

## **RESOLUTION No. 2016-3283**

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**A RESOLUTION AUTHORIZING THE ACQUISITION OF STORM DRAINAGE AND ACCESS EASEMENTS FOR THE BLAINE STREET STORMWATER IMPROVEMENT PROJECT**

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### **RECITALS:**

1. Under the laws of the State of Oregon, the City of Newberg is authorized and empowered to locate, acquire, access, install, construct, use, repair and maintain stormwater pipe conveyance systems with appurtenant structures across private property as are necessary and proper for the city in the judgment of the Council.
2. Under the laws of the State of Oregon, the City of Newberg may acquire by purchase, gift, condemnation proceedings, or otherwise, storm drainage and access easements as are necessary and/or proper to exercise its powers in the judgment of the Council.
3. It is necessary and in the public interest to acquire the storm drainage and access easement over the Schmidt's property (Tax Lot Nos R3219AC 05201 and R3219AC 04301) and possibly others for the purpose of constructing, maintaining, repairing, and reconstructing stormwater improvements in the City of Newberg.
4. The stormwater pipe conveyance system is being planned and located in a manner that is most compatible with the greatest public good and the least private injury.
5. The acquisition of the storm drainage and access easement will be performed by the city's consultant, Project Delivery Group, LLC., for the Blaine Street Storm Improvements Project.

### **THE CITY OF NEWBERG RESOLVES AS FOLLOWS:**

1. The Council finds that it is necessary, required and in the public interest for the Blaine Street Stormwater Improvement Project, that storm drainage and access easements, including the easement over the Schmidt's property as shown in Exhibit "A" which is hereby adopted and by this reference incorporated, be acquired through negotiations.
2. The city staff, assisted by the city's consultant, is directed to begin negotiations to acquire the storm drainage and access easement in accordance with all applicable laws, rules, and regulations governing such acquisition. Any agreement for the easement acquisition is subject to Council approval.

➤ **EFFECTIVE DATE** of this resolution is the day after the adoption date, which is: April 19, 2016.  
**ADOPTED** by the City Council of the City of Newberg, Oregon, this 18<sup>th</sup> day of April, 2016.

  
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Sue Ryan, City Recorder

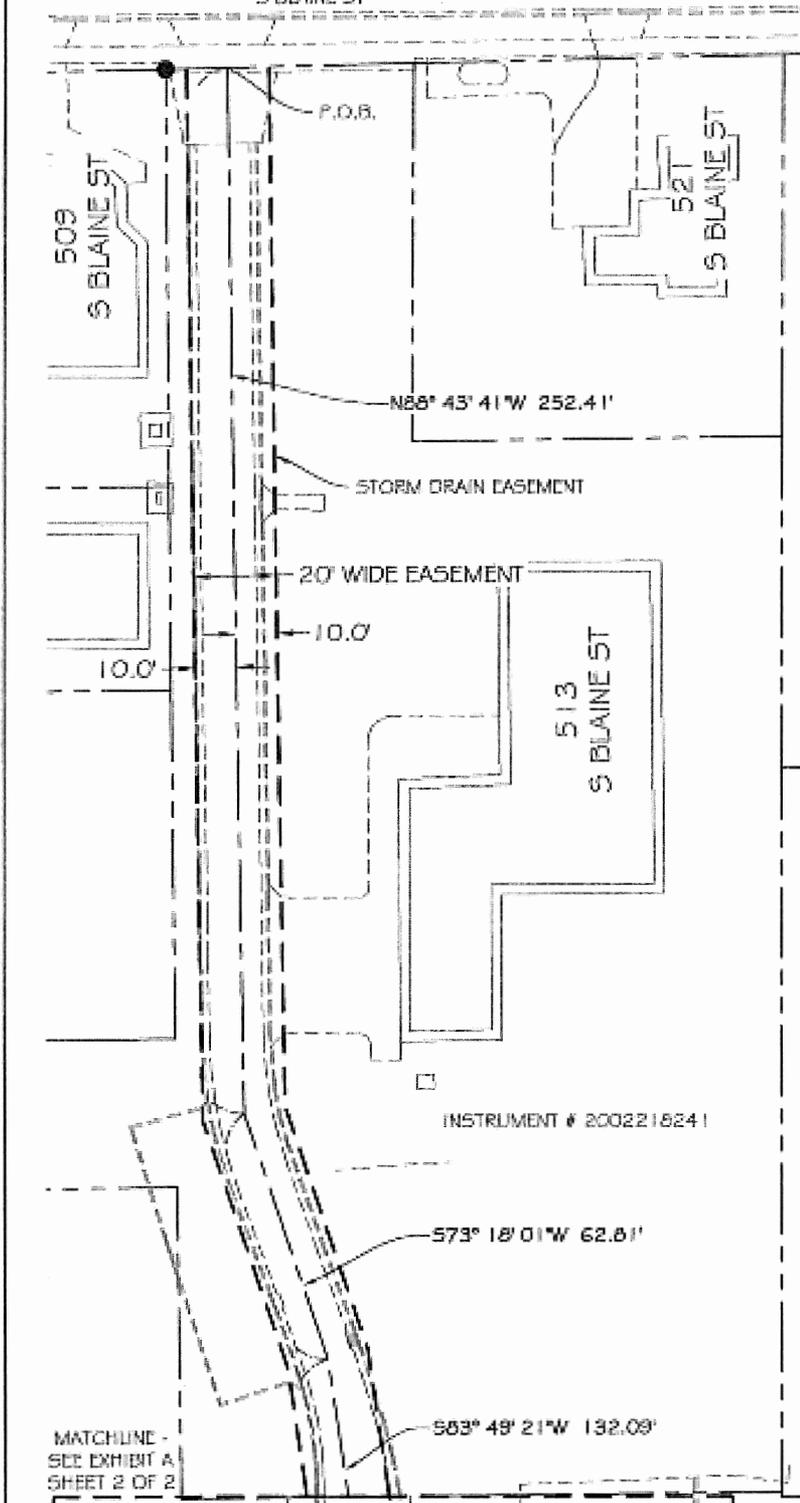
**ATTEST** by the Mayor this 21st day of April, 2016.

