

**RESOLUTION NO. 2022-25**

A RESOLUTION INITIATING A CLASS 2 VACATION OF TWO PUBLIC UTILITY EASEMENTS AND ONE SIDEWALK EASEMENT ADJACENT TO REED ROAD SE AT ITS INTERSECTIONS WITH STRONG ROAD SE AND LINDBURG ROAD SE.

**Whereas**, Reed Road SE between Strong Road SE and Lindburg Road SE is to be improved to City standards as part of a residential development project; and

**Whereas**, three existing public utility and sidewalk easements must be vacated in order for the developer to dedicate the improved street back to the City; and

**Whereas**, the City Council may initiate a Class 2 vacation by adopting a resolution pursuant to SRC 255.065(b)(1)(B);

NOW, THEREFORE, THE CITY COUNCIL OF SALEM, OREGON, RESOLVES AS FOLLOWS:

**Section 1.** Pursuant to SRC 255.065(b)(1)(B), City Council hereby initiates a Class 2 vacation of two public utility easements and one sidewalk easement adjacent to Reed Road SE at its intersections with Strong Road SE and Lindburg Road SE;

**Section 2.** Legal descriptions and maps of the proposed areas to be vacated are attached hereto and incorporated herein by this reference as set forth in Exhibit A-1, A-2, A-3, B-1, B-2, and B-3.

**Section 3.** Notice of this proposed vacation and a public hearing shall comply with SRC 255.065(b)(5);

**Section 4.** This resolution is effective upon adoption.

ADOPTED by the City Council this 9<sup>th</sup> day of May, 2022.

ATTEST:

City Recorder

Approved by City Attorney: \_\_\_\_\_

Checked by: A. Gamallo

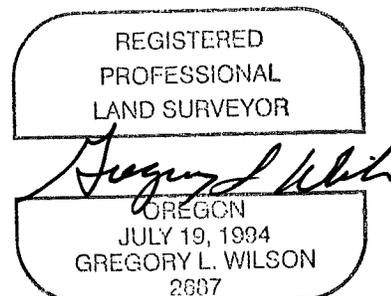
EXHIBIT A-1

**Legal Description For:  
Vacation of Public Sidewalk Easement  
Granted in Partition Plat 2014-3**

A strip of land, variable in width, situated in the northeast one-quarter of Section 11, Township 8 South, Range 3 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, being a portion of Parcel 1 of Partition Plat 2019-67, as platted and recorded in the Marion County Book of Partition Plats, said strip being more particularly described as follows:

