

RESOLUTION NO. 2018-16

A RESOLUTION AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO ACQUIRE REAL PROPERTY AND INTERESTS THEREIN, INCLUDING RIGHT-OF-WAY, EASEMENTS, AND ALL PROPERTY RIGHTS NECESSARY FOR THE FISHER ROAD NE EXTENSION IMPROVEMENTS PROJECT, OVER A STRIP OF LAND ADJACENT TO THE PROPERTY COMMONLY KNOWN AS 3864 SUNNYVIEW ROAD NE

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

Whereas, the City Council by Resolution 2015-42 deemed it necessary and expedient to acquire right-of-way and easements over certain real property in conjunction with the Fisher Road NE Extension Improvements project (“Project”) in Salem, Oregon; and

Whereas, the Project is for the public purpose of constructing road improvements, specifically an extension of Fisher Road, NE and related improvements, to alleviate traffic congestions, and increase accessibility, convenience, and safety for the public, including motorists, pedestrians, and business owners; and

Whereas, the City is attempting, by negotiation, purchase, and agreement, to acquire real property and interests therein, owned by Sunnyview –Stoneridge, LLC (Robert B. Cavell and Dean R. Derrah, managers), commonly known as 3864 Sunnyview Road NE, City of Salem, Marion County, Oregon, more particularly described in “Exhibit A” and depicted on “Exhibit B,” which are attached hereto and incorporated herein; and

Whereas, the Project for which the property 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 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 City of the property, described herein, and to seek immediate possession thereof.

Section 2. This resolution is effective upon adoption.

ADOPTED by the City Council this 26th day of March 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: A. Edelman