

RESOLUTION NO. 2018-30

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 BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 4593 SUNNYVIEW ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 4593 Sunnyview Road NE, 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 improvements 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 identified in "Exhibit A" and depicted in "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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 1

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

February 27, 2018

OWNER: Mary Ann Gleboff Revocable
Living Trust, Mary Ann Gleboff
Trustee

Project No. 713507

Map & Tax Lot No. 07S-02W-19AA 6101

Property ID No. 1

Page 1 of 2

TRACT 1 - Right-Of-Way Acquisition

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to the Mary Ann Gleboff Revocable Living Trust, Mary Ann Gleboff trustee, recorded October 10, 2008 as Reel 3000, Page 441, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 49.35 feet left of Existing Brown Road N.E. Centerline Station 0+05.00;

Thence northeasterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 0+71.96;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Sunnyview Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 171 square feet, more or less.

TRACT 2 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to the Mary Ann Gleboff Revocable Living Trust, Mary Ann Gleboff trustee, recorded October 10, 2008 as Reel 3000, Page 441, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 54.81 feet left of Existing Brown Road N.E. Centerline Station 0+05.00;

Thence northeasterly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 0+50.20;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 0+76.55;

Thence westerly, in a straight line, to a point 43.21 feet left of Existing Brown Road N.E. Centerline Station 0+76.55;

Thence northerly, in a straight line, to a point 43.21 feet left of Existing Brown Road N.E. Centerline Station 1+04.57;

Thence easterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 1+04.57;

EXCEPTING therefrom the previously described Tract 1.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Sunnyview Road N.E.

The stationing used to described this tract is based on the Existing Centerline of Brown Road N.E. described herein, being more particularly described in Tract 1.

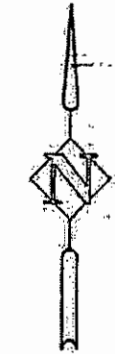
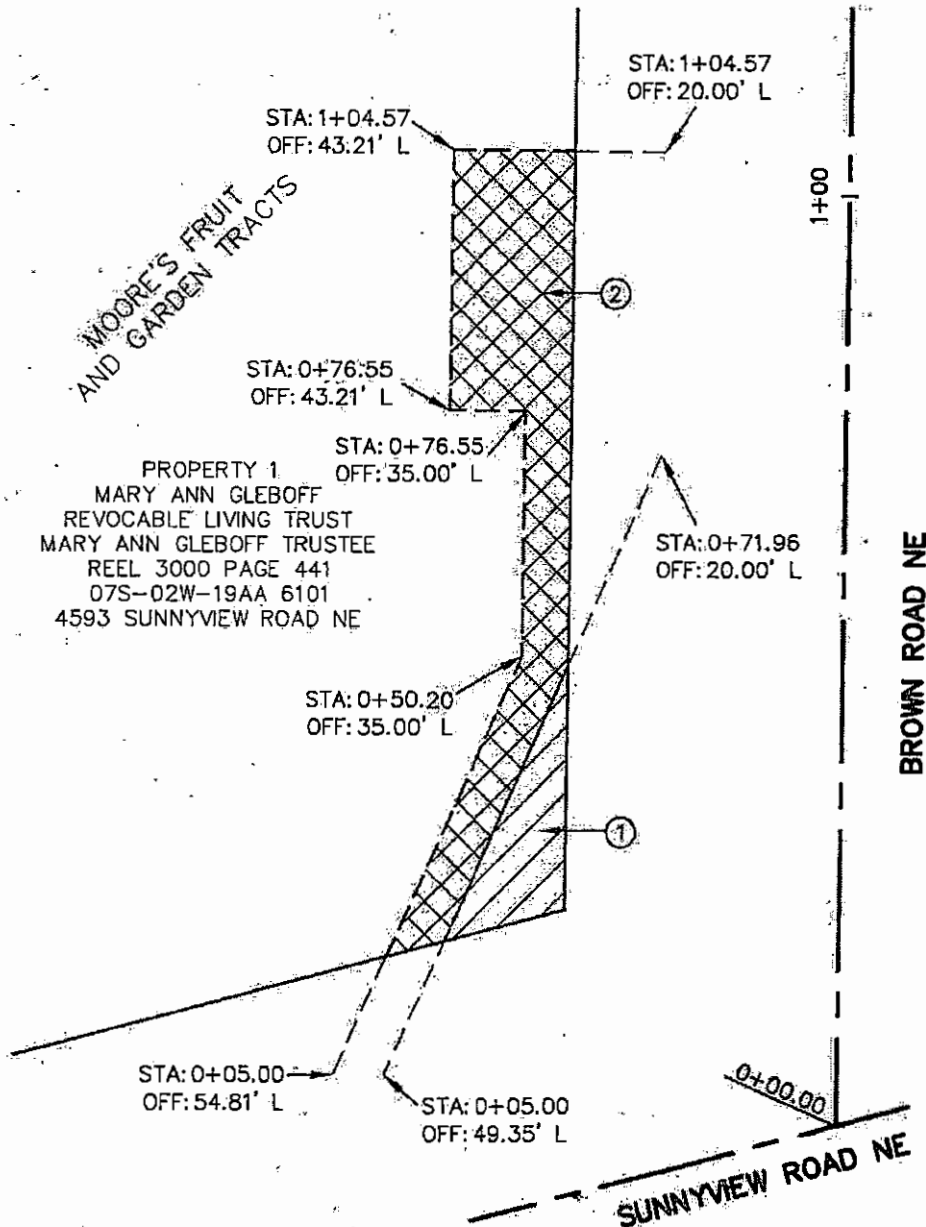
The tract of land to which this description applies contains 674 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 1



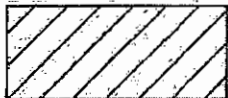
SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① RIGHT-OF-WAY ACQUISITION
± 171 SQ.FT.



② TEMPORARY CONSTRUCTION
EASEMENT
± 674 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 KMB 02/27/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-31

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2035 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2035 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 2

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Wayne Lee Newman
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-19AA 6200
Property ID No. 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Wayne Lee Newman, recorded January 16, 2004 as Reel 2262, Page 497, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 39.70 feet left of Existing Brown Road N.E. Centerline Station 1+27.00;

Thence northerly, in a straight line, to a point 39.70 feet left of Existing Brown Road N.E. Centerline Station 1+74.93;

Thence easterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 1+74.93;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811; Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 367 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 2

TAX LOT
07S-02W-19AA 6300

STA: 1+74.93
OFF: 39.70' L

PROPERTY 2:
WAYNE LEE NEWMAN
REEL 2262 PAGE 497
07S-02W-19AA 6200
2035 BROWN ROAD NE

MOORE'S FRUIT
AND GARDEN TRACTS

STA: 1+27.00
OFF: 39.70' L

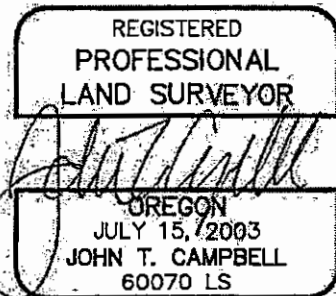
TAX LOT
07S-02W-19AA 6101

STA: 1+74.93
OFF: 20.00' L

BROWN ROAD NE



SCALE
1" = 20'



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 367 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-32

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2045 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2045 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 3

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 1, 2018

OWNER: Thomas G. Oliver and Debra A.

Oliver, Trustee of the Oliver Family
Trust

Project No. 713507

Map & Tax Lot No. 07S-02W-19AA 6300

Property ID No. 3

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Thomas G. Oliver and Debra A. Oliver, Trustee of the Oliver Family Trust, recorded August 1, 2016 as Reel 3844, Page 445, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 2+35.86;

Thence westerly, in a straight line, to a point 34.00 feet left of Existing Brown Road N.E. Centerline Station 2+35.86;

Thence northerly, in a straight line, to a point 34.00 feet left of Existing Brown Road N.E. Centerline Station 2+67.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 93 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 3

TAX LOT
07S-02W-18DD 10000

LOT 12
FARRELL MEADOWS

STA: 2+67.00
OFF: 34.00' L

STA: 2+35.86
OFF: 34.00' L

PROPERTY 3
THOMAS G. OLIVER AND
DEBRA A. OLIVER,
TRUSTEE OF THE OLIVER
FAMILY TRUST
REEL 3844 PAGE 445
07S-02W-19AA 6300
2045 BROWN ROAD NE

TAX LOT
07S-02W-19AA 6200

MOORE'S FRUIT
AND GARDEN TRACTS

BROWN ROAD NE

3+00

2+00



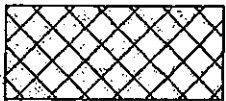
SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 93 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-33

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2075 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2075 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 4

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Richard D. Purdum as Trustee of the
Richard D. Purdum Revocable
Living Trust Dated March 20, 2007

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 10000
Property ID No. 4

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, and the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 12, "Farrell Meadows", as platted and recorded in Volume 45, Page 191, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Quitclaim Deed to Richard D. Purdum as Trustee of the Richard D. Purdum Revocable Living Trust Dated March 20, 2007, recorded March 28, 2007 as Reel 2791, Page 149, Marion County Records, said tract being that portion of said property lying northerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 3+48.63;

Thence westerly, in a straight line, to a point 51.38 feet left of Existing Brown Road N.E. Centerline Station 3+54.30;

Thence northerly, in a straight line, to a point 51.38 feet left of Existing Brown Road N.E. Centerline Station 3+72.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Shipp's Place N.E.

ALSO EXCEPTING therefrom that tract of land as described by Sidewalk Easement to the City of Salem, recorded March 21, 2006 as Reel 2622, Page 439, Marion County Records.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

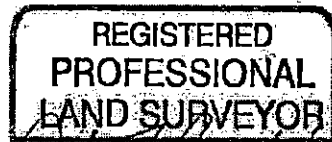
Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 44 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 4

TAX LOT
07S-02W-18DD 8900

SHIPPS PLACE NE

STA: 3+72.00
OFF: 51.38' L

STA: 3+54.30
OFF: 51.38' L

SIDEWALK EASEMENT
PER REEL 2622 PAGE 439
FOR THE BENEFIT OF
THE CITY OF SALEM

PROPERTY 4
RICHARD D. PURDUM, TRUSTEE
OF THE RICHARD D. PURDUM
REVOCABLE LIVING TRUST
REEL 2791 PAGE 149
07S-02W-18DD 10000
2075 BROWN ROAD NE

LOT 12
FARRELL MEADOWS

STA: 3+48.63
OFF: 20.00' L

BROWN ROAD NE

4+00

3+00



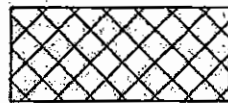
SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 44 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-34

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2107 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2107 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 6

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Mark W. Alexander
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 7600
Property ID No. 6

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Mark W. Alexander, recorded July 2, 1987 as Reel 558, Page 307, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 5+25.26;

Thence westerly, in a straight line, to a point 43.00 feet left of Existing Brown Road N.E. Centerline Station 5+25.26;

Thence northerly, in a straight line, to a point 43.00 feet left of Existing Brown Road N.E. Centerline Station 5+60.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 325 square feet, more or less.

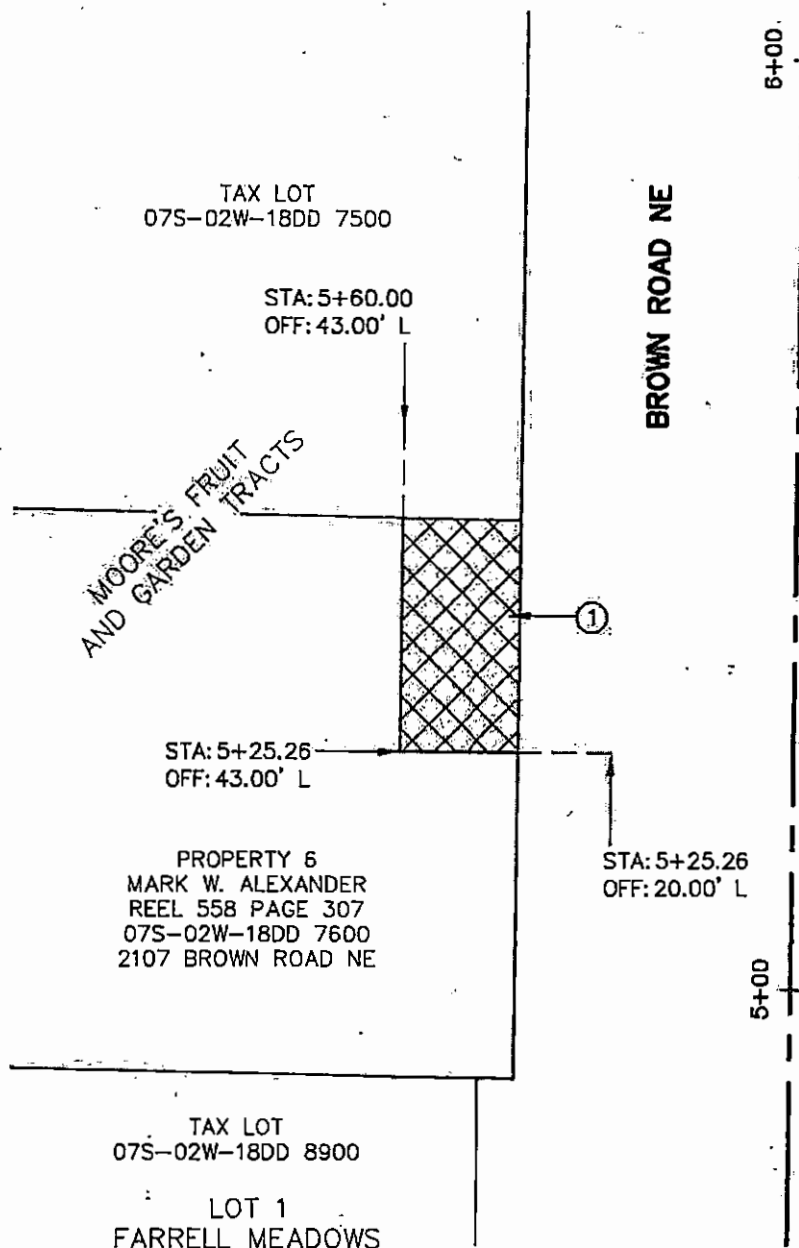


EXPIRES: 12-31-19

Checked by: WA
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 6



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 325 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-35