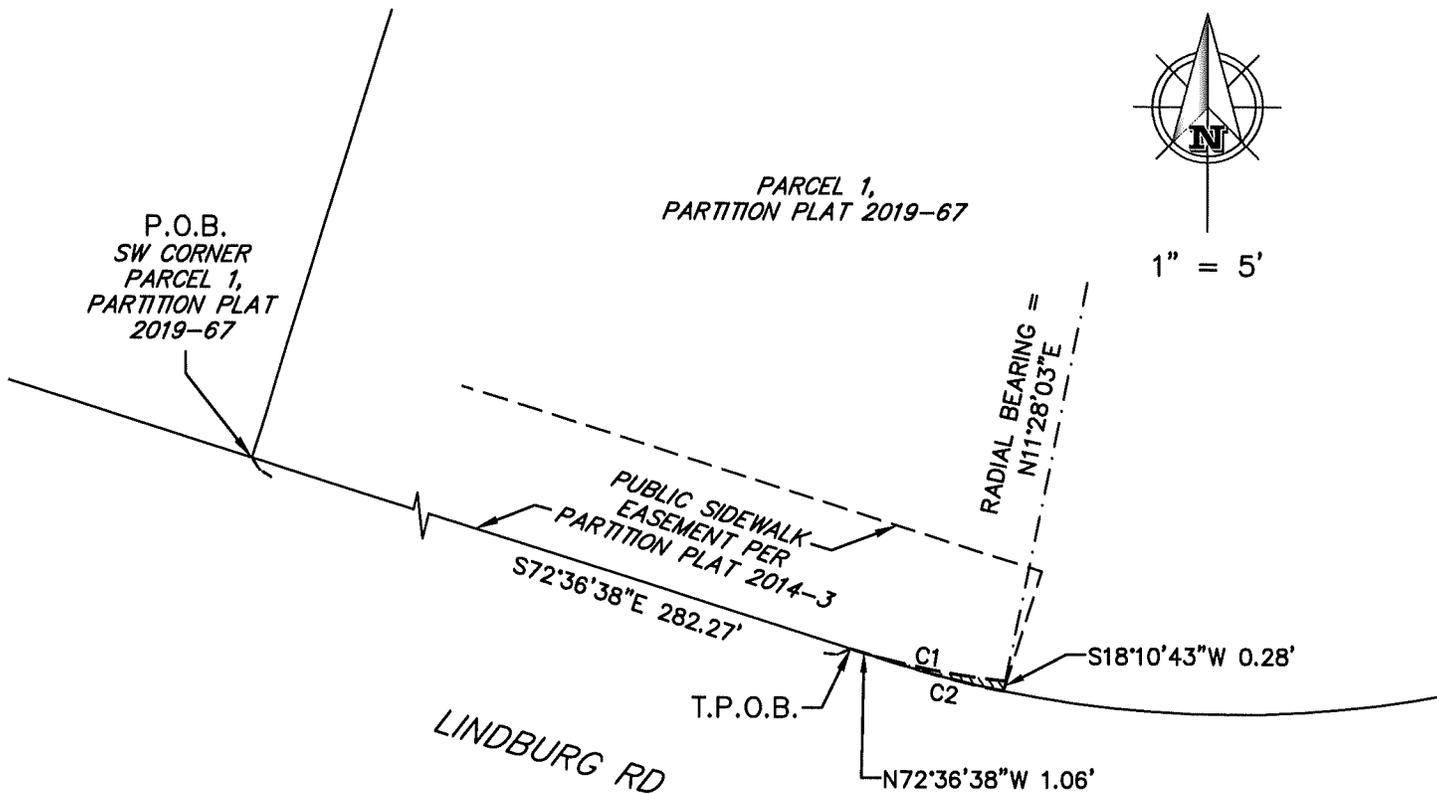
Beginning at the southwest corner of said Parcel 1, Partition Plat 2019-67, said point being on the northerly right of way of Lindburg Road; thence South  $72^{\circ}36'38''$  East 282.27 feet along said northerly right of way to the TRUE POINT OF BEGINNING of this description; and running thence: leaving said northerly right of way, Southeasterly along the arc of a 20.00-foot radius curve to the left (the chord of which bears South  $78^{\circ}36'31''$  East 4.18 feet) 4.18 feet to a point on the east edge of that Public Sidewalk Easement granted in Partition Plat 2014-3 (specifically in Parcel 3 of said plat), as platted and recorded in the Marion County Book of Partition Plats; thence South  $17^{\circ}24'01''$  West 0.28 feet along said east edge to the southeast corner of said Public Sidewalk Easement, said point being on the aforementioned northerly right of way of Lindburg Road, said point being the beginning of a 30.00-foot radius non-tangent curve concave to the Northeast; thence Northwesterly along the arc of said non-tangent curve to the right (whose radius point bears North  $11^{\circ}28'03''$  East and the chord of which bears North  $75^{\circ}34'18''$  West 3.10) 3.10 feet along said northerly right of way to a point of tangency; thence North  $72^{\circ}36'38''$  West 1.06 feet along said northerly right of way to the TRUE POINT OF BEGINNING, containing 0.44 square feet of land, more or less.

