

## RESOLUTION NO. 2017-4

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2795 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real properties more particularly described in “Exhibit A” and depicted on “Exhibit B” are located in the City and are needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M., Marion County, Oregon and being a portion of that property described in Exhibit 'A', property 10, Property ID R82702, of that Statutory Warranty Deed to Bednarz Holdings, Inc., recorded April 7, 2014 on Reel 3595, Page 60, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
16+52.00		21+28.00	43.00 in a straight line to 45.00
21+28.00		21+50.00	45.00 in a straight line to 67.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 1,885 square feet, more or less.

**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M., Marion County, Oregon and being a portion of that property described in Exhibit 'A', property 10, Property ID R82702, of that Statutory Warranty Deed to Bednarz Holdings, Inc., recorded April 7, 2014 on Reel 3595, Page 60, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

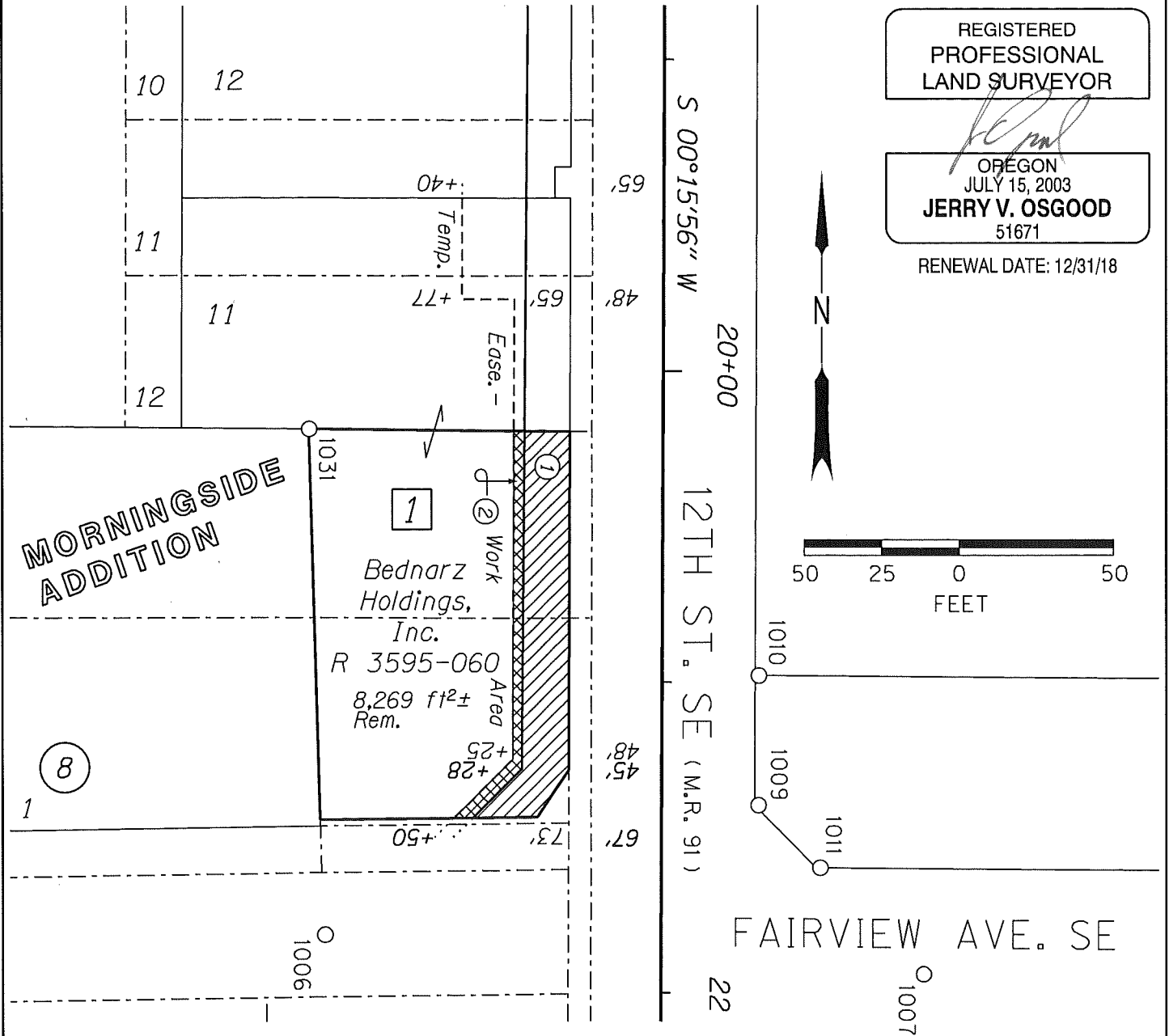
Station	to	Station	Width on Westerly Side of Center Line
19+77.00		21+25.00	48.00
21+25.00		21+50.00	48.00 in a straight line to 73.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 451 square feet, more or less.



# EXHIBIT B



1

Parcel Identification No.



Parcel 1 - Fee (1,885 SqFt)



Parcel 2 - Temporary Easement for Work Area (451 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	Jan, 2017
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	1

## RESOLUTION NO. 2017-5

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2797 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real properties more particularly described in “Exhibit A” and depicted on “Exhibit B” are located in the City and are needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M., Marion County, Oregon and being a portion of that property described in Exhibit 'A', property 10, Property ID R66732, of that Statutory Warranty Deed to Bednarz Holdings, Inc., recorded April 7, 2014 on Reel 3595, Page 60, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
16+52.00		21+28.00	43.00 in a straight line to 45.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 1,078 square feet, more or less.



**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M., Marion County, Oregon and being a portion of that property described in Exhibit 'A', property 10, Property ID R66732, of that Statutory Warranty Deed to Bednarz Holdings, Inc., recorded April 7, 2014 on Reel 3595, Page 60, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