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2155 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2155 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 8

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Howard D. McMahon
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 7000
Property ID No. 8

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Howard D. McMahon, recorded December 2, 1975 as Reel 31, Page 212, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 6+25.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 7+21.14;

Thence westerly, in a straight line, to a point 55.18 feet left of Existing Brown Road N.E. Centerline Station 7+21.14;

Thence northerly, in a straight line, to a point 55.18 feet left of Existing Brown Road N.E. Centerline Station 7+50.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of an unnamed public road described by Quitclaim deed to The Public, recorded February 16, 1979 as Reel 157, Page 650, Marion County Records.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: 6/1/18 HK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 814 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 8

TAX LOT
07S-02W-18DD 6900

STA: 7+50.00
OFF: 55.18' L

MOORE'S FRUIT
AND GARDEN TRACTS

STA: 7+21.14
OFF: 55.18' L

STA: 7+21.14
OFF: 35.00' L

PROPERTY 8
HOWARD D. MCMAHON
REEL 31 PAGE 212
07S-02W-18DD 7000
2155 BROWN ROAD NE

STA: 6+25.00
OFF: 35.00' L

UNNAMED PUBLIC ROAD
(REEL 157, PAGE 650)

BROWN ROAD NE



SCALE
1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

GREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 814 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-36

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2215 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2215 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 9

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 1, 2018

OWNER: Pauline F. Beals and Larry L. Beals,
Co-Trustees of the Beals Family
Trust and Larry L. Beals, as tenants
in common, each with an undivided
50% interest

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 6900

Property ID No. 9

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Special Warranty Deed to Pauline F. Beals and Larry L. Beals, Co-Trustees of the Beals Family Trust and Larry L. Beals, as tenants in common, each with an undivided 50% interest, recorded November 22, 2013 as Reel 3563, Page 225, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 55.18 feet left of Existing Brown Road N.E. Centerline Station 7+22.00;

Thence northerly, in a straight line, to a point 55.18 feet left of Existing Brown Road N.E. Centerline Station 7+50.22;

Thence easterly, in a straight line, to a point 40.00 feet left of Existing Brown Road N.E. Centerline Station 7+50.22;

Thence northerly, in a straight line, to a point 40.00 feet left of Existing Brown Road N.E. Centerline Station 8+50.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

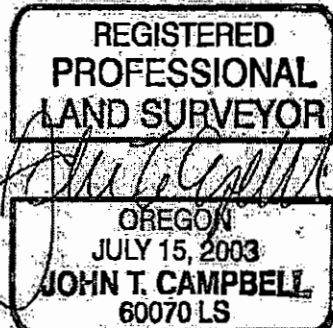
Checked by: WK
Date: 6/1/18

March 1, 2018

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

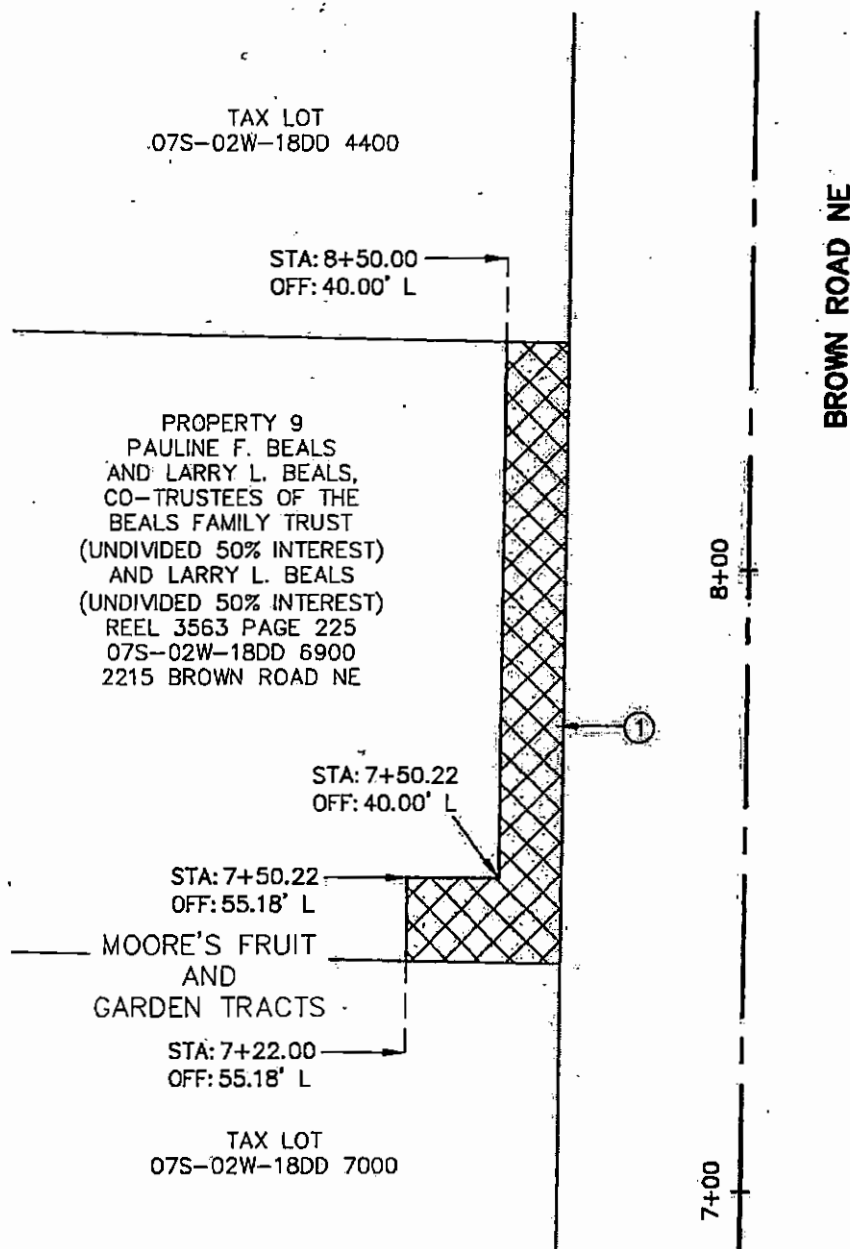
The tract of land to which this description applies contains 1,205 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 9



SCALE
1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 1205 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-37

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2255 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2255 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 10

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 1, 2018

OWNER: Teresa Tracy Marie Ortiz
And Magdeleno Ortiz-Solis

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 4400

Property ID No. 10

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 12, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Trustee's Deed to Teresa Tracy Marie Ortiz and Magdaleno Ortiz-Solis, recorded November 9, 2016 as Reel 3879, Page 473, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 8+20.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 9+17.70;

Thence westerly, in a straight line, to a point 46.00 feet left of Existing Brown Road N.E. Centerline Station 9+17.70;

Thence northerly, in a straight line, to a point 46.00 feet left of Existing Brown Road N.E. Centerline Station 9+48.17;

Thence easterly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 9+48.17;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 9+95.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Checked by: WK

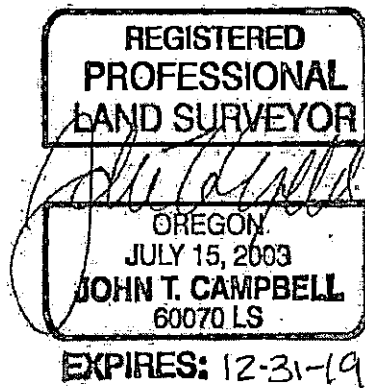
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

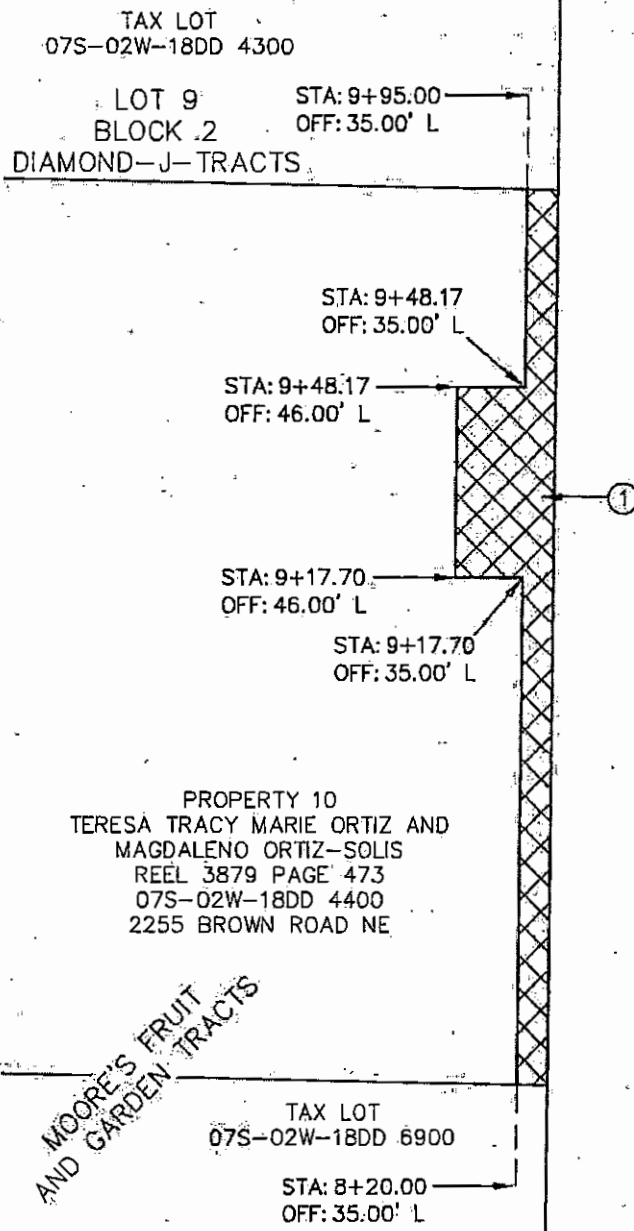
The tract of land to which this description applies contains 1,052 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 10



10+00

9+00

BROWN ROAD NE



SCALE
1" = 30'



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 1052 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-38

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2271 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2271 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 11

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Dennis L. Will
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 4300
Property ID No. 11

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lots 8 and 9, Block 2, "Diamond-J-Tracts", as platted and recorded in Volume 17, Page 32, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to Dennis L. Will, recorded June 11, 1979 as Reel 171, Page 621, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 9+65.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 10+12.36;

Thence westerly, in a straight line, to a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 10+12.36;

Thence northerly, in a straight line, to a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 10+39.55;

Thence easterly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 10+39.55;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 10+59.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

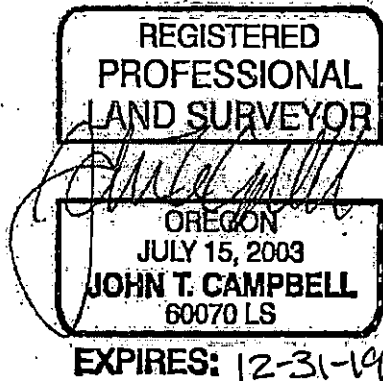
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

