

**CITY OF MILWAUKIE**  
RESOLUTION NO. 10 -1999

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING THE NEED TO ACQUIRE PROPERTY FOR THE PURPOSE OF ASSEMBLING LOTS FOR PARK IMPROVEMENTS.**

WHEREAS, the Milwaukie City Charter grants the City authority to acquire land for public purposes; and

WHEREAS, the City of Milwaukie is authorized by ORS 226.320 to purchase, acquire, take, use, enter upon and appropriate land and property within or without its corporate limits for the purpose of establishing or enlarging public recreation and accommodation facilities including parks, public squares, playgrounds, or comfort stations; and

WHEREAS, for the public purposes of establishing and improving park lands within the Hector Campbell Neighborhood within the City of Milwaukie for the health, safety, benefit and general welfare of the public, the City Council has deemed necessary the acquisition of certain properties;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE that

1. The City of Milwaukie City Council does hereby find and declare that there is needed and required for construction, operation, maintenance, repair and improvement of park property located in the City of Milwaukie, Clackamas County, Oregon as described in Exhibit "A" attached hereto and incorporated herein by this reference; and

2. The improvement of parks for which the real property and interest are described herein are required and are being taken as necessary in the public interest and the improvements to said property will be planned, designed, 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; and

3. The Milwaukie City Manager and the City's attorneys are authorized to attempt to agree with the owners and other persons in interest in the real property described herein as to the compensation to be paid for the appropriation of the property, and in the event that no satisfactory agreement can be reached, then the attorneys for the City of Milwaukie be and the same hereby are directed and authorized to commence and prosecute to final determination such proceedings as may be necessary to acquire the real property and interest therein and that upon the filing of such proceeding, possession of the real property and interest therein may be taken immediately.

Introduced and adopted by the City Council on this 2 day of February  
1999.

CITY OF MILWAUKIE

By Carolyn Tomei  
Carolyn Tomei, Mayor

ATTEST:

Pat DuVal  
Pat DuVal, City Recorder

APPROVED AS TO FORM:

Janette V. Ramis  
Ramis, Crew, Corrigan & Bachrach

EXHIBIT "A"

LEGAL DESCRIPTION:

PARCEL I:

Part of the North one-half of Lot 2 in Block 4, HOMEWOOD PARK, in the City of Milwaukie, County of Clackamas and State of Oregon, described as:

Beginning at an iron pipe at the Northeast corner of said Lot 2; thence North 89° 17' West along the North line of said Lot 2, 200 feet to an iron pipe which is the Northeast corner and the true place of beginning of the tract to be described; thence continuing North 89° 17' West along the North line of said Lot 2, 100 feet to an iron pipe; thence South parallel with the East line of said Lot 2, 75.0 feet to an iron pipe; thence South 89° 17' East parallel with the North line of Lot 2, 100 feet to a point; thence North parallel with the East line of said Lot 2, 75.0 feet to the true point of beginning.

PARCEL II:

The East 100 feet of the West 200 feet of the South one-half of Lot 1, Block 4, HOMEWOOD PARK, in the City of Milwaukie, County of Clackamas and State of Oregon.