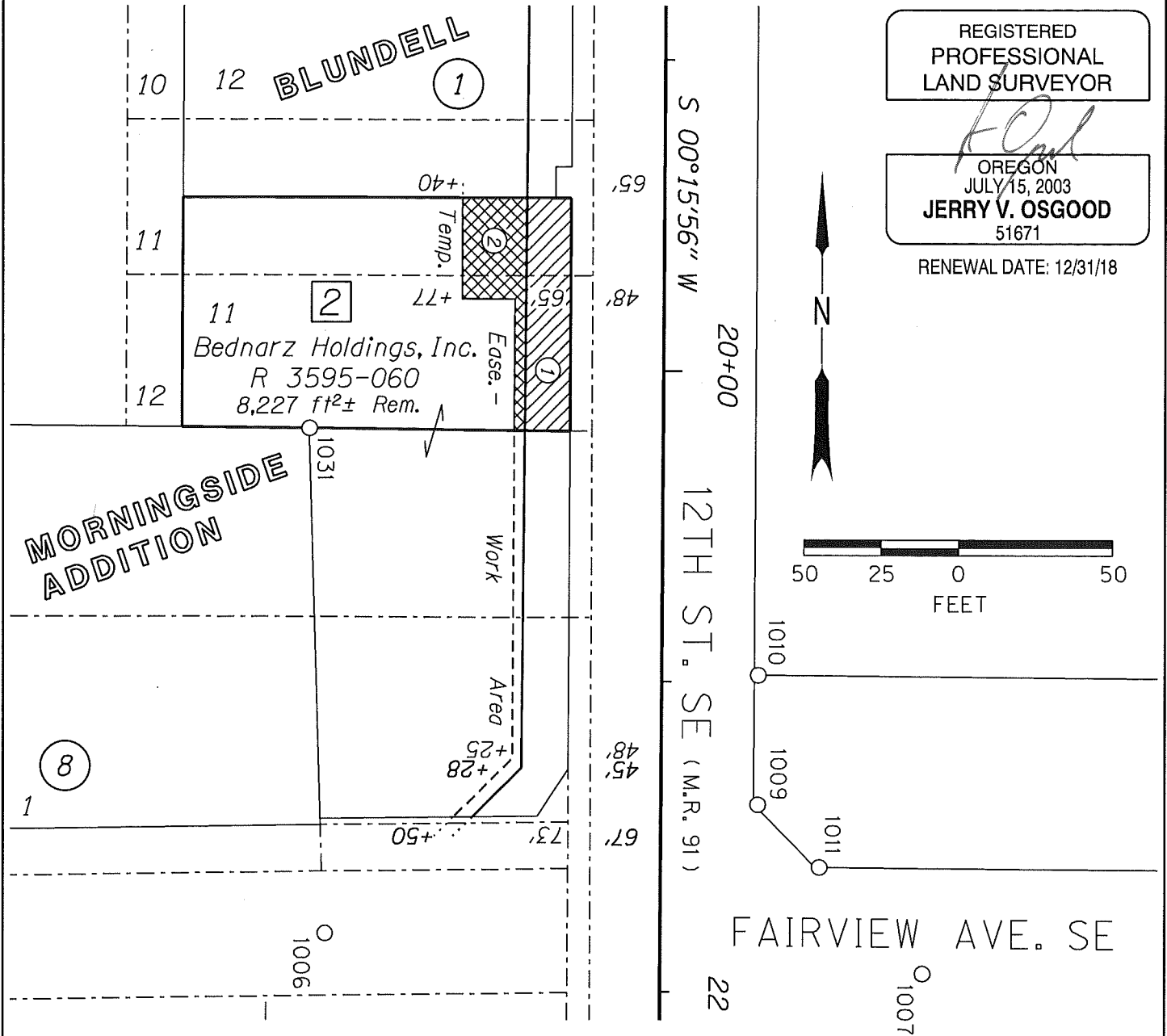
Station	to	Station	Width on Westerly Side of Center Line
19+40.00		19+77.00	65.00
19+77.00		21+25.00	48.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 822 square feet, more or less.



# EXHIBIT B



2

Parcel Identification No.



Parcel 1 - Fee (1,078 SqFt)



Parcel 2 - Temporary Easement for Work Area (822 SqFt)

CITY OF SALEM  
12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	Jan, 2017
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	2

## RESOLUTION NO. 2017-6

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2763 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in Lot 12, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Warranty Deed to James Brown and Anastasia Brown, recorded January 4, 1991 on Reel 824, Page 414, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
16+52.00		21+28.00	43.00 in a straight line to 45.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

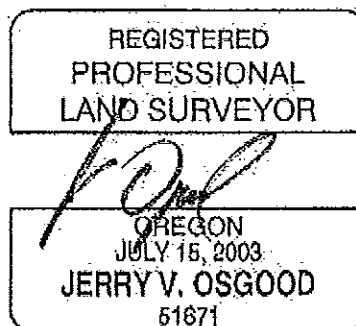
This parcel of land contains 1,006 square feet, more or less.

**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

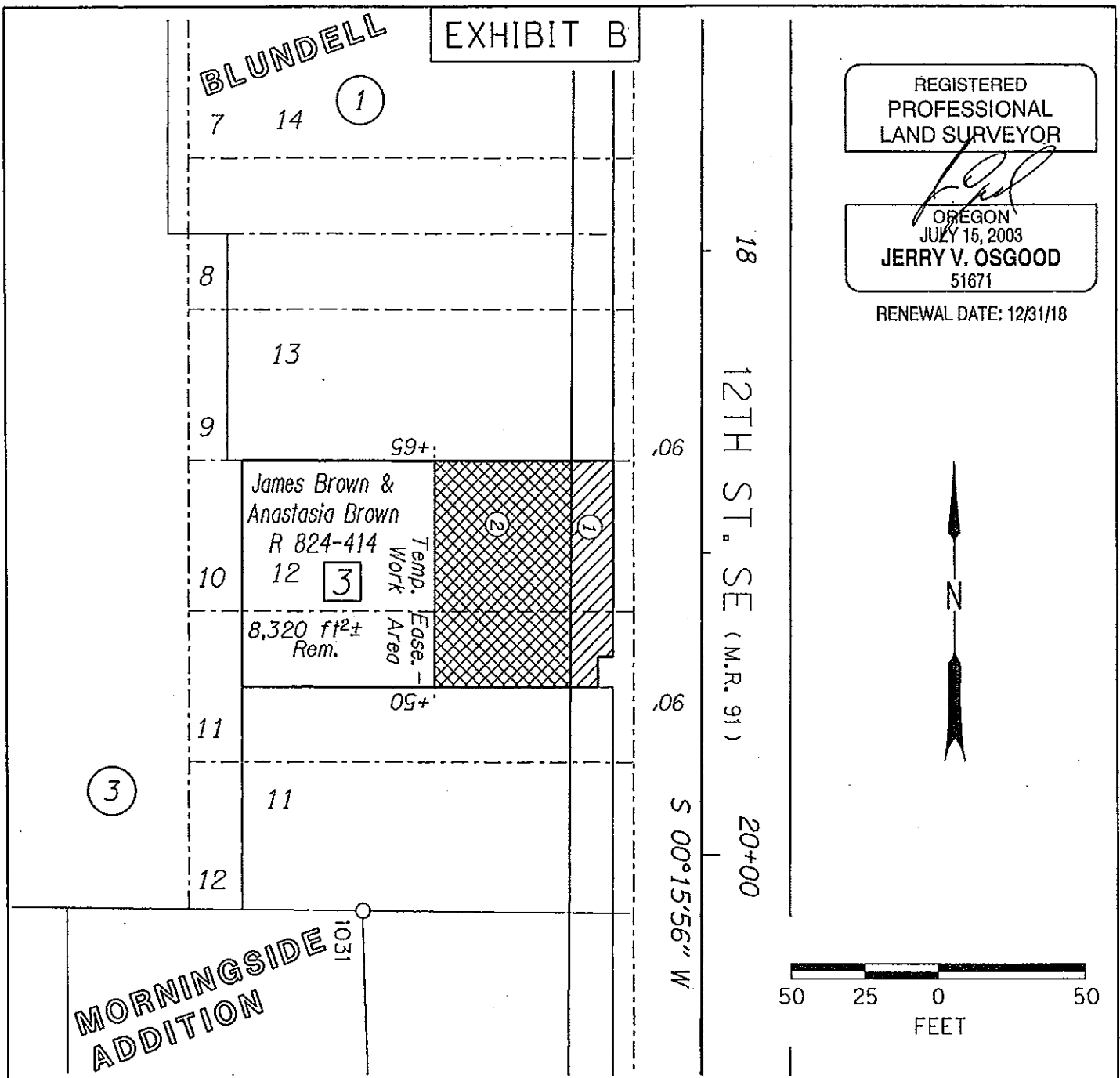
A parcel of land lying in Lot 12, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Warranty Deed to James Brown and Anastasia Brown, recorded January 4, 1991 on Reel 824, Page 414, of Marion County Records; said parcel being that portion of said property included in a strip of land 90.00 feet in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 3,445 square feet, more or less.