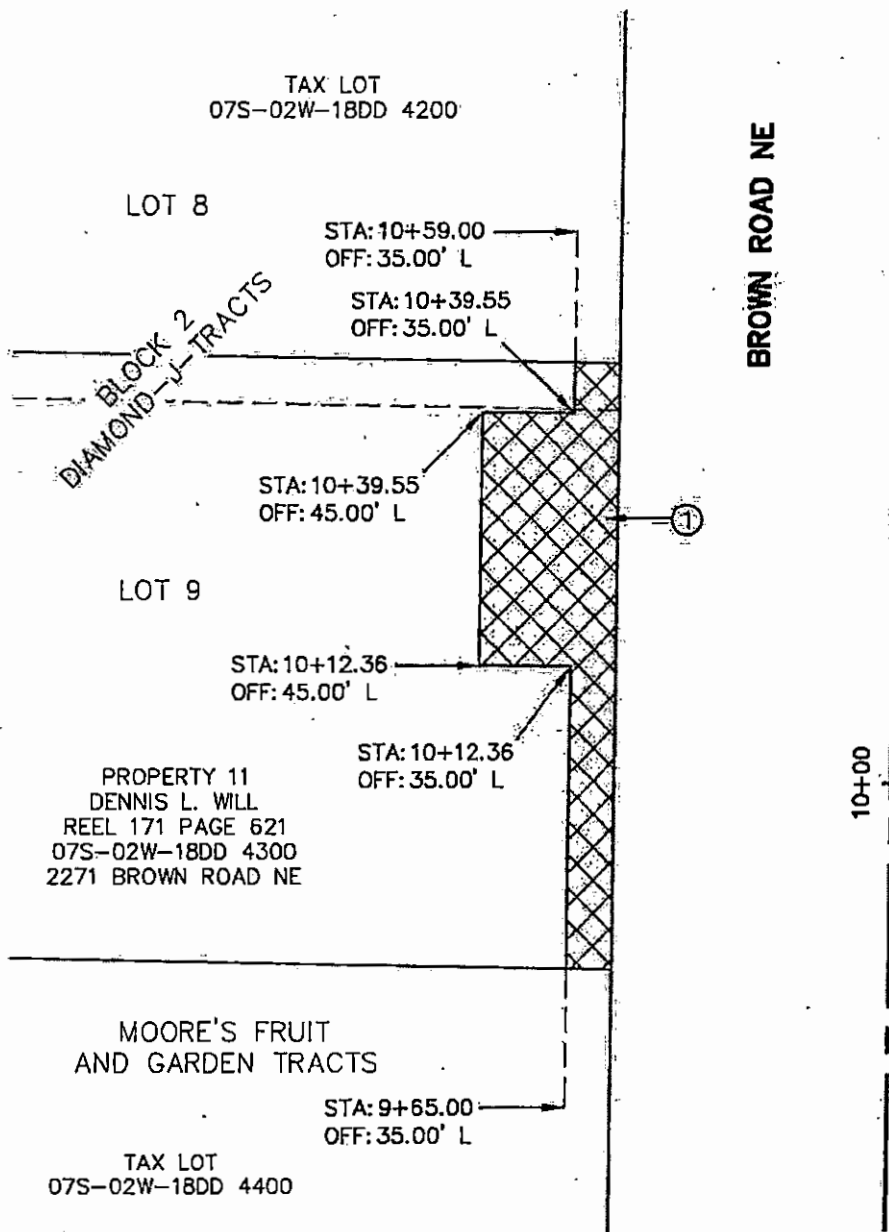
The tract of land to which this description applies contains 597 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 11



SCALE
1" = 20'



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 597 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-39

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 4596 MARIA AVENUE NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 4596 Maria Avenue NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 12

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Laura Rojas
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 4200
Property ID No. 12

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, Block 2, "Diamond-J-Tracts", as platted and recorded in Volume 17, Page 32, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to Laura Rojas, recorded August 16, 2007 as Reel 2854, Page 310, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 10+35.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 11+25.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Maria Avenue N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 350 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

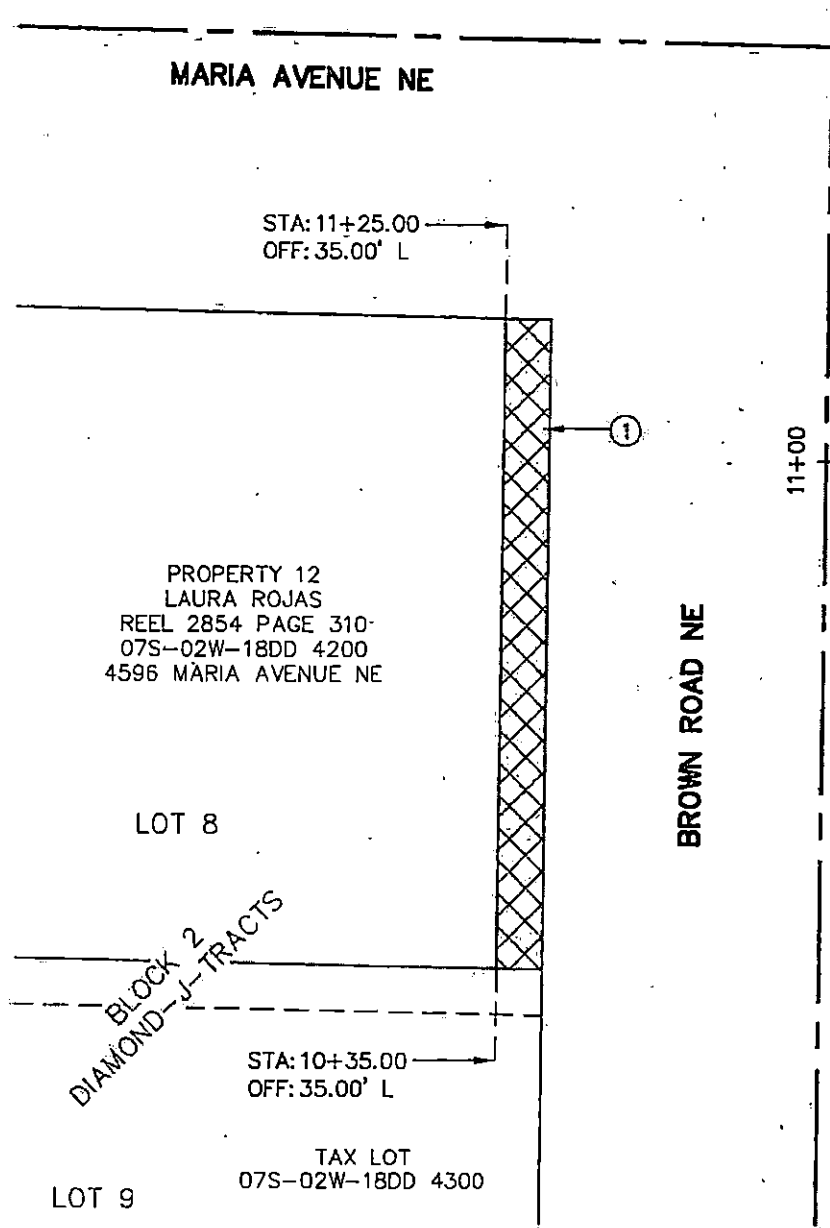
John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 12



SCALE
1" = 20'

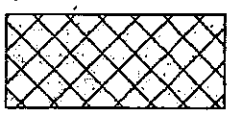
REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 350 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-40

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 BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 4597 MARIA AVE NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 4597 Maria Avenue NE, 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 improvements 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 identified in "Exhibit A" and depicted in "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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 13

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
February 27, 2018
OWNER: Jesus A. Garcia
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 2700
Property ID No. 13

TRACT 1 - Right-Of-Way Acquisition

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, Block 1, "Diamond-J-Tracts", as platted and recorded in Volume 17, Page 32, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Jesus A. Garcia, recorded July 29, 2005 as Reel 2514, Page 401, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 38.07 feet left of Existing Brown Road N.E. Centerline Station 11+60.00;

Thence northeasterly, in a straight line, to a point 25.16 feet left of Existing Brown Road N.E. Centerline Station 12+00.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Maria Avenue N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WAK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 16 square feet, more or less.

TRACT 2 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 9, Block 1, "Diamond-J-Tracts", as platted and recorded in Volume 17, Page 32, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Jesus A. Garcia, recorded July 29, 2005 as Reel 2514, Page 401, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 11+60.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 12+60.00;

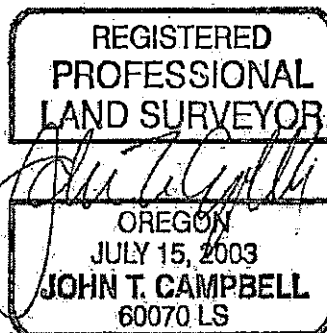
EXCEPTING therefrom the previously described Tract 1.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Maria Avenue N.E.

The stationing used to described this tract is based on the Existing Centerline of Brown Road N.E. described herein, being more particularly described in Tract 1.

The tract of land to which this description applies contains 359 square feet, more or less.

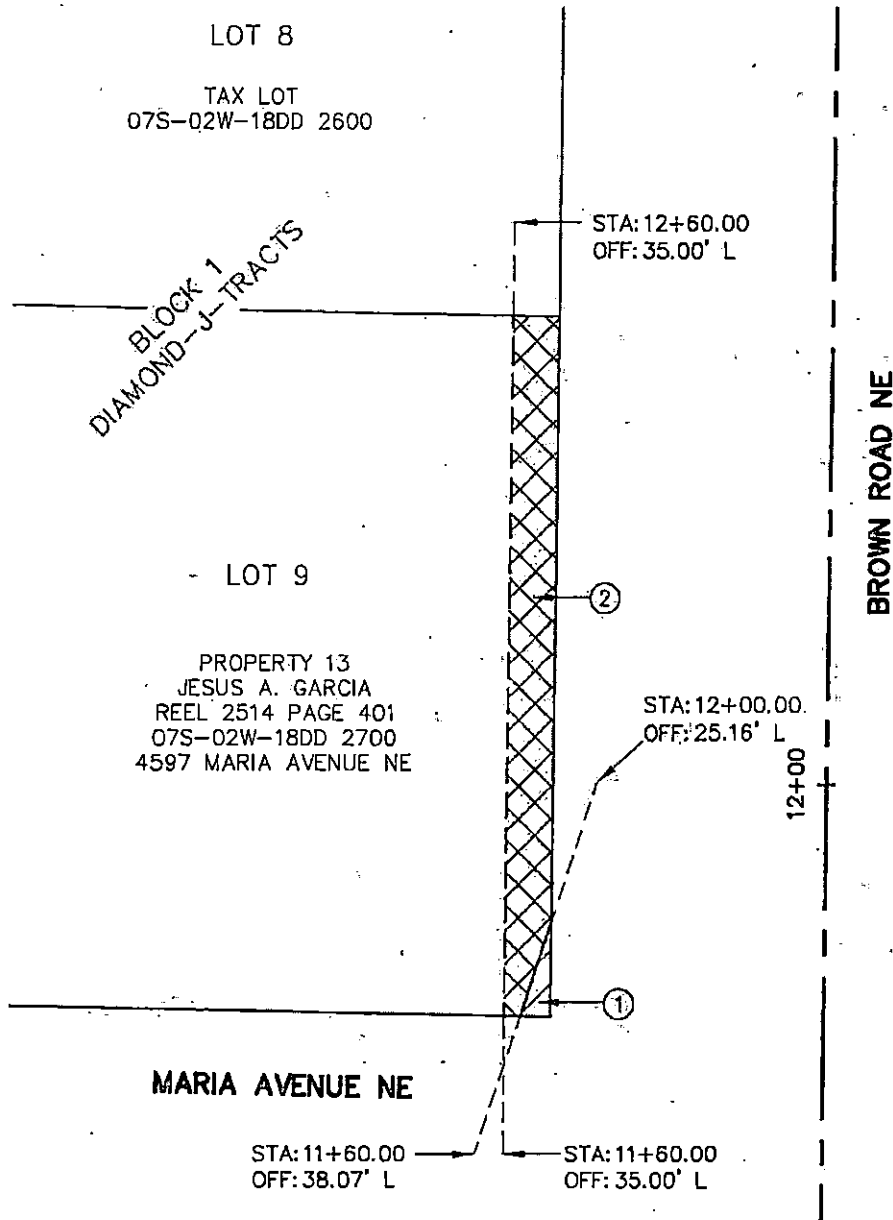


EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

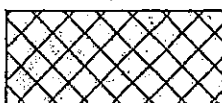
PROPERTY ID NO. 13



LEGEND



① RIGHT-OF-WAY ACQUISITION
± 16 SQ.FT.



② TEMPORARY CONSTRUCTION
EASEMENT
± 359 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 KMB 02/27/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-41

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2351 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2351 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 14

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Patrick V. Rau
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 2600
Property ID No. 14

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, Block 1, "Diamond-J-Tracts", as platted and recorded in Volume 17, Page 32, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Patrick V. Rau, recorded July 11, 2013 as Reel 3522, Page 137, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 12+40.00;

Thence northerly, in a straight line, to a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 12+80.71;

Thence easterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 12+80.71;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 277 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 14

TAX LOT
07S-02W-18DD 7900

LOT 1
SAMANTHA ADDITION

PROPERTY 14
PATRICK V. RAU
REEL 3522 PAGE 137
07S-02W-18DD 2600
2351 BROWN ROAD NE

BROWN ROAD NE

STA: 12+80.71
OFF: 20.00' L

STA: 12+80.71
OFF: 39.00' L

LOT 8

BLOCK 1
DIAMOND-J TRACTS

STA: 12+40.00
OFF: 39.00' L

LOT 9 TAX LOT
07S-02W-18DD 2700



SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 277 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-42

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2391 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2391 Brown Road NE, 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 improvements 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 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 identified in “Exhibit A” and depicted in “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 property rights identified in “Exhibit A,” and shown on “Exhibit B.”

