

RESOLUTION NO. 3223

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING ACQUISITION OF PROPERTY RELATED TO CONSTRUCTION OF THE BOECKMAN CREEK FLOW MITIGATION PROJECT (CIP #7068) AND AMENDING RESOLUTION NO. 3167.

WHEREAS, the City Council adopted Resolution No. 3167 on January 6, 2025, which authorizes the City to acquire certain property interests in connection with the Boeckman Creek Flow Mitigation Project; and

WHEREAS, when Resolution No. 3167 was adopted, the City anticipated needing a stormwater easement from the property owner Branchley Estates Owners Association with respect to the certain real property within the area described in the attached **Exhibit A** (the "Property"); and

WHEREAS, the City and Branchley Estates Owners Association mutually agree that it is in both parties' interest for the City to take title to the Property rather than acquiring a stormwater easement; and

WHEREAS, the City desires to amend Resolution no. 3167 to allow the City to take title to the Property; and

WHEREAS, title to the Property interest shall be acquired using City funds and title to the acquired land will vest in the name of the City of Wilsonville to provide for necessary care, maintenance and public safety authority.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

Section 1. Determinations and Findings. The City adopts the above recitals and the staff report accompanying this Resolution as findings of the City Council. The land described in **Exhibit A** is necessary for the construction of the Boeckman Creek Flow Mitigation Project.

Section 2. Authorization. The City's project consultant, Brown & Caldwell, right-of-way consultant, City staff, and the City Attorney are authorized and directed to negotiate with the owner of the Property as to the compensation to be paid for the acquisition of the Property, and to take title to the Property. In the event that there are required modifications to the legal descriptions as the Project moves forward, the City Engineer is authorized to modify the attached legal descriptions, as necessary, to conform to final engineering design for the Project.

Section 3. Amendment of Existing Resolutions. Upon adoption of this Resolution by the City Council, Resolution No. 3167 is hereby amended as to the acquisition of Tract J referenced therein.

Section 4. Effective Date. This Resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 1st day of December, 2025, and filed with the Wilsonville City Recorder this date.

Shawn O'Neil, Mayor

ATTEST:

Kimberly Veliz, MMC, City Recorder

SUMMARY OF VOTES:

Mayor O'Neil

Council President Berry

Councilor Cunningham

Councilor Scull

Councilor Shevlin

EXHIBITS:

- A. Legal description of real property owned by Brenchley Estates Owners Association