RENEWAL DATE: 12/31/16



(3)

Parcel Identification No.



Parcel 1 - Fee (1,006 SqFt)



Parcel 2 - Temporary Easement for Work Area (3,445 SqFt)

**CITY OF SALEM**

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12th ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	3

## RESOLUTION NO. 2017-7

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2735 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.



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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in Lots 13 and 14, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to 12<sup>th</sup> Street Investment, LLC, recorded February 11, 2009 on Reel 3033, Page 14, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
16+52.00		21+28.00	43.00 in a straight line to 45.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 2,040 square feet, more or less.

**Parcel 2 – Permanent Easement for Drainage Facilities**

A parcel of land lying in Lots 13 and 14, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to 12<sup>th</sup> Street Investment, LLC, recorded February 11, 2009 on Reel 3033, Page 14, of Marion County Records; said parcel being that portion of said property lying between lines at right angles to the center line of 12<sup>th</sup> Street SE at Engineer's Stations 17+67.50 and 18+21.00 and included in a strip of land 50.00 feet in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 343 square feet, more or less.

**Parcel 3 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

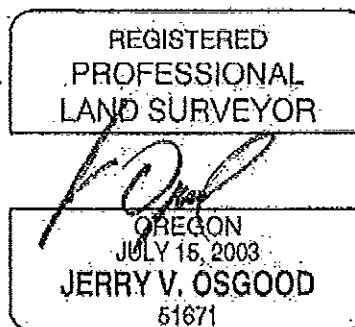
A parcel of land lying in Lots 13 and 14, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to 12<sup>th</sup> Street Investment, LLC, recorded February 11, 2009 on Reel 3033, Page 14, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
16+95.00		17+89.00	55.00
17+89.00		18+75.00	65.00

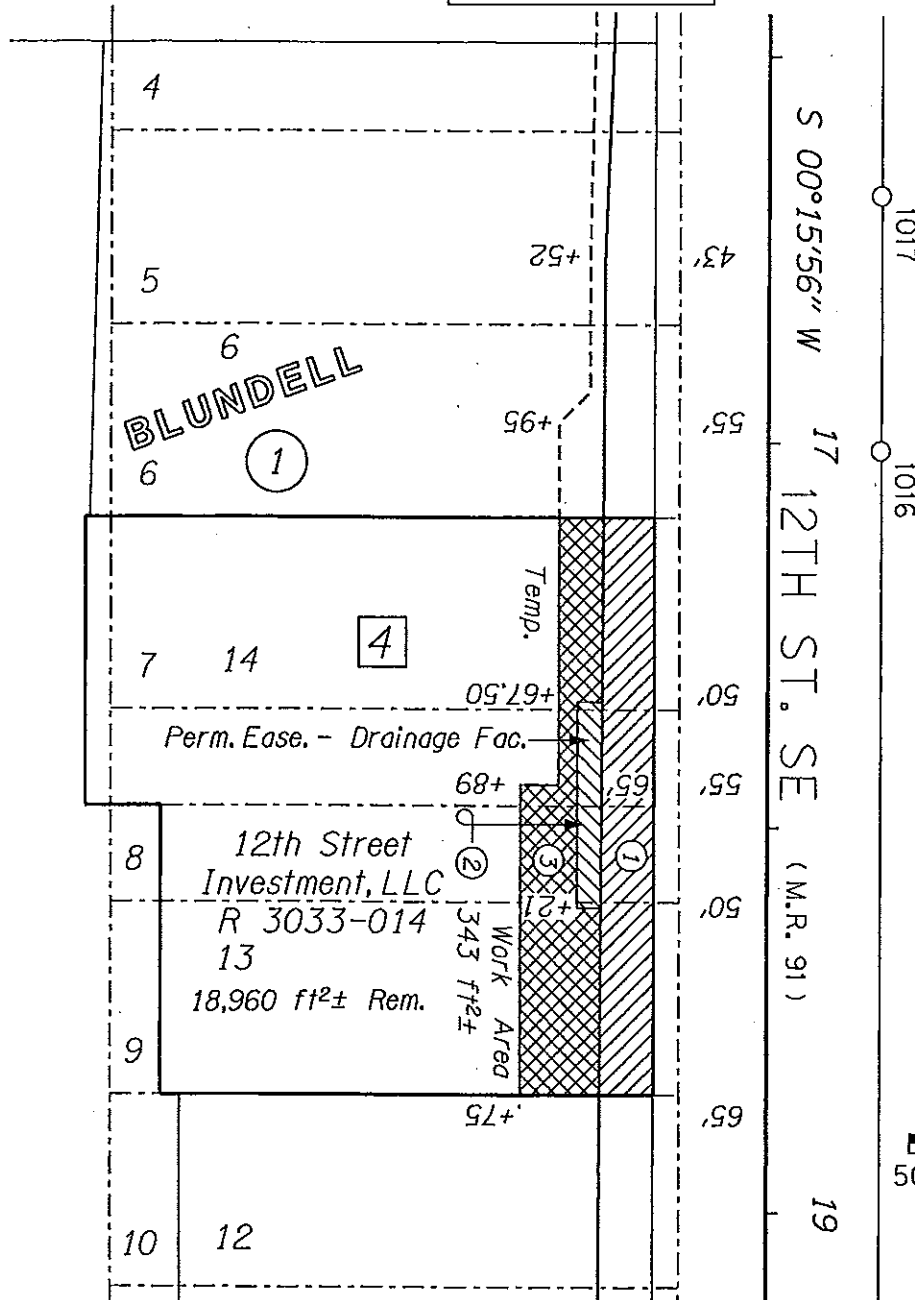
EXCEPT therefrom Parcels 1 and 2.

This parcel of land contains 2,173 square feet, more or less.



RENEWAL DATE: 12/31/16

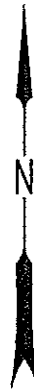
# EXHIBIT B



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
JERRY V. OSGOOD  
51671

RENEWAL DATE: 12/31/18



50 25 0 50  
FEET



Parcel 1 - Fee (2,040 SqFt)



Parcel Identification No.