Bearings hereon are based on Partition Plat 2019-67 (specifically along the northerly right of way of Lindburg Road)



EXPIRES: 6-30-22

# EXHIBIT B-1



## LEGEND

P.O.B. = POINT OF BEGINNING  
T.P.O.B. = TRUE POINT OF BEGINNING

CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING & DIST.
C1	20.00'	11°59'47"	4.19'	S78°36'31"E 4.18'
C2	30.00'	05°55'19"	3.10'	N75°34'18"W 3.10'

REED RD (MR 25)

**PUBLIC SIDEWALK  
EASEMENT  
VACATION**

  
VACATION AREA  
= 0.44 SQ FT

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

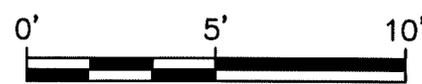
*Gregory L. Wilson*

OREGON  
JULY 19, 1994  
GREGORY L. WILSON  
2687

EXPIRES: 6/30/2022

**BARKER SURVEYING**  
3657 KASHMIR WAY SE  
SALEM, OREGON 97317  
PHONE (503) 588-8800

DATE: 3/30/2022  
DRAWN BY R.J.C.



OWNER:  
MWIC GROVE 2 LLC  
201 FERRY ST. SE  
SUITE 400  
SALEM, OR 97301

N.E. 1/4 SEC. 11,  
T. 8 S., R. 3 W., W.M.,  
CITY OF SALEM,  
MARION COUNTY, OREGON

R. 4541, P. 37, MCDR

EXHIBIT A-2

**Legal Description For:  
Vacation of Public Utility Easement  
Granted in the Plat of LINDBURG GREEN**

A strip of land, variable in width, situated in the northeast one-quarter of Section 11, Township 8 South, Range 3 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, being a portion of Parcel 1 of Partition Plat 2019-67, as platted and recorded in the Marion County Book of Partition Plats, said strip being more particularly described as follows:

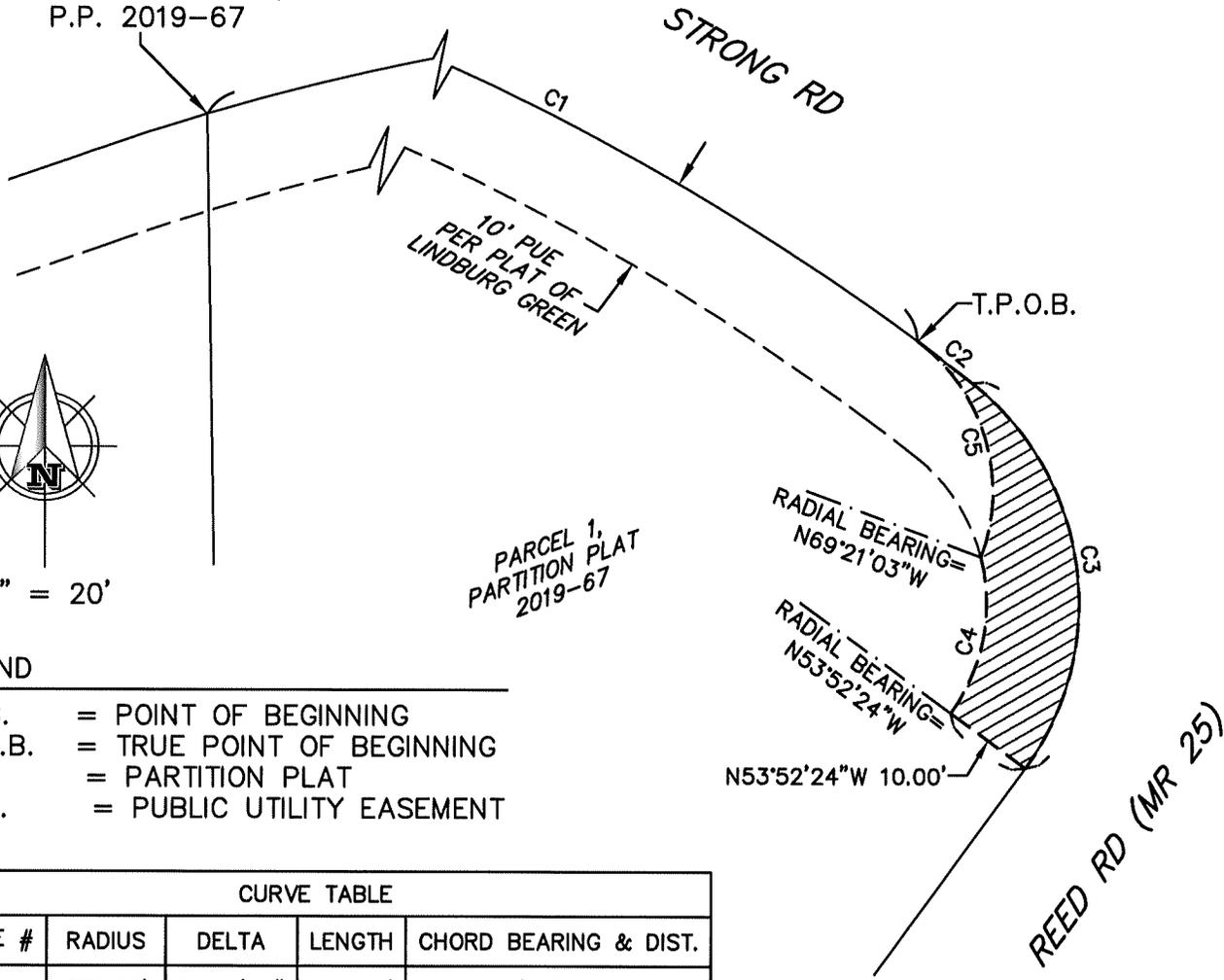
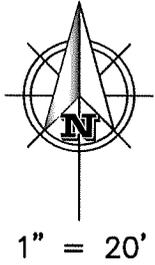
Beginning at the most Northerly northwest corner of said Parcel 1, Partition Plat 2019-67, said point being on the southerly right of way of Strong Road; thence Southeasterly along the arc of a 270.00-foot radius curve to the right (whose radius point bears South 16°26'12" East and the chord of which bears South 80°03'08" East 239.97 feet) 248.67 feet along said southerly right of way to the TRUE POINT OF BEGINNING of this description; and running thence:  
Southeasterly along the arc of a 270.00-foot radius curve to the right (the chord of which bears South 52°52'41" East 7.44 feet) 7.44 feet along said southerly right of way to a point of compound curve;  
thence Southeasterly along the arc of a 30.00-foot radius curve to the right (the chord of which bears South 07°58'51" East 41.76 feet) 46.19 feet along said southerly right of way to a point on the northwesterly right of way of Reed Road (Market Road 25), said point being the southeasterly corner of a Public Utility Easement granted in the plat of LINDBURG GREEN (specifically in Tract A of said plat), as platted and recorded in Volume H47, Page 24, Book of Town Plats for Marion County, Oregon;  
thence North 53°52'24" West 10.00 feet along the southerly edge of said Public Utility Easement to the beginning of a 20.00-foot radius non-tangent curve concave to the West;  
thence Northwesterly along the arc of said non-tangent curve to the left (whose radius point bears North 53°52'24" West and the chord of which bears North 10°49'57" West 17.09 feet) 17.66 feet along said southerly edge of easement to a point of cusp, with a 20.00-foot radius non-tangent curve being concave to the West;  
thence leaving said southerly edge along the arc of said non-tangent curve to the left (whose radius point bears North 69°21'03" West and the chord of which bears North 16°30'33" West 24.16 feet) 25.94 feet to the TRUE POINT OF BEGINNING, containing 320 square feet of land, more or less.

Bearings hereon are based on Partition Plat 2019-67



# EXHIBIT B-2

P.O.B.  
MOST NORTHERLY NW  
CORNER PARCEL 1,  
P.P. 2019-67



### LEGEND

- P.O.B. = POINT OF BEGINNING
- T.P.O.B. = TRUE POINT OF BEGINNING
- P.P. = PARTITION PLAT
- P.U.E. = PUBLIC UTILITY EASEMENT

CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING & DIST.
C1	270.00'	52°46'09"	248.67'	S80°03'08"E 239.97'
C2	270.00'	01°34'44"	7.44'	S52°52'41"E 7.44'
C3	30.00'	88°12'55"	46.19'	S07°58'51"E 41.76'
C4	20.00'	50°35'17"	17.66'	N10°49'57"W 17.09'
C5	20.00'	74°19'00"	25.94'	N16°30'33"W 24.16'