  
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Bob Andrews, Mayor

**EXHIBIT "A" - 1**

PIPELINE EASEMENT

LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON



03/17/2014  
**REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR**

*Paul M. Kowalczyk*

**OREGON  
 DECEMBER 03, 2014  
 PAUL M. KOWALCZYK  
 79315**

RENEWAL DATE: JUNE 30, 2017

Plot: 0011/2014 - 03/17/2014

P:\2015 Projects\15281 Blaine Street Storm Improvements\The City\GIS\GIS\0011\15281\_Storm\_2014\_Improvements\_03/17/2014.dwg

INSTRUMENT # 2002216241

MATCHLINE -  
 SEE EXHIBIT A  
 SHEET 2 OF 2



EXHIBIT "A"  
**PROPOSED PUBLIC STORM DRAIN EASEMENT**

SHEET 1 OF 2

EXHIBIT "A" - 2

**PIPELINE EASEMENT**  
 LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER  
 OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 2 WEST, OF THE  
 WILLAMETTE MERIDIAN, CITY OF NEWBERG, YAMHILL COUNTY, OREGON

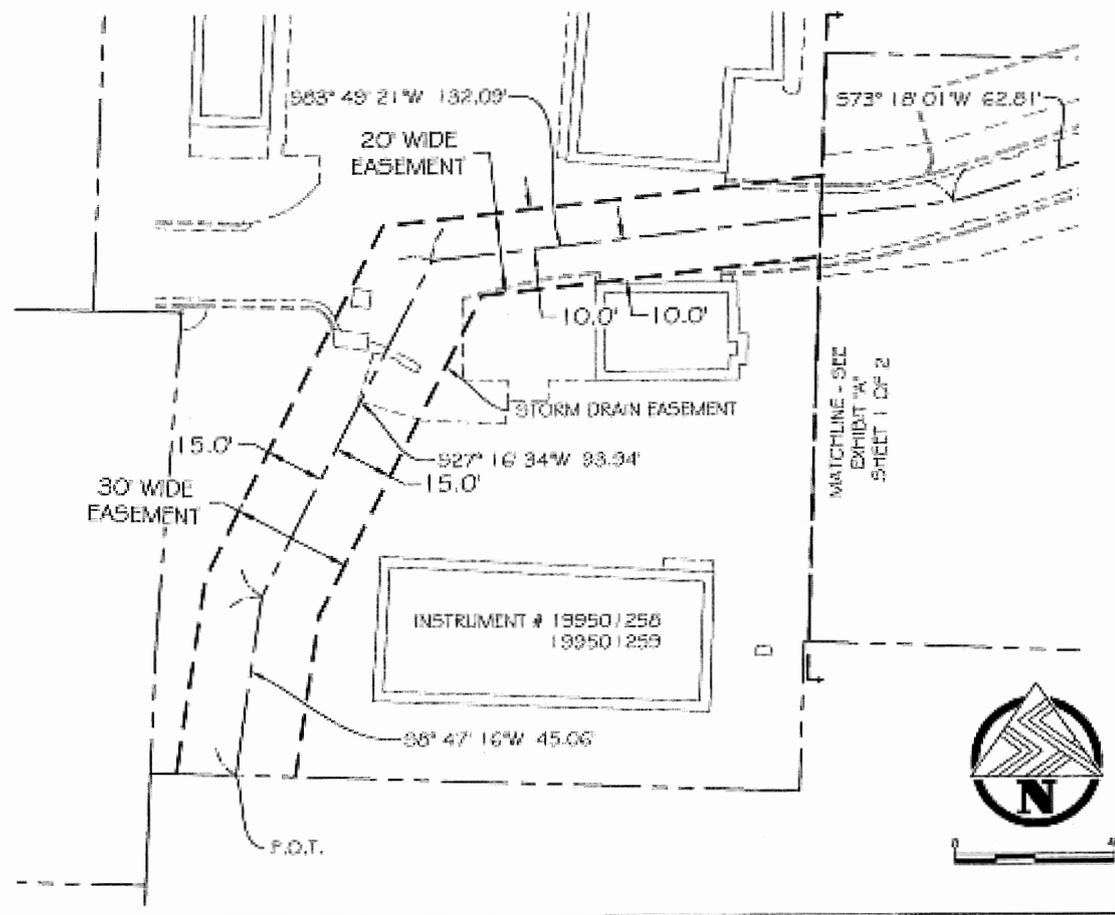
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 LAND SURVEYOR**

*Paul M. Kowalczyk*

**OREGON  
 DECEMBER 03, 2014  
 PAUL M. KOWALCZYK  
 79315**

RENEWAL DATE: JUNE 30, 2017

K:\Data Projects\15551 Main St Storm Improvement\The City\GIS\GIS\15551\_Storm Drain Easement Final.dwg  
 Plot Date/Time: 3/17/2016 - 4:55am  
 Project: 15551 Main St Storm Improvement



**EXHIBIT "A"**  
**PROPOSED PUBLIC STORM DRAIN EASEMENT** SHEET 2 OF 2