Parcel 2 - Permanent Easement for Drainage Fac. (343 SqFt)



Parcel 3 - Temporary Easement for Work Area (2,173 SqFt)

CITY OF SALEM  
12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12th ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee, Perm. Ease & Temp. Ease.		
PN#	713501	ID#	4

## RESOLUTION NO. 2017-8

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2705 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in Lot 6, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Quitclaim Deed to Paul R. J. Connolly, as to an undivided one-half interest, recorded May 14, 2007 on Reel 2811, Page 200, of Marion County Records, and in that Bargain and Sale Deed to Dennis V. Messoline, Trustee of the 4-M Trust, as to an undivided one-half interest, recorded April 2, 2013 on Reel 3488, Page 363, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+15.00		16+52.00	32.00 in a straight line to 43.00
16+52.00		21+28.00	43.00 in a straight line to 45.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 1,552 square feet, more or less.



**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

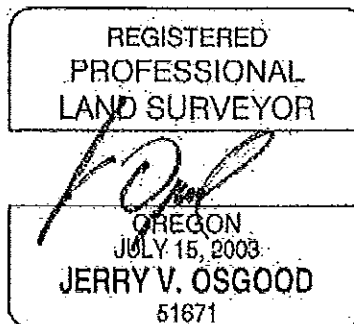
A parcel of land lying in Lot 6, Block 1, BLUNDELL, Marion County, Oregon, and being a portion of that property described in that Quitclaim Deed to Paul R. J. Connolly, as to an undivided one-half interest, recorded May 14, 2007 on Reel 2811, Page 200, of Marion County Records, and in that Bargain and Sale Deed to Dennis V. Messoline, Trustee of the 4-M Trust, as to an undivided one-half interest, recorded April 2, 2013 on Reel 3488, Page 363, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
15+57.00		16+52.00	45.00 in a straight line to 47.00
16+52.00		16+87.00	47.00
16+87.00		16+95.00	47.00 in a straight line to 55.00
16+95.00		17+89.00	55.00

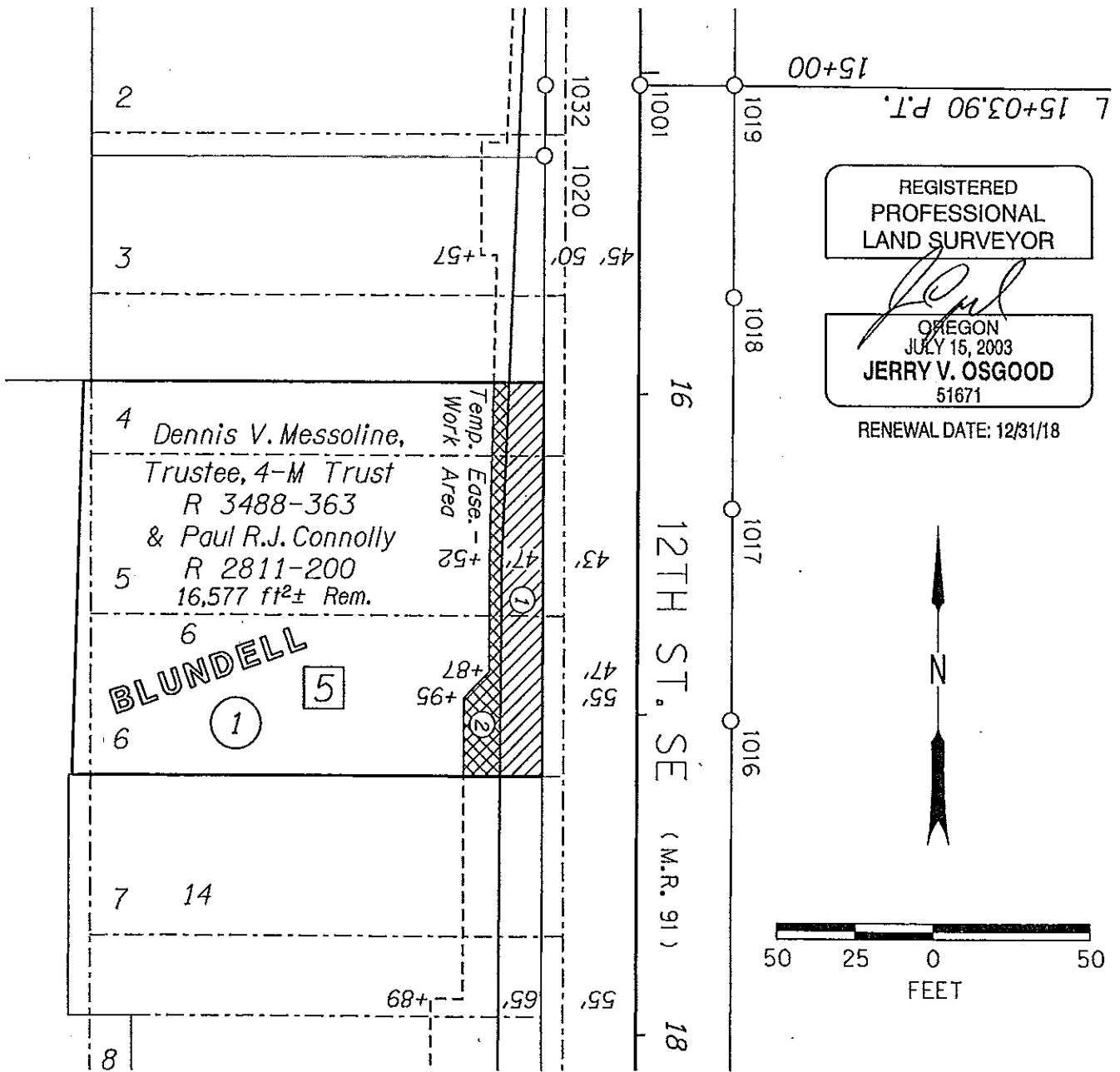
EXCEPT therefrom Parcel 1.

This parcel of land contains 736 square feet, more or less.



RENEWAL DATE: 12/31/16

# EXHIBIT B



5

Parcel Identification No.



Parcel 1 - Fee (1,552 SqFt)



Parcel 2 - Temporary Easement for Work Area (736 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	5

## RESOLUTION NO. 2017-9

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2673 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in Lots 3 and 4, Block 3, MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to CCID Investments, LLC, recorded March 19, 2014 on Reel 3590, Page 116, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+15.00		16+52.00	32.00 in a straight line to 43.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 675 square feet, more or less.

**Parcel 2 – Permanent Easement for Drainage Facilities**

A parcel of land lying in Lot 3, Block 3, MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to CCID Investments, LLC, recorded March 19, 2014 on Reel 3590, Page 116, of Marion County Records; said parcel being that portion of said property lying Northerly of a line at right angles to the center line of 12<sup>th</sup> Street SE at Engineer's Station 15+52.50 and included in a strip of land 44.50 feet width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This parcel of land contains 148 square feet, more or less.