**PUBLIC UTILITY EASEMENT  
VACATION**



VACATION AREA  
= 320 SQ FT



OWNER:  
MWIC GROVE 2 LLC  
201 FERRY ST. SE  
SUITE 400  
SALEM, OR 97301

N.E. 1/4 SEC. 11,  
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REGISTERED  
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LAND SURVEYOR

OREGON  
JULY 19, 1994  
GREGORY L. WILSON  
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EXPIRES: 6/30/2022

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PHONE (503) 588-8800

DATE: 3/30/2022  
DRAWN BY R.J.C.

EXHIBIT A-3

**Legal Description For:  
Vacation of Public Utility Easement  
Granted in Partition Plat 2014-3**

A strip of land, variable in width, situated in the northeast one-quarter of Section 11, Township 8 South, Range 3 West of the Willamette Meridian, in the City of Salem, Marion County, Oregon, being a portion of Parcel 1 of Partition Plat 2019-67, as platted and recorded in the Marion County Book of Partition Plats, said strip being more particularly described as follows:

Beginning at the southwest corner of said Parcel 1, Partition Plat 2019-67, said point being on the northerly right of way of Lindburg Road; thence South 72°36'38" East 283.33 feet along said northerly right of way to a point of curvature; thence Southeasterly along the arc of a 30.00-foot radius curve to the left (the chord of which bears South 75°34'18" East 3.10 feet) 3.10 feet along said northerly right of way to the southeast corner of that Public Sidewalk Easement granted in Partition Plat 2014-3 (specifically in Parcel 3 of said plat), as platted and recorded in the Marion County Book of Partition Plats, and the TRUE POINT OF BEGINNING of this description; and running thence:

North 17°24'01" East 0.28 feet along the east edge of said Public Sidewalk Easement to the beginning of a 20.00-foot radius non-tangent curve concave to the Northwest;

thence leaving said east edge, Northeasterly along the arc of said non-tangent curve to the left (whose radius point bears North 05°23'35" East and the chord of which bears North 56°25'30" East 25.16 feet) 27.20 feet to a point of tangency;

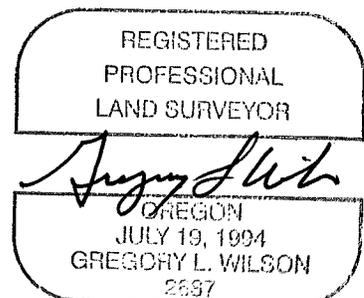
thence North 17°27'24" East 3.61 feet to a point on the northwesterly edge of a Public Utility Easement granted in the aforementioned Partition Plat 2014-3 (specifically in Parcel 3 of said plat), said point being the beginning of a 20.00-foot radius non-tangent curve concave to the Northwest;

thence Northeasterly along the arc of said non-tangent curve to the left (whose radius point bears North 53°53'43" West and the chord of which bears North 26°47'00" East 6.48 feet) 6.51 feet along said northwesterly edge of said Public Utility Easement to an angle point thereof;

thence South 72°32'18" East 10.00 feet along the northeasterly edge of said easement to a point on the northwesterly right of way of Reed Road (Market Road 25), said point being the beginning of a 30.00-foot radius non-tangent curve concave to the Northwest;

