday, October 21, 2011 at 9:35:23 AM from the 8.5X11 FIGURE BORDER layout tab
File Name/Path:L:\ENG\~PROJECTS\2010-2011 FY CIP\C3D PROJECTS\TIGARD-LO PUMP STATION\TITLEBLOCK_RAY.DWG

Lake Oswego · Tigard Water Partnership

TIGARD

ENGINEERING DIVISION
PUBLIC WORKS DEPARTMENT
13125 S.W. HALL BLVD.
TIGARD, OREGON 97223
VOICE: 503-639-4171
FAX: 503-624-0752
WWW.TIGARD-OR.GOV

BONITA PUMP STATION SITE SELECTION

FIGURE 1

FILE NO