**Parcel 3 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

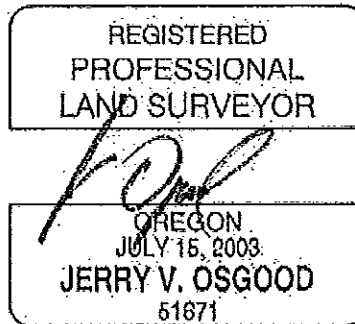
A parcel of land lying in Lots 3 and 4, Block 3, MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to CCID Investments, LLC, recorded March 19, 2014 on Reel 3590, Page 116, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
15+22.00		15+57.00	50.00
15+57.00		16+52.00	45.00 in a straight line to 47.00

EXCEPT therefrom Parcels 1 and 2.

This parcel of land contains 397 square feet, more or less.



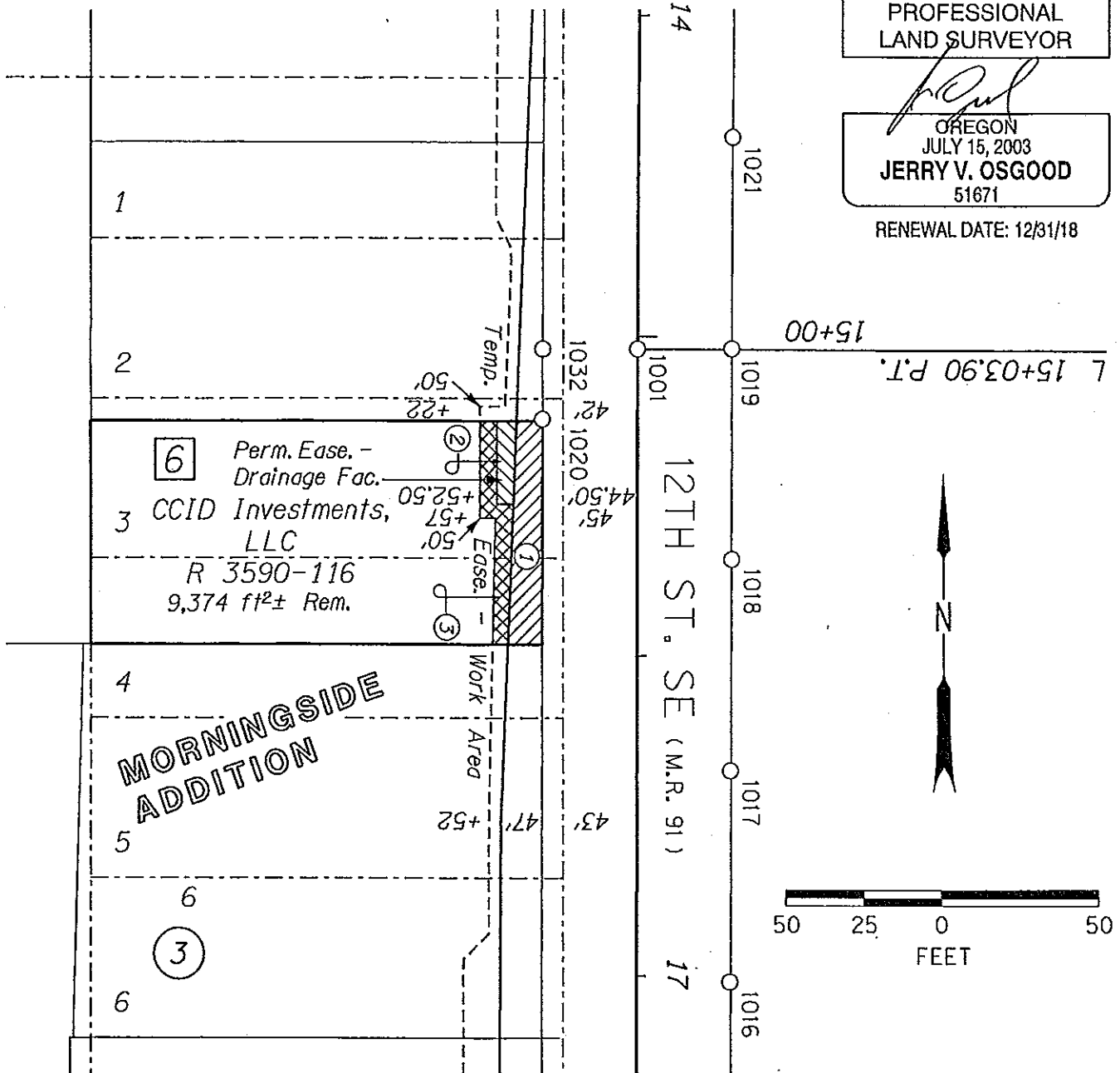
RENEWAL DATE: 12/31/16

# EXHIBIT B

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jerry V. Osgood*  
OREGON  
JULY 15, 2003  
**JERRY V. OSGOOD**  
51671

RENEWAL DATE: 12/31/18



Parcel 1 - Fee (675 SqFt)



Parcel Identification No.



Parcel 2 - Permanent Easement for Drainage Fac. (148 SqFt)



Parcel 3 - Temporary Easement for Work Area (397 SqFt)

CITY OF SALEM  
12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee, Perm. Ease. & Temp. Ease.		
PN#	713501	ID#	6



## RESOLUTION NO. 2017-10

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2633 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in Lots 1, 2 and 3, Block 3, MORNINGSIDES ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Kelly M. Head, recorded October 16, 2014 on Reel 3643, Page 236, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+15.00		16+52.00	32.00 in a straight line to 43.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 589 square feet, more or less.

**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

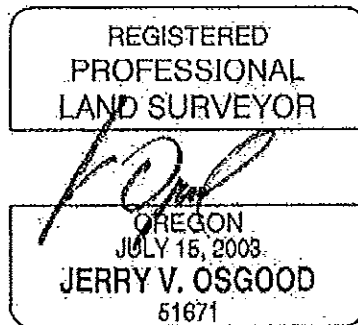
A parcel of land lying in Lots 1, 2 and 3, Block 3, MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Kelly M. Head, recorded October 16, 2014 on Reel 3643, Page 236, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+85.00		14+63.00	45.00 in a straight line to 45.00
14+63.00		14+73.00	45.00 in a straight line to 40.00
14+73.00		15+22.00	40.00 in a straight line to 42.00
15+22.00		15+57.00	50.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 517 square feet, more or less.



RENEWAL DATE: 12/31/16

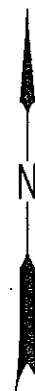
# EXHIBIT B

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
**JERRY V. OSGOOD**  
51671

RENEWAL DATE: 12/31/18

"L"  
0°29'48" C.L.  
R = 11538.00'  
Δ = 0°59'35"  
T = 100.00'

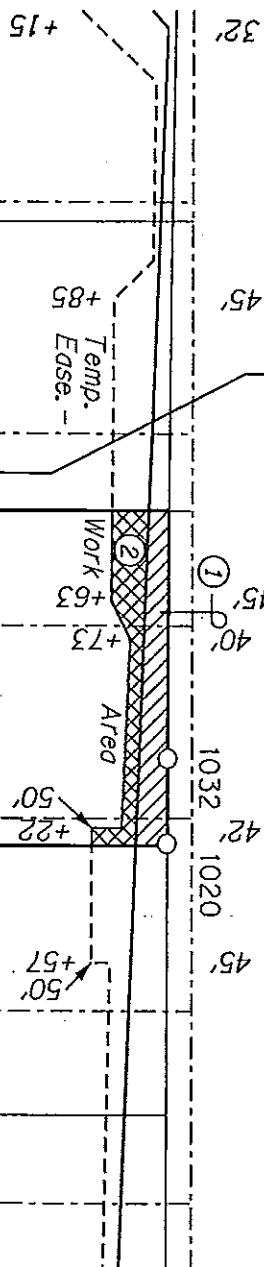


50 25 0 50  
FEET

12TH ST. SE 14

(M.R. 91)

16



E. 177,658.606  
N. 212,211.362  
L 14+03.90 P.T.

Kelly M. Head  
R 3643-236  
11,914 ft<sup>2</sup>± Rem.