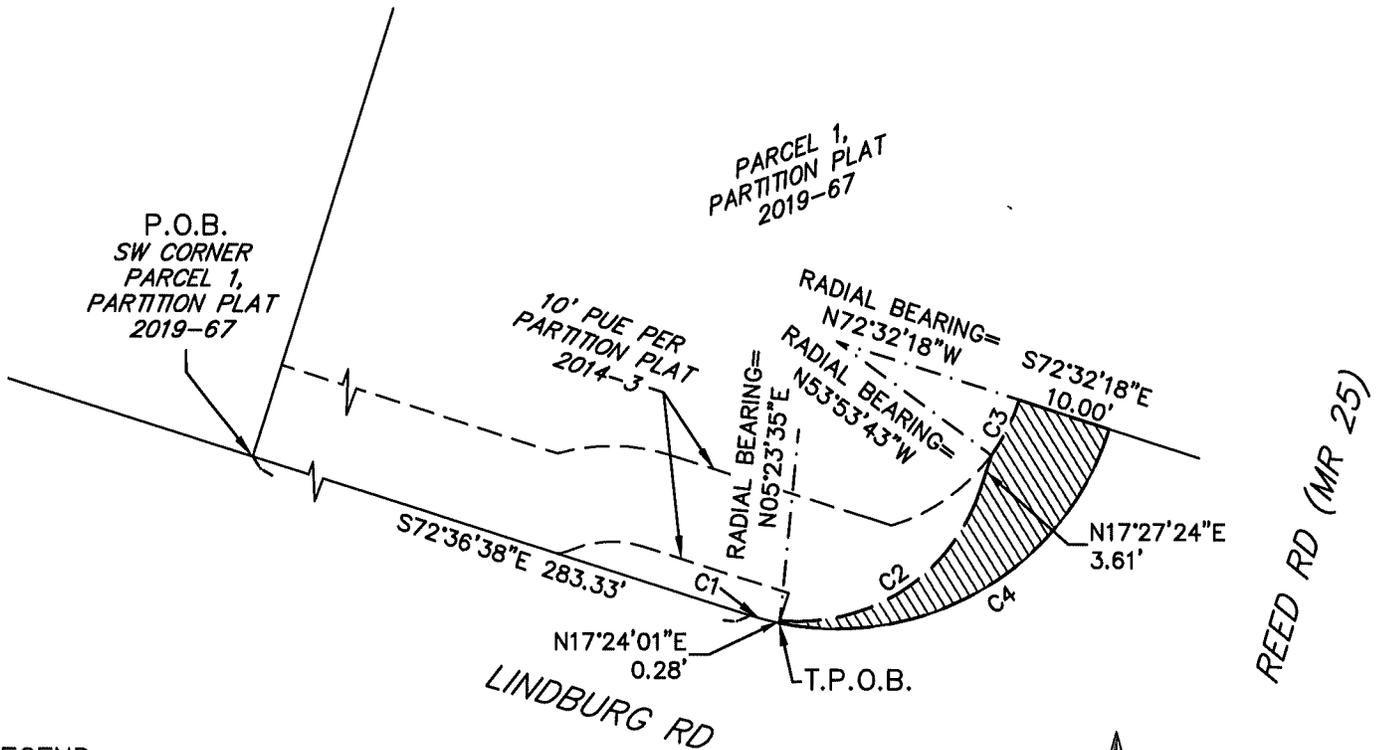
thence Southwesterly along the arc of said non-tangent curve to the right (whose radius point bears North 72°32'18" West and the chord of which bears South 59°27'52" West 40.15 feet) 43.99 feet along said northwesterly right of way to the TRUE POINT OF BEGINNING, containing 219 square feet of land, more or less.

Bearings hereon are based on Partition Plat 2019-67 (specifically along the northerly right of way of Lindburg Road)



EXPIRES: 6-30-22

# EXHIBIT B-3



**LEGEND**

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- P.U.E. = PUBLIC UTILITY EASEMENT

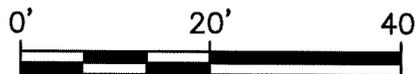


1" = 20'

CURVE TABLE				
CURVE #	RADIUS	DELTA	LENGTH	CHORD BEARING & DIST.
C1	30.00'	05°55'19"	3.10'	S75°34'18"E 3.10'
C2	20.00'	77°56'51"	27.20'	N56°25'30"E 25.16'
C3	20.00'	18°38'35"	6.51'	N26°47'00"E 6.48'
C4	30.00'	84°00'21"	43.99'	S59°27'52"W 40.15'

**PUBLIC UTILITY EASEMENT  
VACATION**

**VACATION AREA**  
 = 219 SQ FT



**OWNER:**  
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REGISTERED  
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 LAND SURVEYOR

O R E G O N  
 JULY 19, 1994  
 GREGORY L. WILSON  
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