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 15

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 1, 2018

OWNER: Joy J. Gould and Gerald R. Gould as
Trustees of the Gerald R. Gould and
Joy J. Gould Family Trust, executed
the 1 day of March, 1994

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 7900

Property ID No. 15

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 1, "Samantha Addition", as platted and recorded in Volume 43, Page 64, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Joy J. Gould and Gerald R. Gould as Trustees of the Gerald R. Gould and Joy J. Gould Family Trust, executed the 1 day of March, 1994, recorded April 15, 1994 as Reel 1159, Page 199, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 13+38.72;

Thence westerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 13+38.72;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 13+74.51;

Thence easterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 13+74.51;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

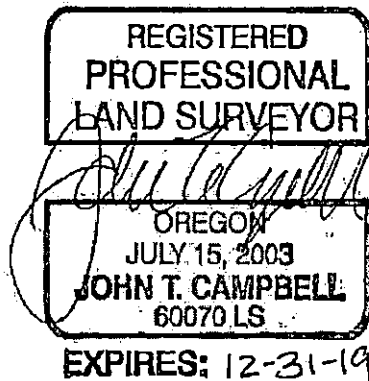
Checked by: WAK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

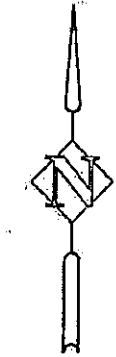
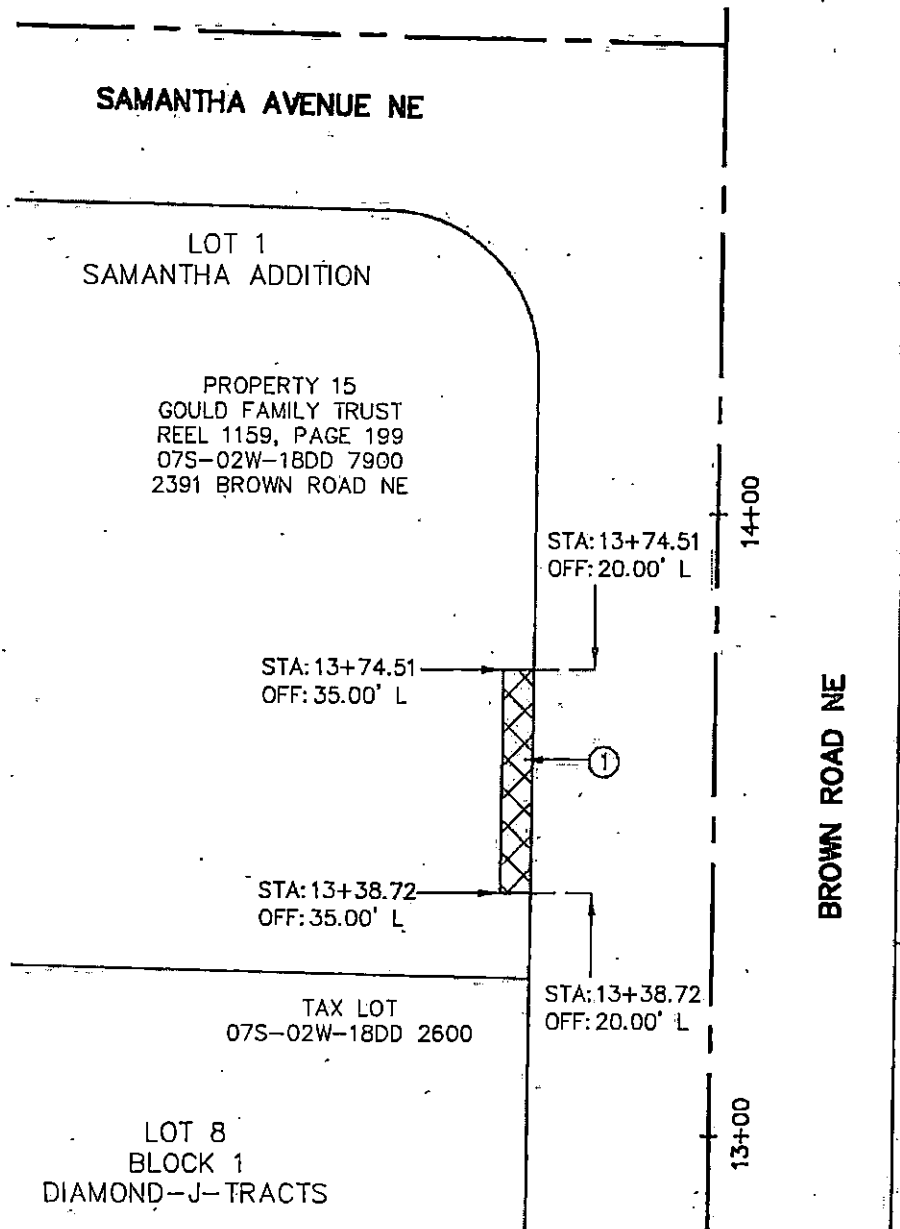
This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 179 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 15



SCALE
1" = 30'



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 179 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-43

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 4595 AND 4597 SAMANTHA AVENUE NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 4595 & 4597 Samantha Avenue NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 16

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 1, 2018

OWNER: Nestor Reutov dba Nestor

Construction and Olga Reutov

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DA 8200

Property ID No. 16

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 11, "Wallace Estates", as platted and recorded in Volume 42, Page 78, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Nestor Reutov dba Nestor Construction and Olga Reutov, recorded May 8, 2000 as Reel 1688, Page 468, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 60.00 feet left of Existing Brown Road N.E. Centerline Station 14+98.00;

Thence northeasterly, in a straight line, to a point 25.00 feet left of Existing Brown Road N.E. Centerline Station 15+30.66;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Samantha Avenue N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 47 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 16

TAX LOT
07S-02W-18DA 8300

LOT 12
WALLACE ESTATES

LOT 11
WALLACE ESTATES

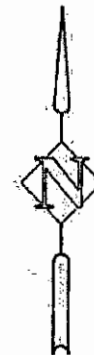
PROPERTY 16
NESTOR REUTOV
DBA NESTOR CONSTRUCTION
AND OLGA REUTOV
REEL 1688, PAGE 468
07S-02W-18DA 8200
4595-4597 SAMANTHA AVENUE NE

BROWN ROAD NE

STA: 15+30.66
OFF: 25.00' L

STA: 14+98.00
OFF: 60.00' L

SAMANTHA AVENUE NE



SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 47 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-44

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2425 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2425 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 17

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: George Myers
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 8300
Property ID No. 17

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 12, "Wallace Estates", as platted and recorded in Volume 42, Page 78, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Small Estate Affiant's and Successor's Deed to George Myers, recorded February 23, 2017 as Reel 3915, Page 214, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 15+70.00;

Thence northerly, in a straight line, to a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 16+45.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

March 1, 2018

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 247 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 17

PARCEL 1
PARTITION PLAT
1997-107

TAX LOT
07S-02W-18DA 2200

STA: 16+45.00
OFF: 39.00' L

PROPERTY 17
GEORGE MYERS
REEL 3915 PAGE 214
07S-02W-18DA 8300
2425 BROWN ROAD NE

LOT 12
WALLACE ESTATES

LOT 11
WALLACE ESTATES

STA: 15+70.00
OFF: 39.00' L

TAX LOT
07S-02W-18DA 8200

BROWN ROAD NE

16+00



SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 247 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-45

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2455 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2455 Brown Road NE, 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 improvements 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 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 identified in “Exhibit A” and depicted in “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 property rights identified in “Exhibit A,” and shown on “Exhibit B.”

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 18

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Melisa Ailene Lua, Ramon James
Stanley Lua, and Tomas Andrew
Lua

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2200
Property ID No. 18

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Parcel 1 of Partition Plat Number 97-107, recorded November 12, 1997 in Reel 1440, Page 144, Marion County Records, also being a portion of that tract of land as described by Bargain and Sale Deed to Melisa Ailene Lua, Ramon James Stanley Lua, and Tomas Andrew Lua, recorded November 21, 1997 as Reel 1442, Page 416, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 16+20.00;

Thence northerly, in a straight line, to a point 39.00 feet left of Existing Brown Road N.E. Centerline Station 16+45.46;

Thence easterly, in a straight line, to a point 34.00 feet left of Existing Brown Road N.E. Centerline Station 16+45.46, said point being on the west right-of-way line of Brown Road N.E. per Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records

Thence northerly, along said west right-of-way line, to a point 34.00 feet left of Existing Brown Road N.E. Centerline Station 16+74.68;

Thence leaving said right-of-way line westerly, in a straight line, to a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 16+74.68;

Thence northerly, in a straight line, to a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 17+25.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 494 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 18

PARCEL 1
PARTITION PLAT
NO. 98-139

TAX LOT
07S-02W-18DA 2300

STA: 17+25.00
OFF: 45.00' L

PROPERTY 18
MELISA AILENE LUA
RAMON JAMES STANLEY LUA
TOMAS ANDREW LUA
REEL 1442 PAGE 416
07S-02W-18DA 2200
2455 BROWN ROAD NE

BROWN ROAD NE

17+00



SCALE
1" = 20'

STA: 16+74.68
OFF: 45.00' L

STA: 16+74.68
OFF: 34.00' L

PARCEL 1
PARTITION PLAT
NO. 97-107

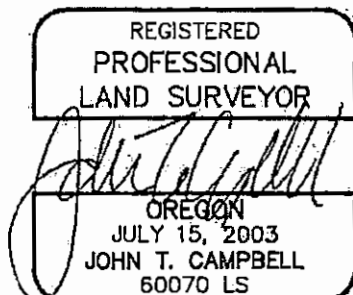
STA: 16+45.46
OFF: 39.00' L

STA: 16+45.46
OFF: 34.00' L

TAX LOT
07S-02W-18DA 8300

STA: 16+20.00
OFF: 39.00' L

LOT 12
WALLACE ESTATES



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 494 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-46

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2475 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2475 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 19

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Oleg Popov
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2300
Property ID No. 19

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Parcel 1 of Partition Plat Number 98-139, recorded December 1, 1998 in Reel 1545, Page 722, Marion County Records, also being a portion of that tract of land as described by Quitclaim Deed to Oleg Popov, recorded June 17, 2014 as Reel 3612, Page 207, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 17+00.00;

Thence northerly, in a straight line, to a point 45.00 feet left of Existing Brown Road N.E. Centerline Station 17+39.68;

Thence easterly, in a straight line, to a point 30.00 feet left of Existing Brown Road N.E. Centerline Station 17+39.68, said point being on the west right-of-way line of Brown Road N.E. per Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence northerly, along said west right-of-way line, to a point 30.00 feet left of Existing Brown Road N.E. Centerline Station 17+68.04;

Thence leaving said right-of-way line westerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 17+68.04;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 18+05.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point $N75^{\circ}22'54''E$, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence $N00^{\circ}32'15''E$, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

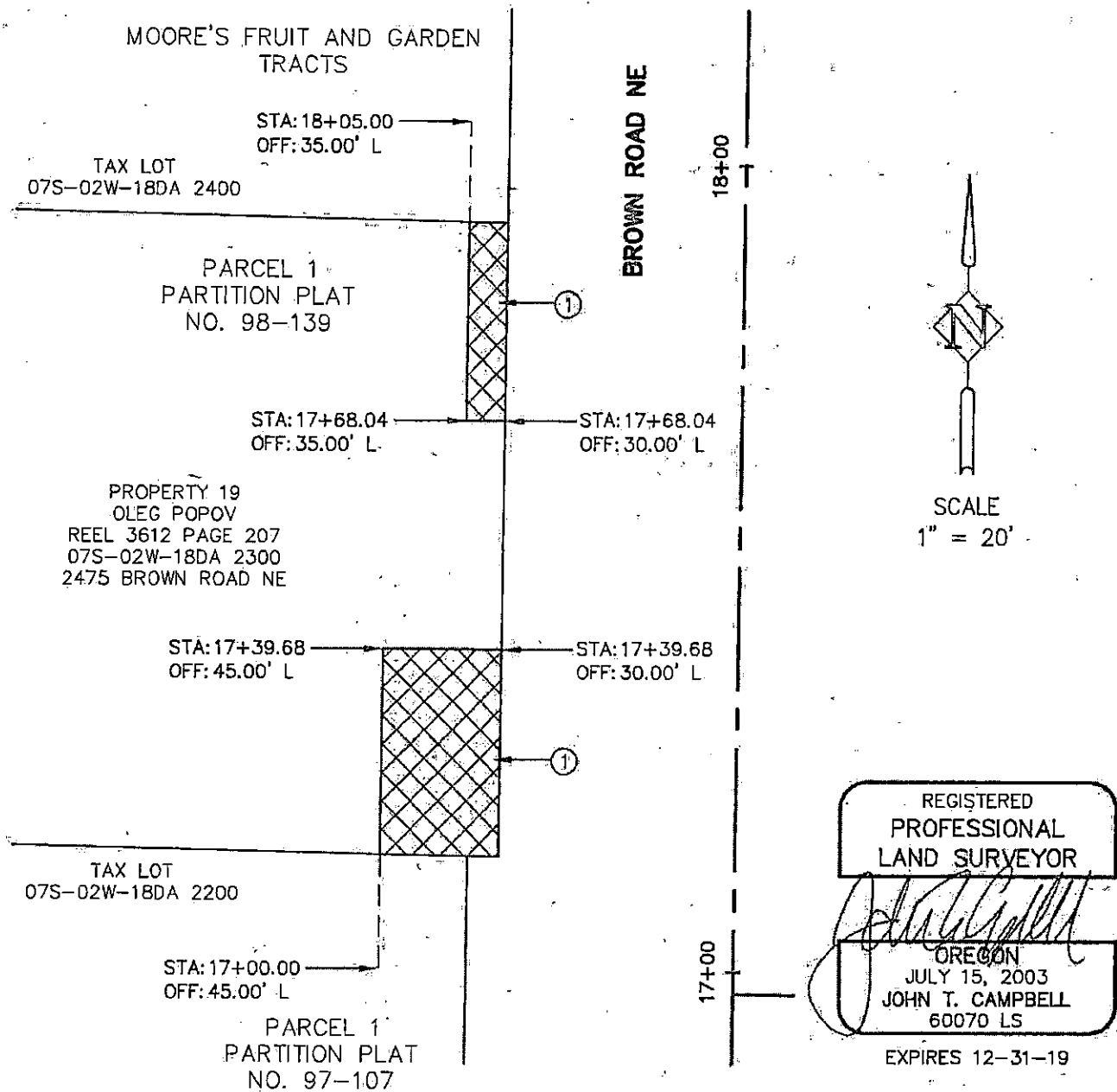
The tract of land to which this description applies contains 508 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 19