MORNINGSIDE  
ADDITION

7 Parcel Identification No.

Parcel 1 - Fee (589 SqFt)

Parcel 2 - Temporary Easement for Work Area (517 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	7

## RESOLUTION NO. 2017-11

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2613 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Deed to Boatwright Engineering, Inc., recorded May 14, 1971 in Volume 703, Page 77, of Marion County Record of Deeds; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+15.00		16+52.00	32.00 in a straight line to 43.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 313 square feet, more or less.



**Parcel 2 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

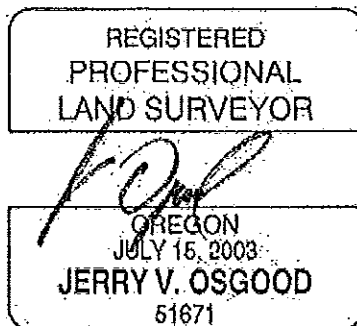
A parcel of land lying in MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Deed to Boatwright Engineering, Inc., recorded May 14, 1971 in Volume 703, Page 77, of Marion County Record of Deeds; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
13+29.00		13+75.00	35.00 in a straight line to 35.00
13+75.00		13+85.00	35.00 in a straight line to 45.00
13+85.00		14+63.00	45.00 in a straight line to 45.00

EXCEPT therefrom Parcel 1.

This parcel of land contains 659 square feet, more or less.



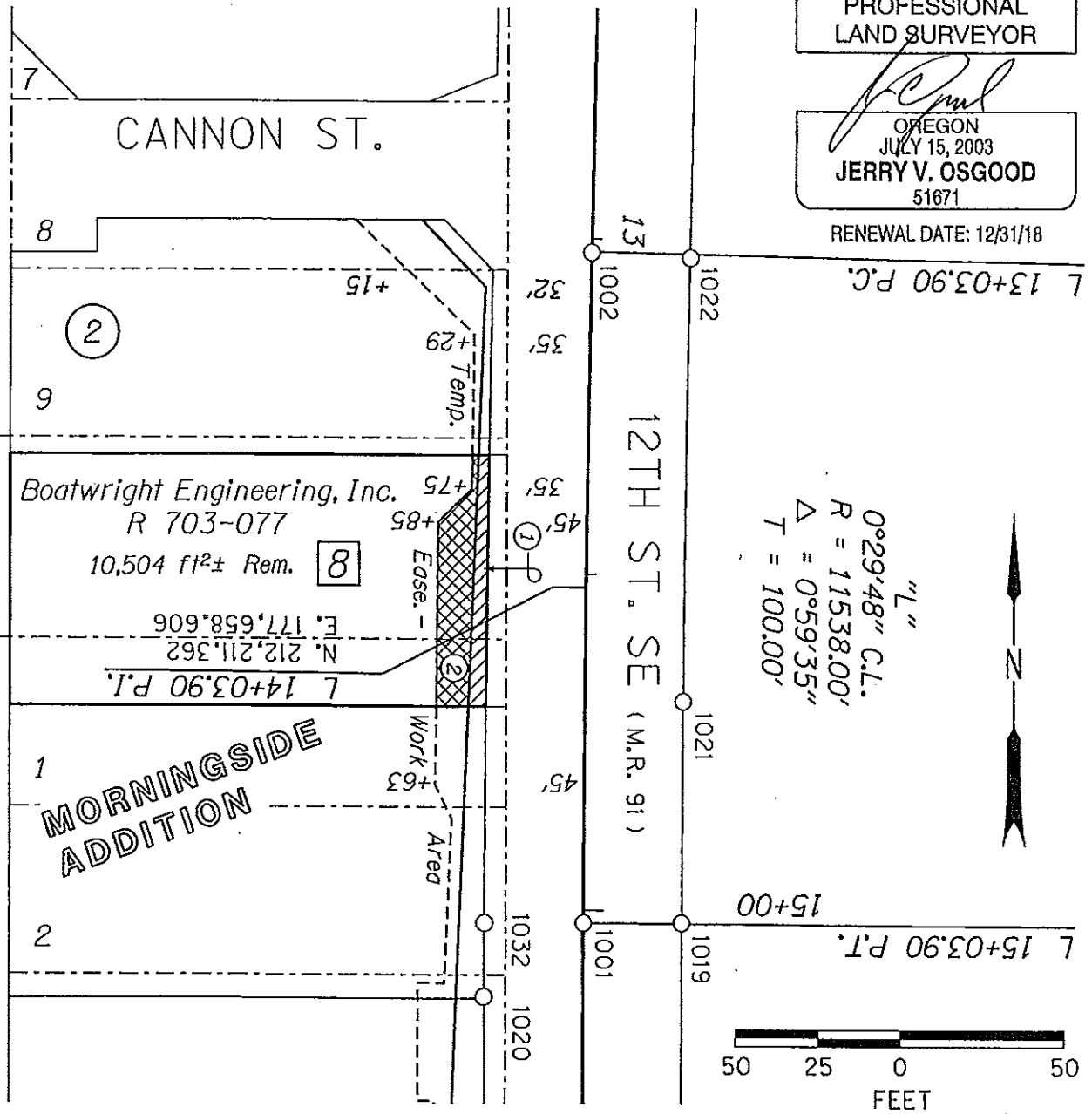
RENEWAL DATE: 12/31/16

# EXHIBIT B

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Jerry V. Osgood*  
OREGON  
JULY 15, 2003  
**JERRY V. OSGOOD**  
51671

RENEWAL DATE: 12/31/18



8

Parcel Identification No.



Parcel 1 - Fee (313 SqFt)



Parcel 2 - Temporary Easement for Work Area (659 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee & Temporary Easement		
PN#	713501	ID#	8

## RESOLUTION NO. 2017-12

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2603 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Parcel 1 - Fee**

A parcel of land lying in MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to Michael J. Myers and Beth E. Myers, recorded February 27, 1995 on Reel 1223, Page 238, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
12+90.00		13+15.00	57.00 in a straight line to 32.00
13+15.00		16+52.00	32.00 in a straight line to 43.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 253 square feet, more or less.

