

**RESOLUTION NO. 18-1 URA**

A RESOLUTION AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE RIGHT-OF-WAY AND ALL PROPERTY RIGHTS NECESSARY FOR THE PORTLAND ROAD NE STREETSCAPE PROJECT, OVER A STRIP OF LAND ADJACENT TO THE PROPERTY COMMONLY KNOWN AS 3820 PORTLAND ROAD NE

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

**Whereas**, on July 13, 2009, the Agency deemed it necessary and expedient to acquire right-of-way and easements over certain real property in conjunction with the Portland Road NE Phase 2 project (the Project) in Salem, Oregon; and

**Whereas**, the Agency has attempted to acquire a property owned by Blue Chip Properties, located adjacent to 3820 Portland Road NE, City of Salem, Marion County, Oregon, the property being more particularly described in "Exhibit 1" and depicted on "Exhibit 2," which are attached hereto and incorporated herein by negotiation, purchase, and agreement, but has been unable to obtain an agreement with the owners upon the compensation to be paid therefore; and

**Whereas**, the Project for which the property is required and is being acquired is necessary in the public interest, and the same has been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury;

NOW, THEREFORE, THE URBAN RENEWAL AGENCY OF THE CITY OF SALEM RESOLVES AS FOLLOWS:

**Section 1.** The City Attorney is authorized to commence and prosecute to final determination such eminent domain proceedings as may be necessary for the acquisition by the Agency of the property, more particularly described in "Exhibit 1" and depicted on Exhibit 2," and to seek immediate possession thereof.

**Section 2.** This resolution is effective upon adoption.

ADOPTED by the Urban Renewal Agency this 8th day of January, 2018.

ATTEST:

Clerk of the Board

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

## Exhibit 1

A tract of land in Section 12, Township 7 South, Range 3 West, Willamette Meridian, City of Salem, Marion County, Oregon, being a portion of that tract described in that document recorded on December 20, 1988 in Reel 662, Page 351, Records of Marion County, Oregon, the said tract being that portion of said property included in a strip of land variable in width lying on the southeasterly side of the Engineer's Centerline, and northwesterly of the southeasterly line of said strip.

The widths in feet of the strip of land referred to above are as follows:

Tract 1 (Variable Width Right-of-Way)		
Station	to Station	Width on the southeasterly side of Engineer's Centerline
90+70.78	90+78.98	72.65' in a straight line to 66.89'
90+78.98	90+88.80	66.89' on the arc of a 12.00 foot radius nontangent curve to the right (LC= North 26°36'50" West 21.03') to 48.00'
90+88.80	92+50.00	48.00'

EXCEPTING that portion of said strip lying within existing public roads.

Contains 1,012 square feet, or 0.023 acres, more or less.

**EXHIBIT 1- continued**

The Engineer's Centerline referred to above is described as follows:

Beginning at Engineer's Centerline Station 36+78.80, which point is on the Located Line of the Pacific Highway as shown on Oregon Department of Transportation Drawing No. 5B-1-5, said point also being 2,199.70 feet North and 647.07 feet East of a 1-inch diameter iron pipe marking the Southeast Corner of the Samuel Pentec Donation Land Claim Number 52; thence North  $36^{\circ}13'08''$  East along said Drawing No. 5B-1-5 Located Line, 1,192.00 feet to Engineer's Centerline Station 48+70.80; thence leaving said Located Line N. $36^{\circ}49'12''$ E., 304.01 feet to Engineer's Centerline Station 51+74.81; thence N. $36^{\circ}17'02''$ E., 474.92 feet to the point of curve of a 5,500.00 foot radius curve to the right at Engineer's Centerline Station 56+49.73; thence along the arc of said curve 165.83 feet, through a central angle of  $01^{\circ}43'39''$  (the chord of said curve bears N. $37^{\circ}08'52''$ E., 165.82 feet) to the point of curve of a 5,500.00 foot radius curve to the left at Engineer's Centerline Station 58+15.56; thence along the arc of said curve 347.50 feet, through a central angle of  $03^{\circ}37'12''$  (the chord of said curve bears N. $36^{\circ}12'05''$ E., 347.44 feet) to the point of curve of a 5,500.00 foot radius curve to the right at Engineer's Centerline Station 61+63.06; thence along the arc of said curve 181.67 feet, through a central angle of  $01^{\circ}53'33''$  (the chord of said curve bears N. $35^{\circ}20'16''$ E., 181.66 feet) to Engineer's Centerline Station 63+44.73; thence N. $36^{\circ}17'02''$ E., 446.39 feet to the point of curve of a 5000.00 foot radius curve to the left at Engineer's Centerline Station 67+91.12; thence along the arc of said curve 217.97 feet, through a central angle of  $02^{\circ}29'52''$  (the chord of said curve bears N. $35^{\circ}02'06''$ E., 217.95 feet) to the point of curve of a 5000.00 foot radius curve to the right at Engineer's Centerline Station 70+09.09; thence along the arc of said curve 217.97 feet, through a central angle of  $02^{\circ}29'52''$  (the chord of said curve bears N. $35^{\circ}02'06''$ E., 217.95 feet) to Engineer's Centerline Station 72+27.06; thence N. $36^{\circ}17'02''$ E., 777.01 feet to the point of curve of a 5000.00 foot radius curve to the right at Engineer's Centerline Station 80+04.07; thence along the arc of said curve 165.93 feet, through a central angle of  $01^{\circ}54'05''$  (the chord of said curve bears N. $37^{\circ}14'04''$ E., 165.92 feet) to the point of curve of a 5000.00 foot radius curve to the left at Engineer's Centerline Station 81+70.00; thence along the arc of said curve 165.93 feet, through a central angle of  $01^{\circ}54'05''$  (the chord of said curve bears N. $37^{\circ}14'04''$ E., 165.92 feet) to Engineer's Centerline Station 83+35.93; thence N. $36^{\circ}17'02''$ E., 1359.96 feet to Engineer's Centerline Station 96+95.89.

Bearings for this description are based on the Oregon Coordinate System of 1983, North Zone and are from a survey performed by Otak, Incorporated in December, 2000 through June, 2001 for the Portland Road Improvement Project, said survey being recorded in the Survey Records of Marion County as C.S. 35872.

Checked By: WK  
Project No.: 684048-14  
December \_\_\_\_, 2017

## ATTACHMENT B: PROPERTY ACQUISITION MAP

PROPERTY INFORMATION TABLE					LEGEND	
PROP ID#	SITE ADDRESS	TAX LOT #	OWNER NAME	RIGHT OF WAY	#	PROPERTY ID No.
166	3820 PORTLAND RD NE	073W12CA03800	KHAN OIL, LLC			
166A	N/A	N/A	BLUE CHIP PROPERTIES	X		APPROXIMATE ACQUISITION AREA

**CITY OF Salem**  
**AT YOUR SERVICE**  
**PUBLIC WORKS DEPARTMENT**

**ENGINEERING DIVISION**  
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December 2017