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 508 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-47

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2505 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2505 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 20

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Glen Alan Watson
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2400
Property ID No. 20

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 15, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, also being a portion of that tract of land as described by Statutory Warranty Deed to Glen Alan Watson, recorded January 7, 2016 as Reel 3773, Page 258, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 17+80.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 18+23.98;

Thence westerly, in a straight line, to a point 44.65 feet left of Existing Brown Road N.E. Centerline Station 18+23.98;

Thence northerly, in a straight line, to a point 54.29 feet left of Existing Brown Road N.E. Centerline Station 18+88.47;

Thence easterly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 18+88.47;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 19+05.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

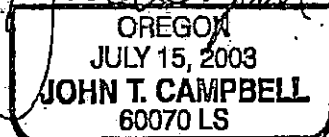
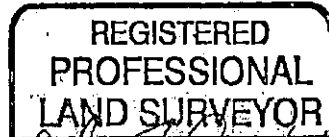
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: Wk
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

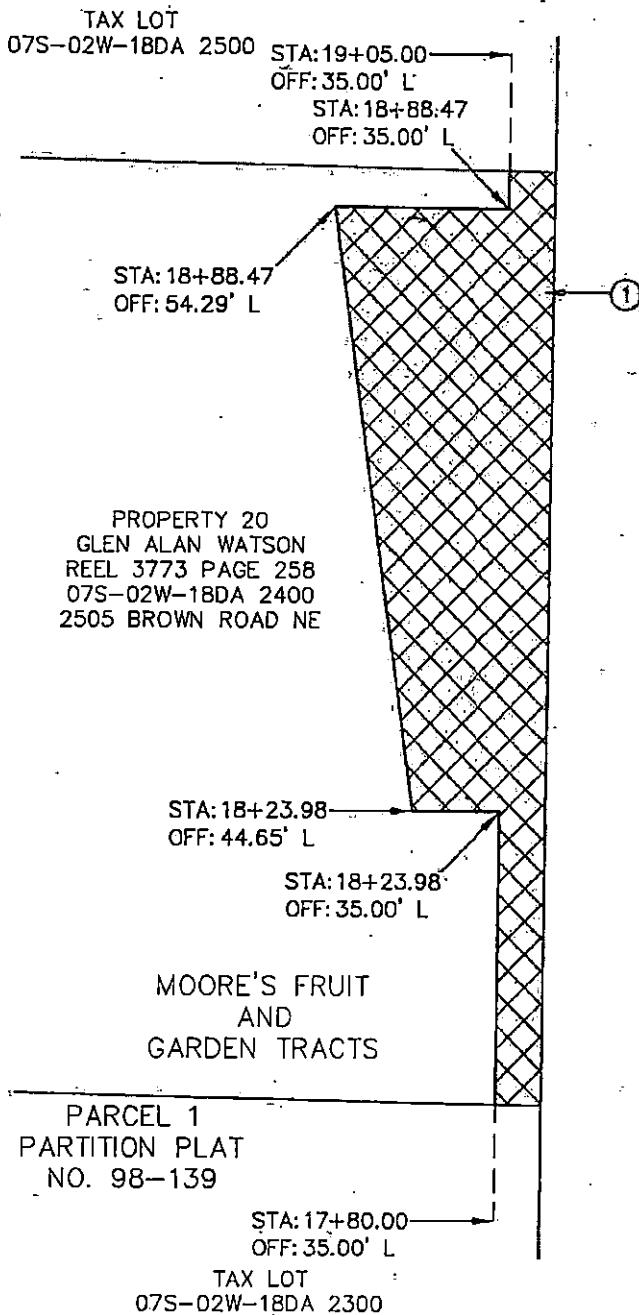
The tract of land to which this description applies contains 1,432 square feet, more or less.



EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B" PROPERTY ID NO. 20



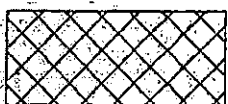
SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 1432 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-48

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2515 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2515 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 21

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: Daniel Uselman
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2500
Property ID No. 21

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 15, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, also being a portion of that tract of land as described by Statutory Warranty Deed to Daniel Uselman, recorded November 27, 2006 as Reel 2739, Page 84, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 18+80.00;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 19+52.76;

Thence westerly, in a straight line, to a point 48.56 feet left of Existing Brown Road N.E. Centerline Station 19+52.76;

Thence northerly, in a straight line, to a point 48.56 feet left of Existing Brown Road N.E. Centerline Station 19+75.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

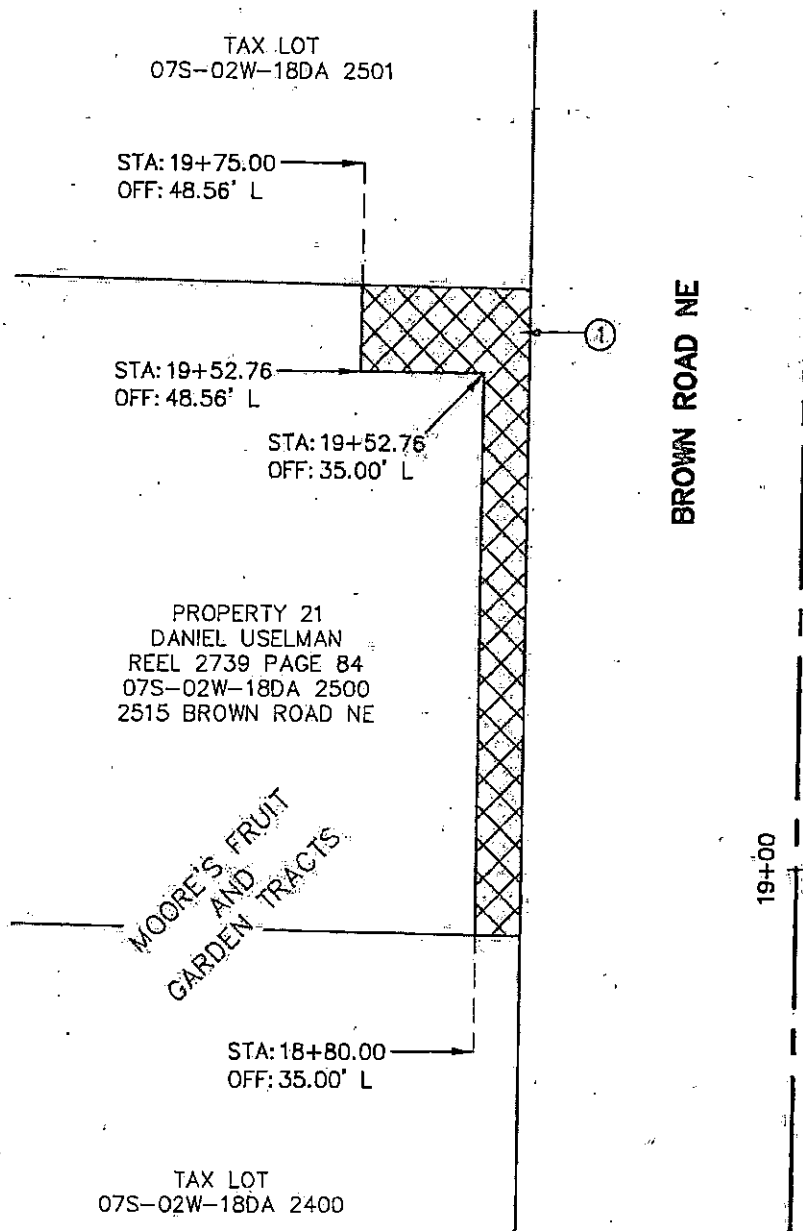
The tract of land to which this description applies contains 470 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 21



SCALE
1" = 20'



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 470 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-49

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2551 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2551 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 22

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 1, 2018
OWNER: General Property Group LLC
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2501
Property ID No. 22

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 15, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, also being a portion of that tract of land as described by Statutory Warranty Deed to General Property Group LLC, recorded April 14, 2015 as Reel 3689, Page 390, Marion County Records, said tract being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 48.56 feet left of Existing Brown Road N.E. Centerline Station 19+50.00;

Thence northerly, in a straight line, to a point 48.56 feet left of Existing Brown Road N.E. Centerline Station 19+81.76;

Thence easterly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 19+81.76;

Thence northerly, in a straight line, to a point 35.00 feet left of Existing Brown Road N.E. Centerline Station 20+21.53;

Thence easterly, in a straight line, to a point 20.00 feet left of Existing Brown Road N.E. Centerline Station 20+21.53;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 568 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 22

LOT 8
BLOCK 4
MCKENZIE MEADOWS
SUBDIVISION NO. 2

TAX LOT
07S-02W-18DA 5500

STA: 20+21.53
OFF: 20.00' L

STA: 20+21.53
OFF: 35.00' L

PROPERTY 22
GENERAL PROPERTY GROUP LLC
REEL 3689 PAGE 390
07S-02W-18DA 2501
2551 BROWN ROAD NE

STA: 19+81.76
OFF: 35.00' L

STA: 19+81.76
OFF: 48.56' L

MOORE'S FRUIT
AND
GARDEN TRACTS

STA: 19+50.00
OFF: 48.56' L

TAX LOT
07S-02W-18DA 2500

BROWN ROAD NE

20+00



SCALE
1" = 20'



EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 568 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/01/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-50

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 BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2590 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2590 Brown Road NE, 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 improvements 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 identified in "Exhibit A" and depicted in "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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 25

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
February 27, 2018
OWNER: Aleksandr Dyachenko
Page 1 of 3

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 800
Property ID No. 25

TRACT 1 - Right-Of-Way Acquisition

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 2, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Special Warranty Deed to Aleksandr Dyachenko recorded May 9, 2013 as Reel 3501, Page 351, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 22+23.02;

Thence northeasterly, in a straight line, to a point 45.00 feet right of Existing Brown Road N.E. Centerline Station 22+46.92;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of San Francisco Drive N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 37 square feet, more or less.

TRACT 2 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 2, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Special Warranty Deed to Aleksandr Dyachenko recorded May 9, 2013 as Reel 3501, Page 351, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 21+13.58;

Thence easterly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 21+13.58;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 21+49.04;

Thence westerly, in a straight line, to a point 30.00 feet right of Existing Brown Road N.E. Centerline Station 21+49.04, said point being on the east right-of-way line of Brown Road N.E. per Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records ;

Thence northerly, along said east right-of-way line, to a point 30.00 feet right of Existing Brown Road N.E. Centerline Station 21+52.81;

Thence leaving said right-of-way line easterly, in a straight line, to a point 38.45 feet right of existing Brown Road N.E. Centerline Station 21+52.81;

Thence northerly, in a straight line, to a point 38.45 feet right of Existing Brown Road N.E. Centerline Station 21+90.00;

Thence westerly, in a straight line, to a point 30.00 feet right of Existing Brown Road N.E. Centerline Station 21+90.00, said point being on said east right-of-way line of Brown Road N.E.;

Thence northerly, along said east right-of-way line, to a point 30.00 feet right of Existing Brown Road N.E. Centerline Station 22+25.66;

Thence leaving said right-of-way line northeasterly, in a straight line, to a point 55.00 feet right of Existing Brown Road N.E. Centerline Station 22+49.56;

Checked by: WK
Date: 6/1/18

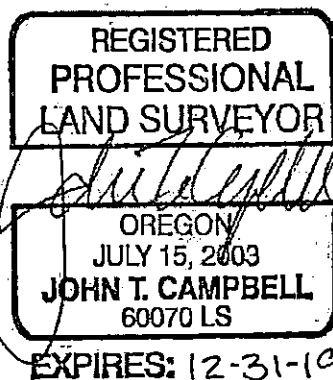
EXCEPTING therefrom the previously described Tract 1.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of San Francisco Drive N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E. described herein, being more particularly described in Tract 1.