**Parcel 2 – Permanent Easement for Drainage Facilities**

A parcel of land lying in MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to Michael J. Myers and Beth E. Myers, recorded February 27, 1995 on Reel 1223, Page 238, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
12+90.00		13+25.00	71.00 in a straight line to 32.21

EXCEPT therefrom Parcel 1.

This parcel of land contains 298 square feet, more or less.

**Parcel 3 – Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

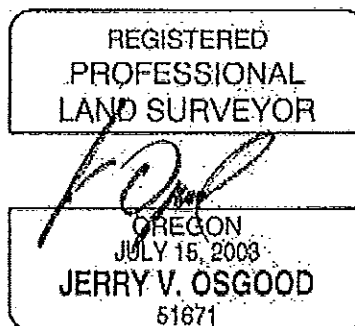
A parcel of land lying in MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to Michael J. Myers and Beth E. Myers, recorded February 27, 1995 on Reel 1223, Page 238, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12<sup>th</sup> Street SE, which center line is described in Parcel 1.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
12+90.00		13+29.00	78.00 in a straight line to 35.00
13+29.00		13+75.00	35.00 in a straight line to 35.00

EXCEPT therefrom Parcels 1 and 2.

This parcel of land contains 311 square feet, more or less.



RENEWAL DATE: 12/31/16

# EXHIBIT B

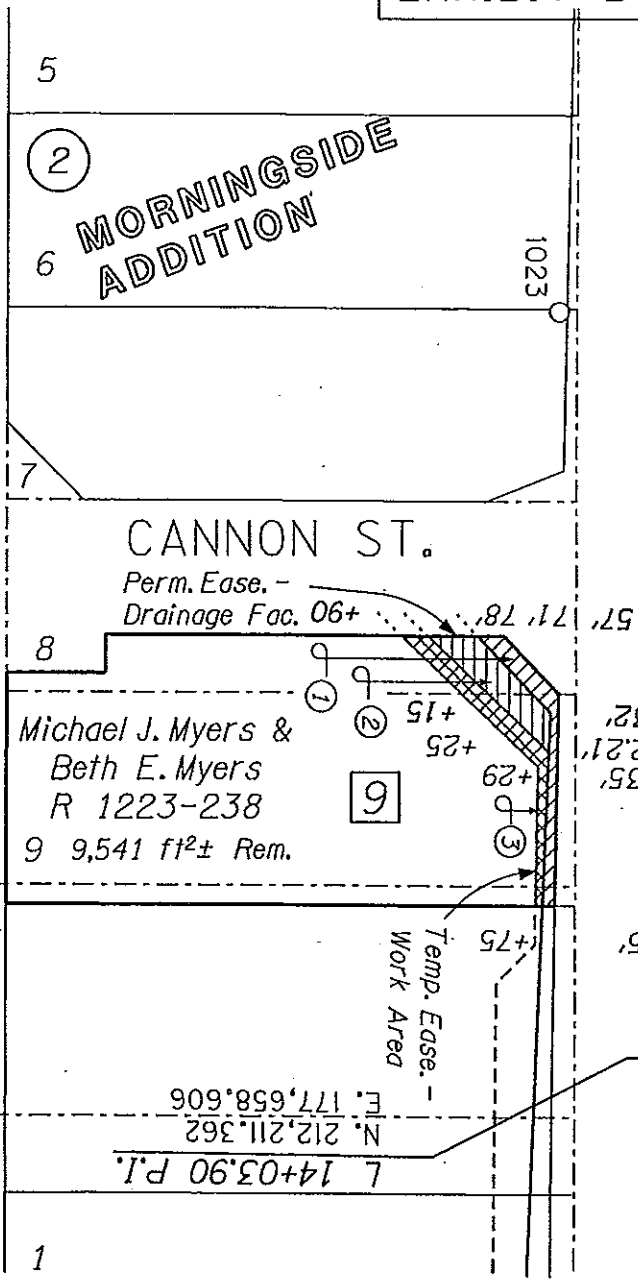
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
JERRY V. OSGOOD  
51671

RENEWAL DATE: 12/31/18

50 25 0 50  
FEET

"L"  
0°29'48" C.L.  
R = 11538.00'  
Δ = 0°59'35"  
T = 100.00'



Parcel 1 - Fee (253 SqFt)



Parcel Identification No.



Parcel 2 - Permanent Easement for Drainage Fac. (298 SqFt)



Parcel 3 - Temporary Easement for Work Area (311 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Fee, Temporary & Permanent Easement		
PN#	713501	ID#	9



## RESOLUTION NO. 2017-13

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2591 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

**Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Lot 7, Block 2, MORNINGSIDE ADDITION TO SALEM, Marion County, Oregon, and being a portion of that property described in that Warranty Deed to Calvin L. Stafford, recorded January 3, 1995 on Reel 1214, Page 58, of Marion County Records; said parcel being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 12th Street SE, which center line is described as follows:

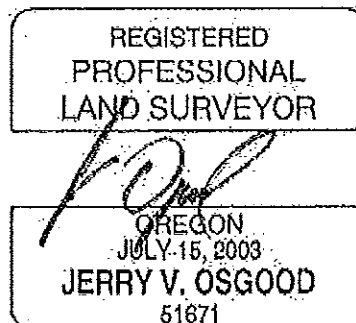
Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Westerly Side of Center Line
12+42.00		12+51.00	33.00
12+51.00		12+55.00	33.00 in a straight line to 41.00
12+55.00		12+67.00	41.00

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 48 square feet, more or less.



RENEWAL DATE: 12/31/16

# EXHIBIT B

MORNINGSIDE  
ADDITION

20 10 0 20  
FEET

(2)

6

Calvin L. Stafford  
R 1214-058  
7,065 ft<sup>2</sup>± Rem.

10

Temp.  
Easement  
- Work Area

+42

+51

+67

33'

33'

41'

41'

12+00

12TH ST. SE (M.R. 91)

13

1002

1022

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
JERRY V. OSGOOD  
51671

RENEWAL DATE: 12/31/18

CANNON ST.

10

Parcel Identification No.



Temporary Easement for Work Area (48 SqFt)

CITY OF SALEM

12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Temporary Easement		
PN#	713501	ID#	10

## RESOLUTION NO. 2017-14

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2463 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

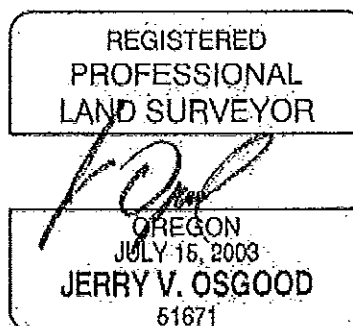
**Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Parcel 1 of Partition Plat No. 2015-48, Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Boulder Creek, LLC, recorded December 22, 2005, on Reel 2584, Page 36, of Marion County Records; said parcel being that portion of said property lying between lines at right angles to the center line of 12<sup>th</sup> Street SE at Engineer's Stations 7+55.00 and 8+00.00 and included in a strip of land 57.00 feet in width, lying on the Westerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 971 square feet, more or less.