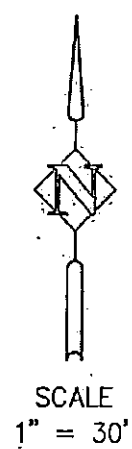
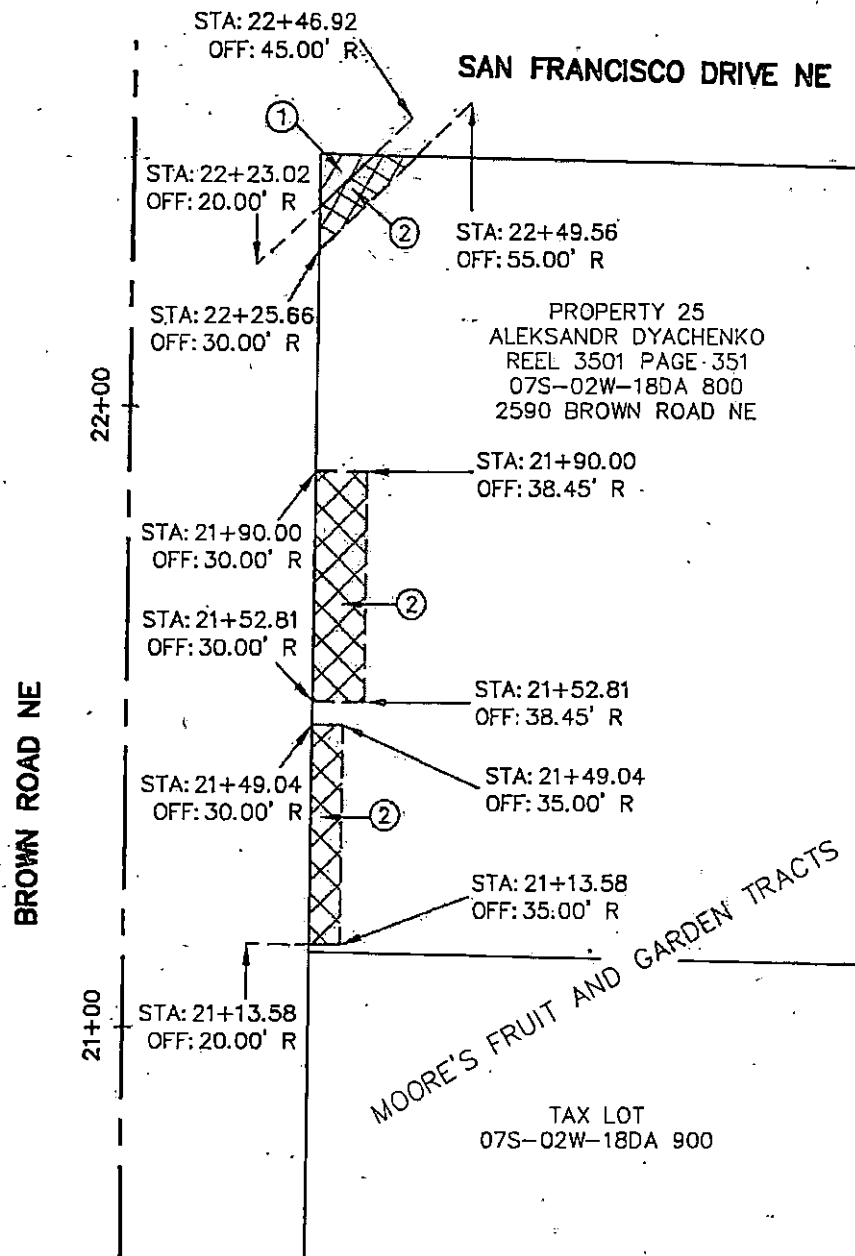
The tract of land to which this description applies contains 577 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 25



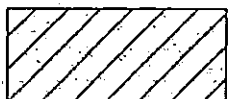
REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① RIGHT-OF-WAY ACQUISITION
± 37 SQ.FT.



② TEMPORARY CONSTRUCTION
EASEMENT
± 577 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 KMB 02/27/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-51

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2540 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2540 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 27

EXHIBIT A

Brown Road NE. (San Francisco-Sunnyview)
March 2, 2018
OWNER: James F. Fritz and Suzanne L. Fritz
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 1000
Property ID No. 27

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Parcel 1 of Partition Plat Number 95-6, recorded January 12, 1995 in Reel 1215, Page 445, Marion County Records, also being a portion of that tract of land as described by Statutory Warranty Deed to James F. Fritz and Suzanne L. Fritz, recorded August 29, 2017 as Reel 3986, Page 409, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 20+16.52;

Thence easterly, in a straight line, to a point 43.15 feet right of Existing Brown Road N.E. Centerline Station 20+16.52;

Thence northerly, in a straight line, to a point 43.15 feet right of Existing Brown Road N.E. Centerline Station 20+41.54;

Thence westerly, in a straight line, to a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 20+41.54;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WJ
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 229 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 27

BROWN ROAD NE

STA: 20+41.54
OFF: 20.00' R

TAX LOT
07S-02W-18DA 900

MOORE'S FRUIT
AND GARDEN TRACTS

STA: 20+41.54
OFF: 43.15' R

STA: 20+16.52
OFF: 43.15' R

STA: 20+16.52
OFF: 20.00' R

PROPERTY 27
JAMES F FRITZ AND
SUZANNE L FRITZ
REEL 3986 PAGE 409
07S-02W-18DA 1000
2540 BROWN ROAD NE



SCALE
1" = 20'

PARCEL 1
PARTITION PLAT
NO. 95-6

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 229 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-52

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2514 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2514 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 28

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Celia G. Ceja
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 1500
Property ID No. 28

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 3, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed-Statutory Form to Celia G Ceja, recorded June 1, 2017 as Reel 3951, Page 77, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 31.44 feet right of Existing Brown Road N.E. Centerline Station 17+80.00;

Thence northerly, in a straight line, to a point 31.44 feet right of Existing Brown Road N.E. Centerline Station 18+17.66;

Thence westerly, in a straight line, to a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 18+17.66;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 31 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 28

TAX LOT
07S-02W-18DA 1000

PARCEL 1
PARTITION PLAT
NO. 95-6

MOORE'S FRUIT AND
GARDEN TRACTS

PROPERTY 28
CELIA G. CEJA
REEL 3951 PAGE 77
07S-02W-18DA 1500
2514 BROWN ROAD NE



SCALE
1" = 30'

BROWN ROAD NE

19+00

STA:18+17.66
OFF:20.00' R

STA:18+17.66
OFF:31.44' R

18+00

①

TAX LOT
07S-02W-18DA 9400

STA:17+80.00
OFF:31.44' R

LOT 1
CRYSTAL MEADOWS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 31 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-53

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2420 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2420 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 31

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: LAD Ventures LLC
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DA 2000
Property ID No. 31

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Parcel 1 of Partition Plat Number 99-4, recorded January 25, 1999 in Reel 1561, Page 466, Marion County Records, also being a portion of that tract of land as described by Statutory Warranty Deed to LAD Ventures LLC, recorded February 28, 2017 as Reel 3917, Page 404, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 14+70.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 14+87.98;

Thence easterly, in a straight line, to a point 41.62 feet right of Existing Brown Road N.E. Centerline Station 14+87.98;

Thence northerly, in a straight line, to a point 41.62 feet right of Existing Brown Road N.E. Centerline Station 15+19.04;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 15+19.04;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 16+10.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 790 square feet, more or less.



Checked by: NK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 31

LOT 24
CRYSTAL MEADOWS

TAX LOT
07S-02W-18DA 11700

STA: 16+10.00
OFF: 35.00' R

PARCEL 1
PARTITION PLAT NO. 99-4

PROPERTY 31
LAD VENTURES LLC
REEL 3917 PAGE 404
07S-02W-18DA 2000
2420 BROWN ROAD NE

STA: 15+19.04
OFF: 35.00' R

STA: 15+19.04
OFF: 41.62' R

STA: 14+87.98
OFF: 41.62' R

STA: 14+87.98
OFF: 35.00' R

TAX LOT
07S-02W-18DD 100

STA: 14+70.00
OFF: 35.00' R

PARCEL 1
PARTITION PLAT NO. 96-4



SCALE
1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 790 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-54

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2390 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2390 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 32

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Charles D. Pettingill
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 100
Property ID No. 32

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Parcel 1 of Partition Plat Number 96-4, recorded January 19, 1996 in Reel 1285, Page 570, Marion County Records, also being a portion of that tract of land as described by Statutory Warranty Deed to Charles D. Pettingill, recorded May 27, 2003 as Reel 2128, Page 61, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 13+75.82;

Thence easterly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 13+75.82;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 14+56.31;

Thence easterly, in a straight line, to a point 43.45 feet right of Existing Brown Road N.E. Centerline Station 14+56.31;

Thence northerly, in a straight line, to a point 43.45 feet right of Existing Brown Road N.E. Centerline Station 14+95.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/16

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 738 square feet, more or less.

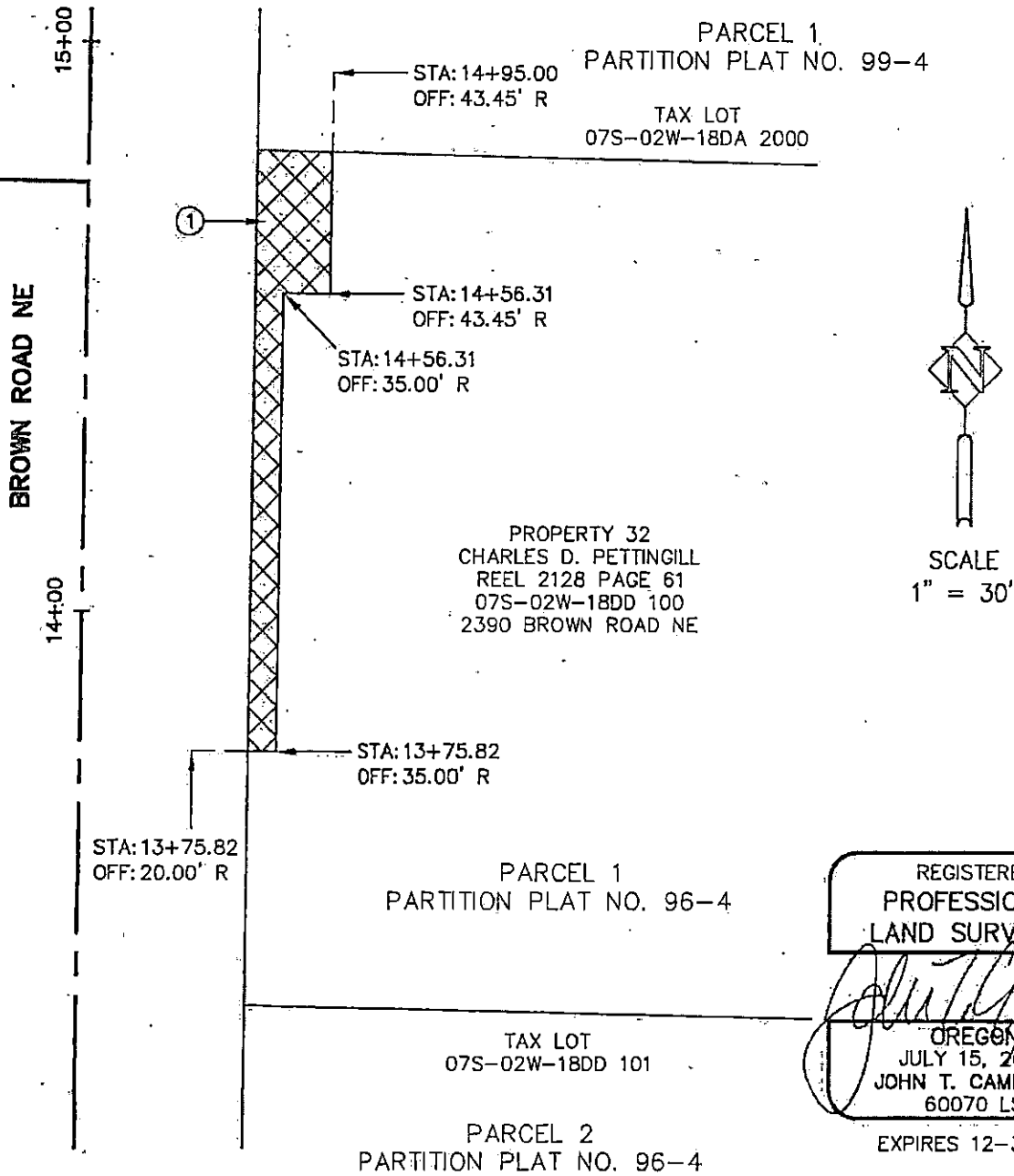


EXPIRES: 12-31-19

Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 32



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 738 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-55

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2280 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2280 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 33

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Robert Harding Haviland

(Undivided 1/2 Interest)

and Gisela U. Harris

(Undivided 1/2 Interest)

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 2401

Property ID No. 33

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Special Warranty Deed to Robert Harding Haviland and Rose M. Haviland, recorded November 5, 1997 as Reel 1438, Page 513, Marion County Records, also being a portion of that tract of land as described by Parcel 6 of Deed Creating Estate by the Entirety to Gisela U. Harris, recorded August 9, 2013 as Reel 3533, Page 404, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 46.58 feet right of Existing Brown Road N.E. Centerline Station 10+75.00;

Thence northerly, in a straight line, to a point 46.58 feet right of Existing Brown Road N.E. Centerline Station 11+33.59;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 11+33.59;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 11+80.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

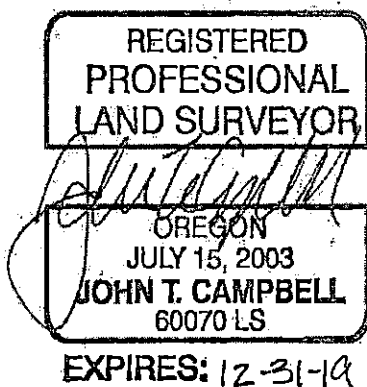
Checked by: WK
Date: 6/1/13

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point $N75^{\circ}22'54''E$, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence $N00^{\circ}32'15''E$, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 921 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 33

PARCEL 2
PARTITION PLAT NO. 96-4

TAX LOT
07S-02W-18DD 101

STA: 11+80.00
OFF: 35.00' R

STA: 11+33.59
OFF: 35.00' R

STA: 11+33.59
OFF: 46.58' R

STA: 10+75.00
OFF: 46.58' R

TAX LOT
07S-02W-18DD 2400

BROWN ROAD NE



SCALE
1" = 20'

PROPERTY 33
ROBERT HARDING HAVILAND
(UNDIVIDED 1/2 INTEREST)
REEL 1438 PAGE 513
AND GISELA U. HARRIS
(UNDIVIDED 1/2 INTEREST)
PARCEL 6 OF
REEL 3533 PAGE 404
07S-02W-18DD 2401
2280 BROWN ROAD NE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

MOORE'S FRUIT AND
GARDEN TRACTS

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 921 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-56

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2260 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2260 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 34

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Ignacio Jimenez and Irma Porras
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 2400
Property ID No. 34

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Ignacio G. Jimenez and Irma Porras, recorded February 22, 2007 as Reel 2777, Page 15, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 9+15.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 10+10.80;

Thence easterly, in a straight line, to a point 36.50 feet right of Existing Brown Road N.E. Centerline Station 10+10.80;

Thence northerly, in a straight line, to a point 36.50 feet right of Existing Brown Road N.E. Centerline Station 10+35.57;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 10+35.57;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 11+02.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

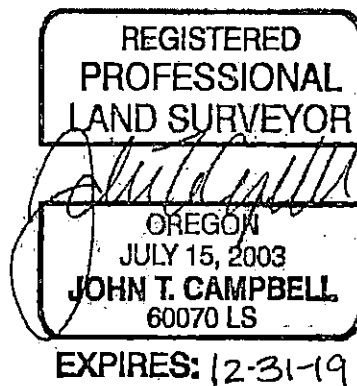
Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

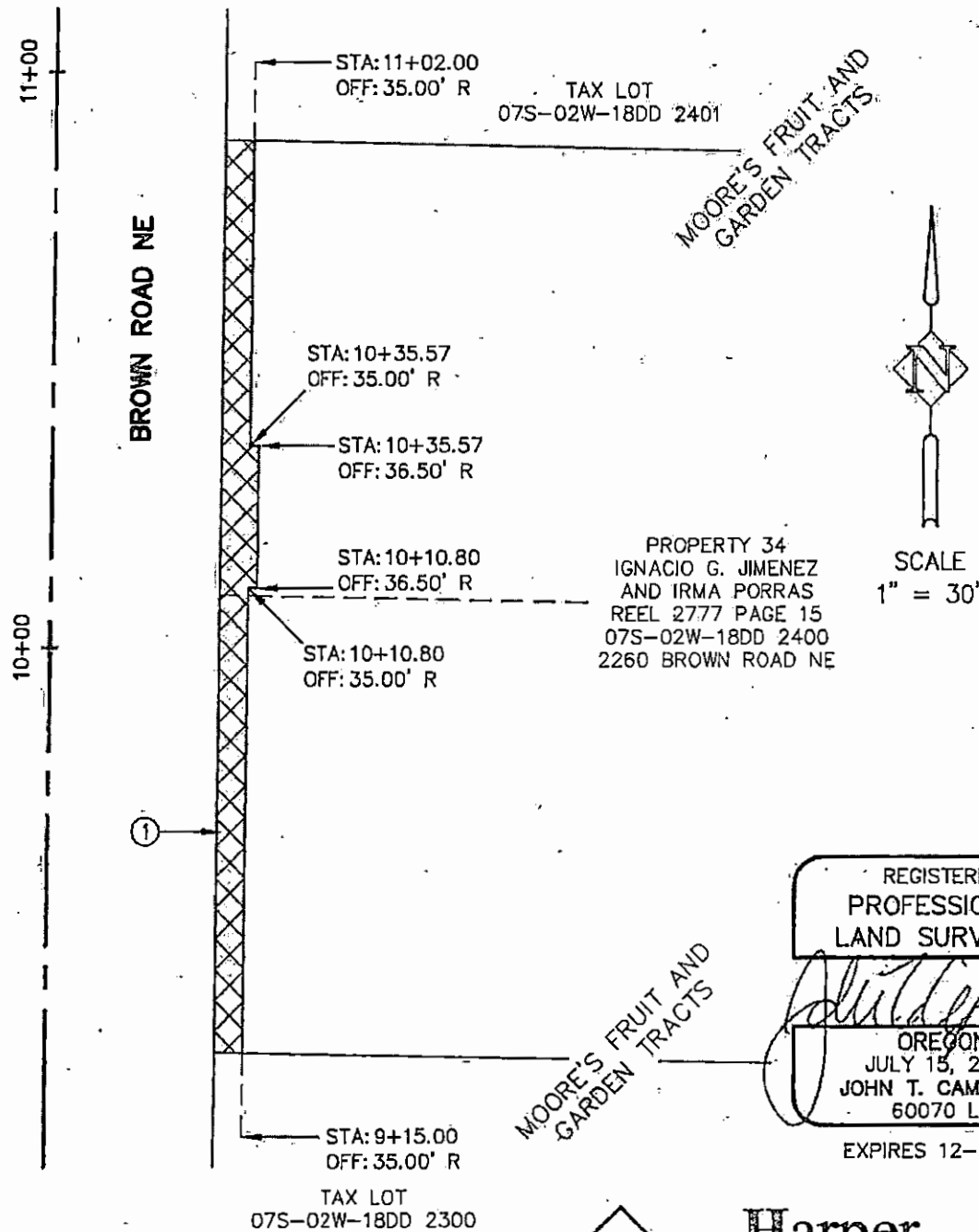
The tract of land to which this description applies contains 830 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 34



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 830 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 · www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-57

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2250 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2250 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 35

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Douglas P. Rodgers and
Margot A. Rodgers

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 2300

Property ID No. 35

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to Douglas P. Rodgers and Margot A. Rodgers, recorded November 20, 2007 as Reel 2891, Page 151, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 8+36.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 8+97.17;

Thence easterly, in a straight line, to a point 45.36 feet right of Existing Brown Road N.E. Centerline Station 8+97.17;

Thence northerly, in a straight line, to a point 45.36 feet right of Existing Brown Road N.E. Centerline Station 9+25.91;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 9+25.91;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 9+44.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

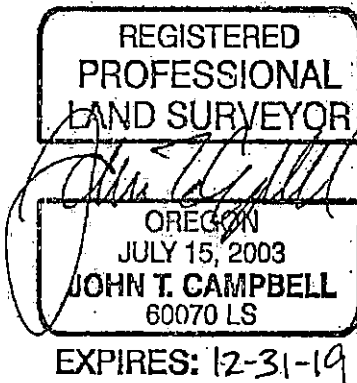
Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 692 square feet, more or less.

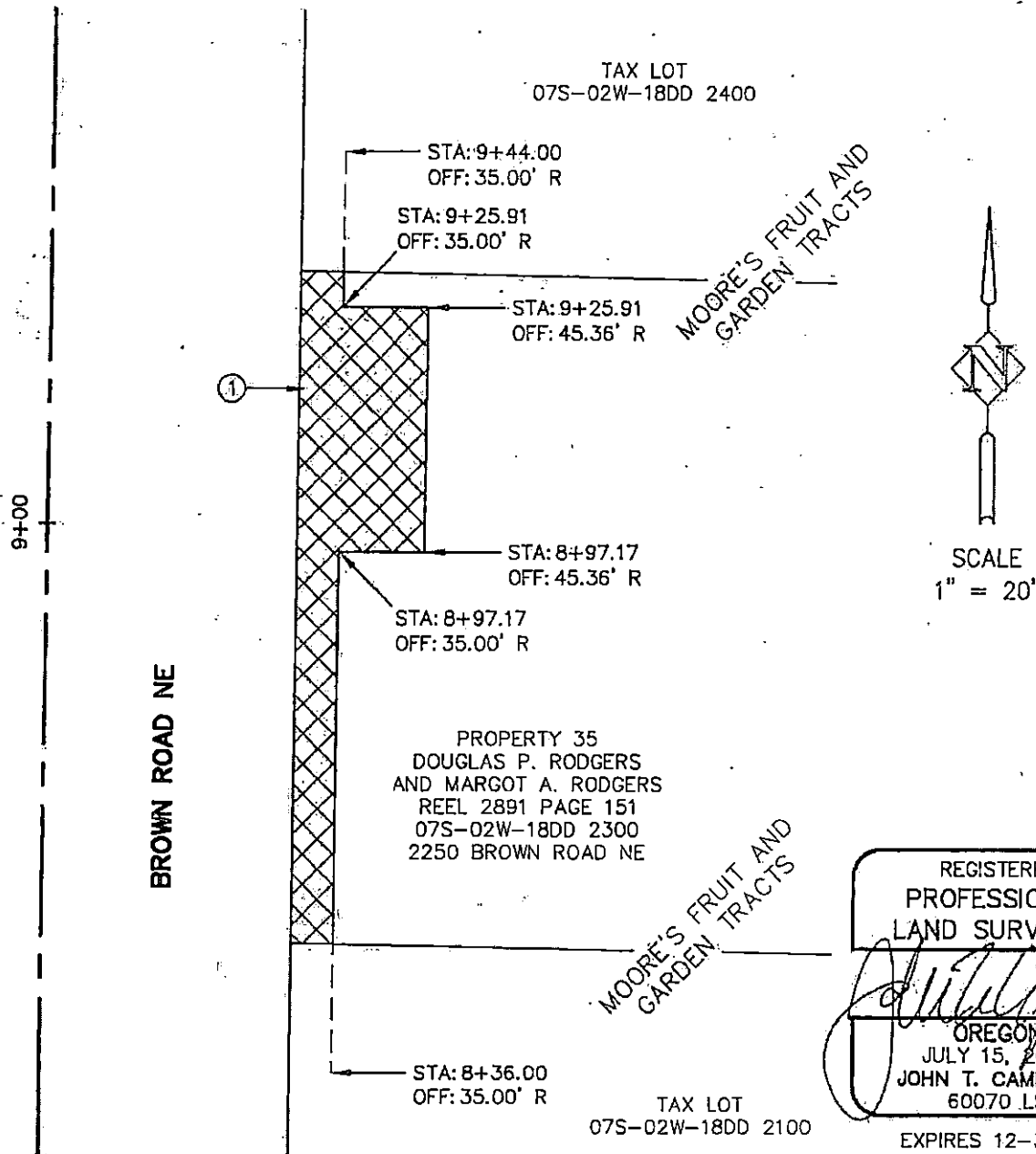


Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 35

TAX LOT
07S-02W-18DD 2400



PROPERTY 35
DOUGLAS P. RODGERS
AND MARGOT A. RODGERS
REEL 2891 PAGE 151
07S-02W-18DD 2300
2250 BROWN ROAD NE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 692 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-58

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2210 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2210 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 36

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Roberto G. Garibay and
Alicia C. Garibay

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 2100

Property ID No. 36

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Roberto G. Garibay and Alicia C. Garibay, recorded July 2, 1987 as Reel 558, Page 275, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 48.35 feet right of Existing Brown Road N.E. Centerline Station 7+57.08;

Thence northerly, in a straight line, to a point 48.35 feet right of Existing Brown Road N.E. Centerline Station 7+98.11;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 7+98.11;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 8+65.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

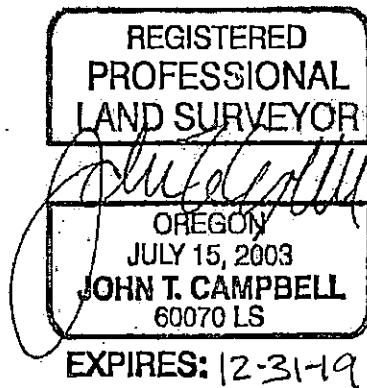
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