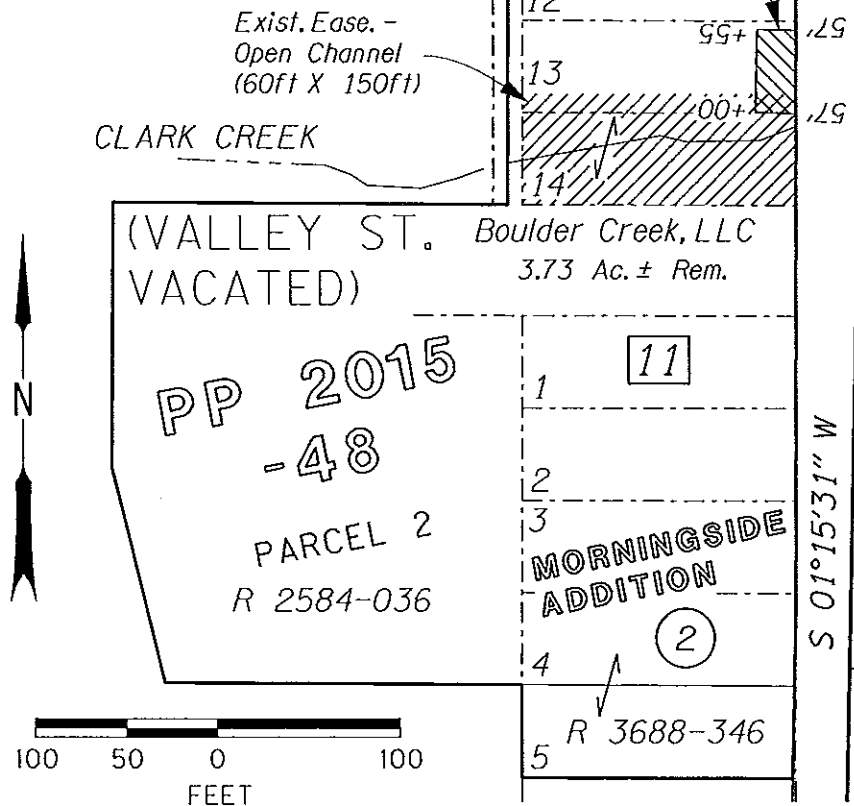
RENEWAL DATE: 12/31/16

# EXHIBIT B

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
JERRY V. OSGOOD  
51671

RENEWAL DATE: 12/31/18



00+9

CLARK CREEK

MCGILCHRIST  
ST. SE

00+01

13TH ST. SE

11

Parcel Identification No.



Temporary Easement for Work Area (971 SqFt)



Existing Permanent Easement for Open Channel

CITY OF SALEM  
12TH ST SE  
IMPROVEMENTS

Section	SEC. 34, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Temporary Easement		
PN#	713501	ID#	11



## RESOLUTION NO. 2017-15

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN PROCEEDINGS, TO ACQUIRE REAL PROPERTY OR PROPERTY RIGHTS FOR THE 12TH STREET SE SOUTHBOUND WIDENING PROJECT.

**Whereas**, the City of Salem (City) has the authority and responsibility of certain utility systems, streets and roads for commerce, convenience, and to adequately serve the public; and

**Whereas**, for the purposes of the 12th Street SE Southbound Widening Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2450 12<sup>th</sup> Street SE, identified in “Exhibit A” and depicted in Exhibit “B”, which are attached hereto and incorporated herein by reference (“the Properties”); and

**Whereas**, the public improvements for the Project are approved capital improvement projects currently being designed for construction; and

**Whereas**, for the public purposes of improving the streets within the City, including the construction of the public improvements for the project, the City Council has deemed it necessary to acquire certain properties or property rights over the Property, which the City is authorized by law to acquire; and

**Whereas**, the City is authorized by law to utilize the power of eminent domain to acquire real property or property rights necessary for public use;

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

**Section 1.** The City of Salem does hereby find it is in the public interest and declare that the real property more particularly described in “Exhibit A” and depicted on “Exhibit B” is located in the City and is needed and required for the public purpose of the construction of public improvements for the Project.

**Section 2.** City staff, and the City’s agents, are authorized to attempt to reach agreement with the owners and other persons with interest in the real property and interests therein identified in Section 1, as to the compensation to be paid for the appropriation of the real property or property rights identified in “Exhibit A,” and shown on “Exhibit B.”

**Section 3.** In the event that no satisfactory agreement to acquire the real property or property rights can be reached, the City Attorney is directed and authorized, with no further action by Council, to commence Eminent Domain proceedings and prosecute to final determination such proceedings as may be necessary to acquire the real property or property rights identified in “Exhibit A,” and depicted on “Exhibit B,” and that upon the filing of such proceeding, to seek immediate possession thereof as the City Attorney deems necessary.

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

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

City Recorder

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

Checked by: John Echeverri

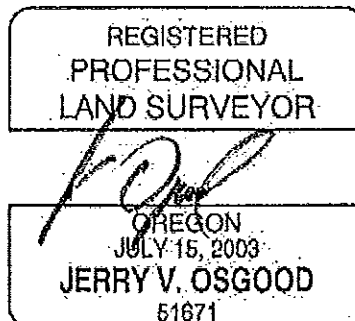
**Temporary Easement For Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Quitclaim Deed to Retina Consultants Properties, LLC, recorded January 2, 2003, on Reel 2048, Page 63, of Marion County Records; said parcel being that portion of said property lying between lines at right angles to the center line of 12<sup>th</sup> Street SE at Engineer's Stations 7+76.00 and 8+20.00 and included in a strip of land 39.00 feet in width, lying on the Easterly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 2+00.00, said station being 100.74 feet South and 45.82 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 01° 15' 31" West 1,103.90 feet; thence on a 11,538.00 foot radius curve left (the long chord of which bears South 00° 45' 43" West 200.00 feet) 200.00 feet; thence South 00° 15' 56" West 1,644.94 feet to Engineer's center line Station 31+48.85.

Bearings are based upon the Oregon Coordinate Reference System, Salem Zone, NAD 1983 (2011) epoch 2010.

This parcel of land contains 396 square feet, more or less.



RENEWAL DATE: 12/31/16

# EXHIBIT B

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 15, 2003  
**JERRY V. OSGOOD**  
51671

RENEWAL DATE: 12/31/18

12TH ST. SE (M.R. 91)

S 01°15'31" W

7

50 25 0 50  
FEET

12

Retina Consultants  
Properties, LLC  
R 2048-63  
34,001 ft<sup>2</sup>± Rem.

Temp. Easement -  
Work Area

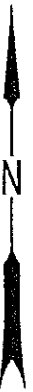
39'

97+

CLARK CREEK

39'

20+



MCGILCHRIST ST. SE

1026

1025

1035

9

12

Parcel Identification No.



Temporary Easement for Work Area (396 SqFt)

CITY OF SALEM  
12TH ST SE  
IMPROVEMENTS

Section	SEC. 35, T. 7S, R. 3W, W.M.		
Highway	12TH ST. SE	Scale	
County	MARION	Date	June, 2016
Purpose	Temporary Easement		
PN#	713501	ID#	12