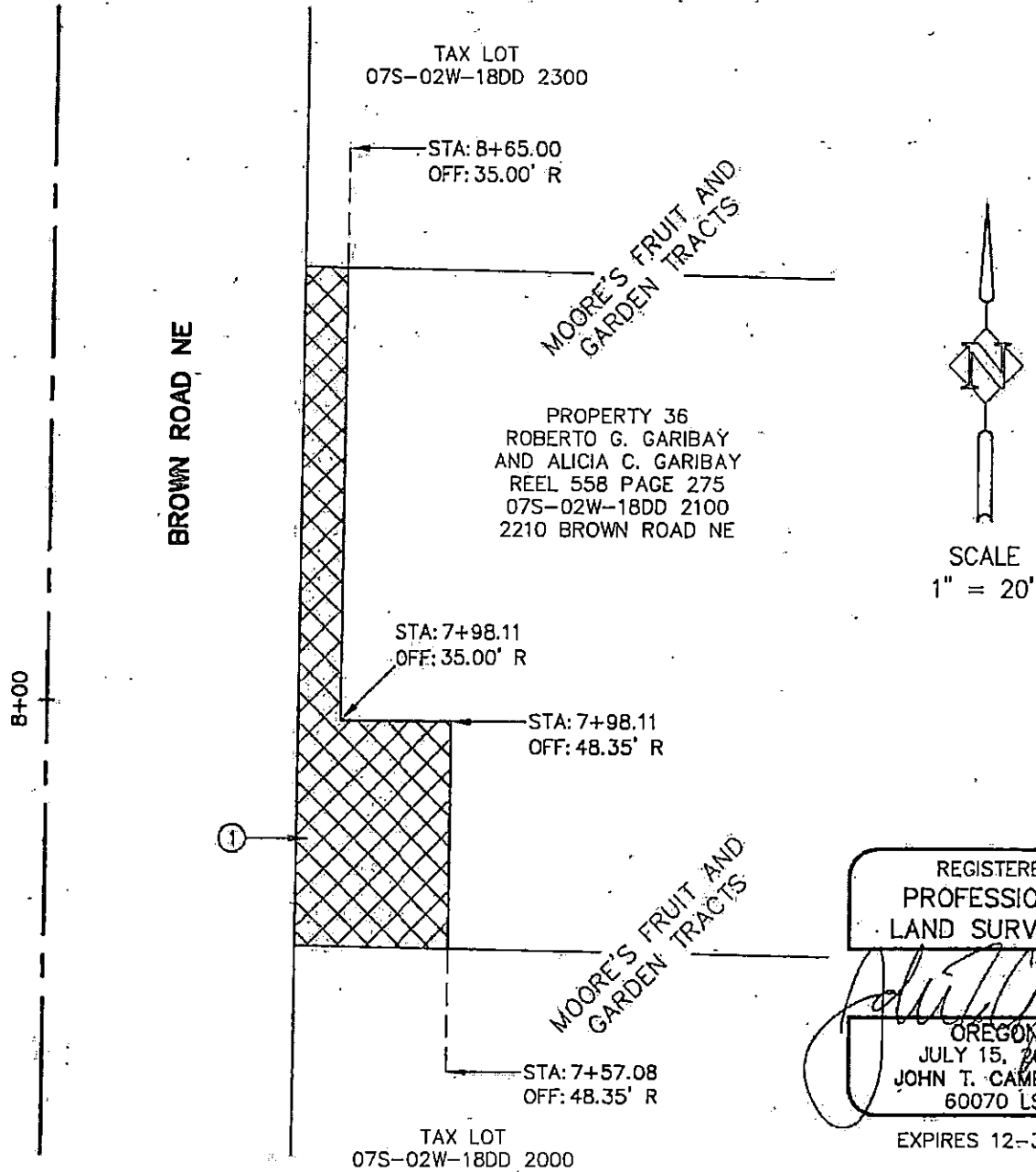
The tract of land to which this description applies contains 751 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 36



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 751 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-59

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2160 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2160 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 37

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Rafael Tenorio Mozqueda
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 2000
Property ID No. 37

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Rafael Tenorio Mozqueda, recorded July 2, 2013 as Reel 3519, Page 336, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 6+80.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 7+36.13;

Thence easterly, in a straight line, to a point 48.35 feet right of Existing Brown Road N.E. Centerline Station 7+36.13;

Thence northerly, in a straight line, to a point 48.35 feet right of Existing Brown Road N.E. Centerline Station 7+85.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

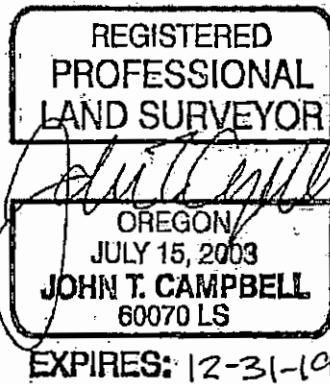
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

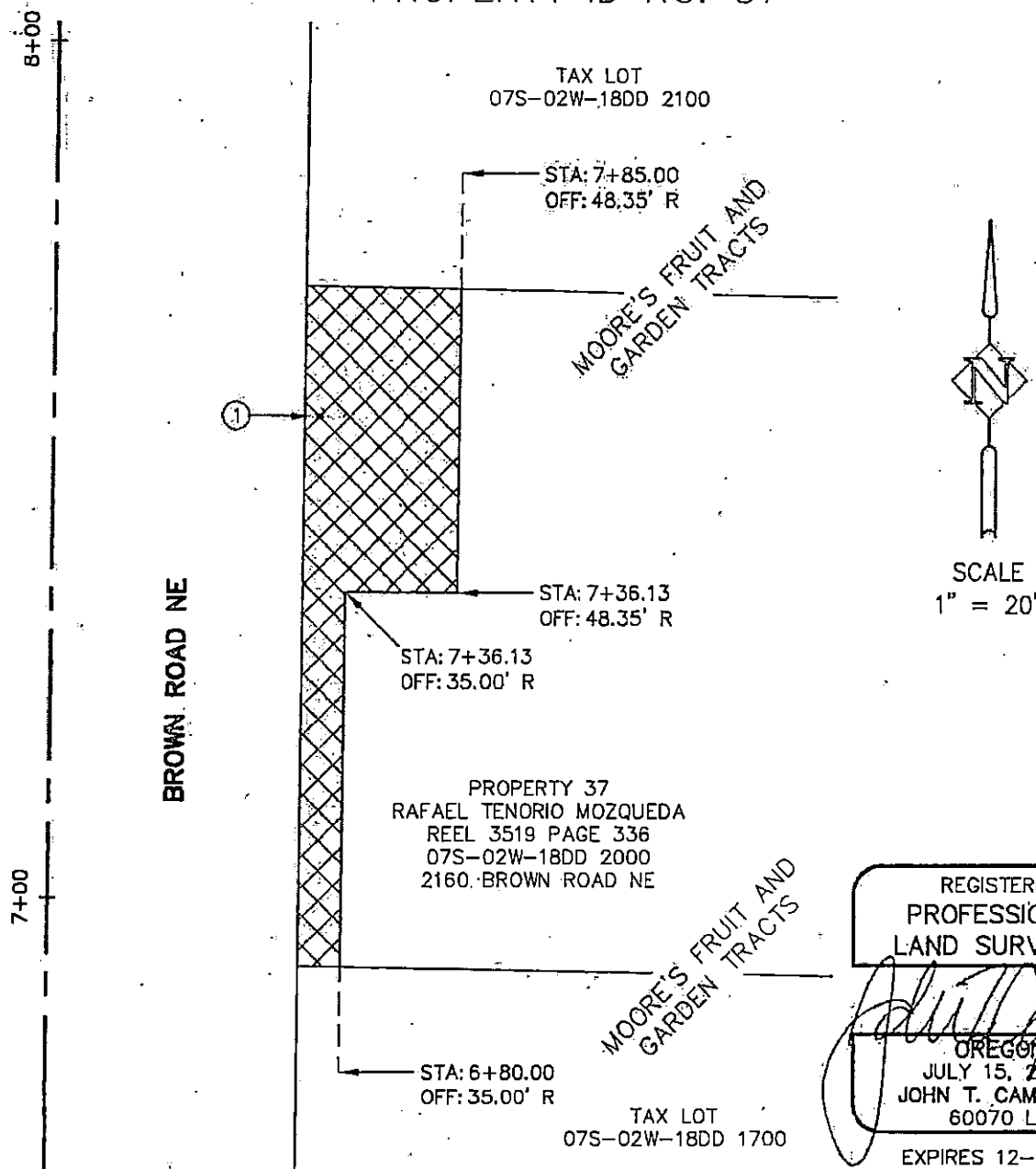
The tract of land to which this description applies contains 870 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 37



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 870 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-60

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2150 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2150 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 38

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Juan Carlos Ibarra Ramirez and
Marta Estela Ibarra

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 1700

Property ID No. 38

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Special Warranty Deed to Juan Carlos Ibarra Ramirez and Marta Estela Ibarra, recorded December 28, 2012 as Reel 3458, Page 259, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 47.00 feet right of Existing Brown Road N.E. Centerline Station 6+00.00;

Thence northerly, in a straight line, to a point 47.00 feet right of Existing Brown Road N.E. Centerline Station 6+42.60;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 6+42.60;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 7+05.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

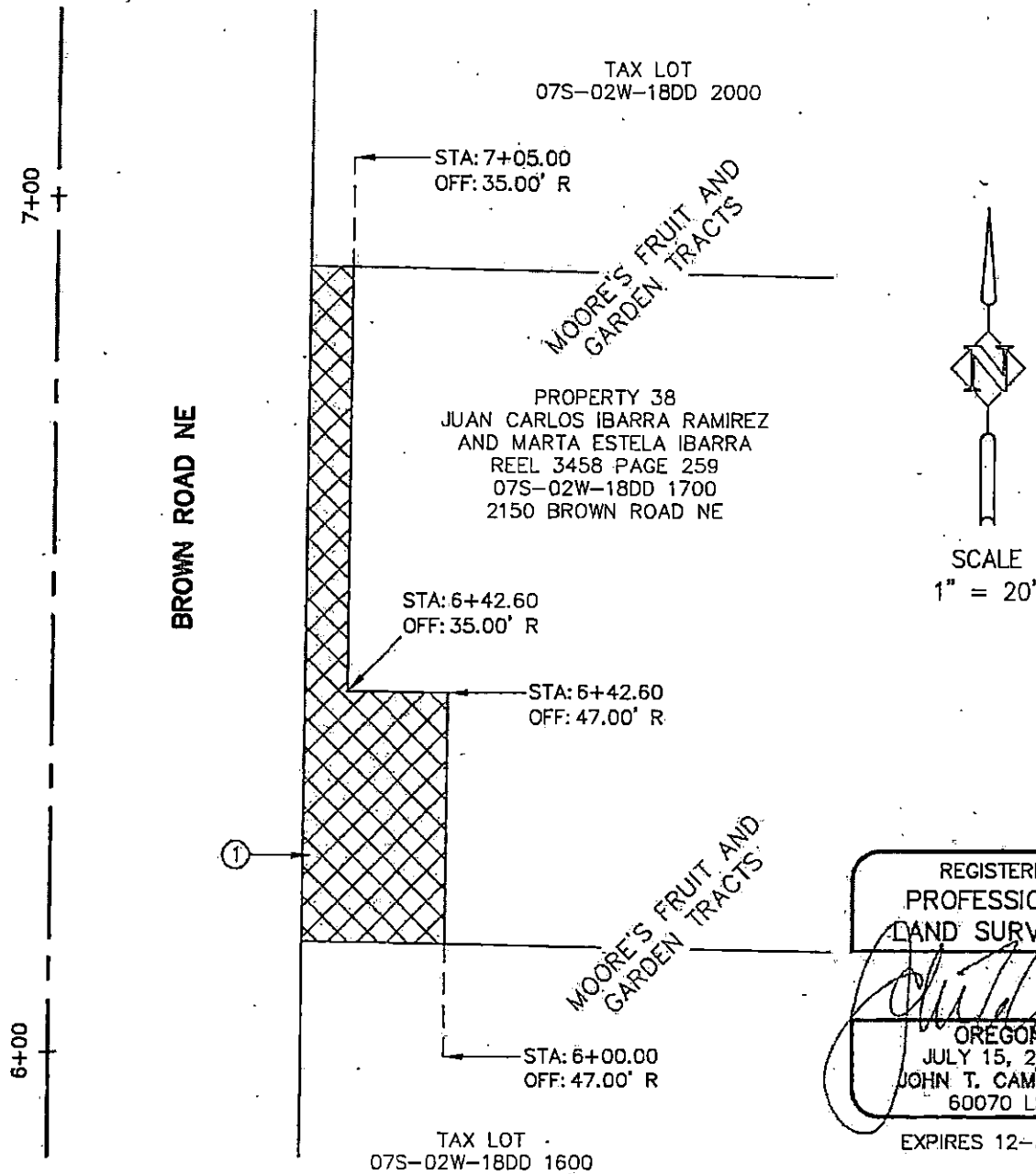
The tract of land to which this description applies contains 748 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 38



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 748 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-61

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2140 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2140 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 39

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Edgar J. Fennimore Jr.
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 1600
Property ID No. 39

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Special Warranty Deed to Edgar J. Fennimore, Jr. and Juanita L. Fennimore, recorded April 7, 2000 as Reel 1681, Page 758, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 5+20.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 5+86.16;

Thence easterly, in a straight line, to a point 47.00 feet right of Existing Brown Road N.E. Centerline Station 5+86.16;

Thence northerly, in a straight line, to a point 47.00 feet right of Existing Brown Road N.E. Centerline Station 6+25.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

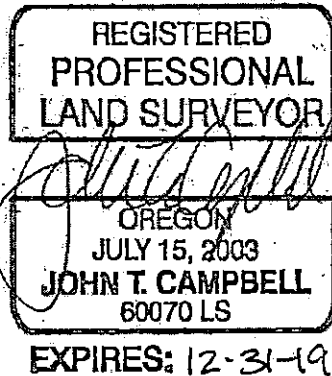
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

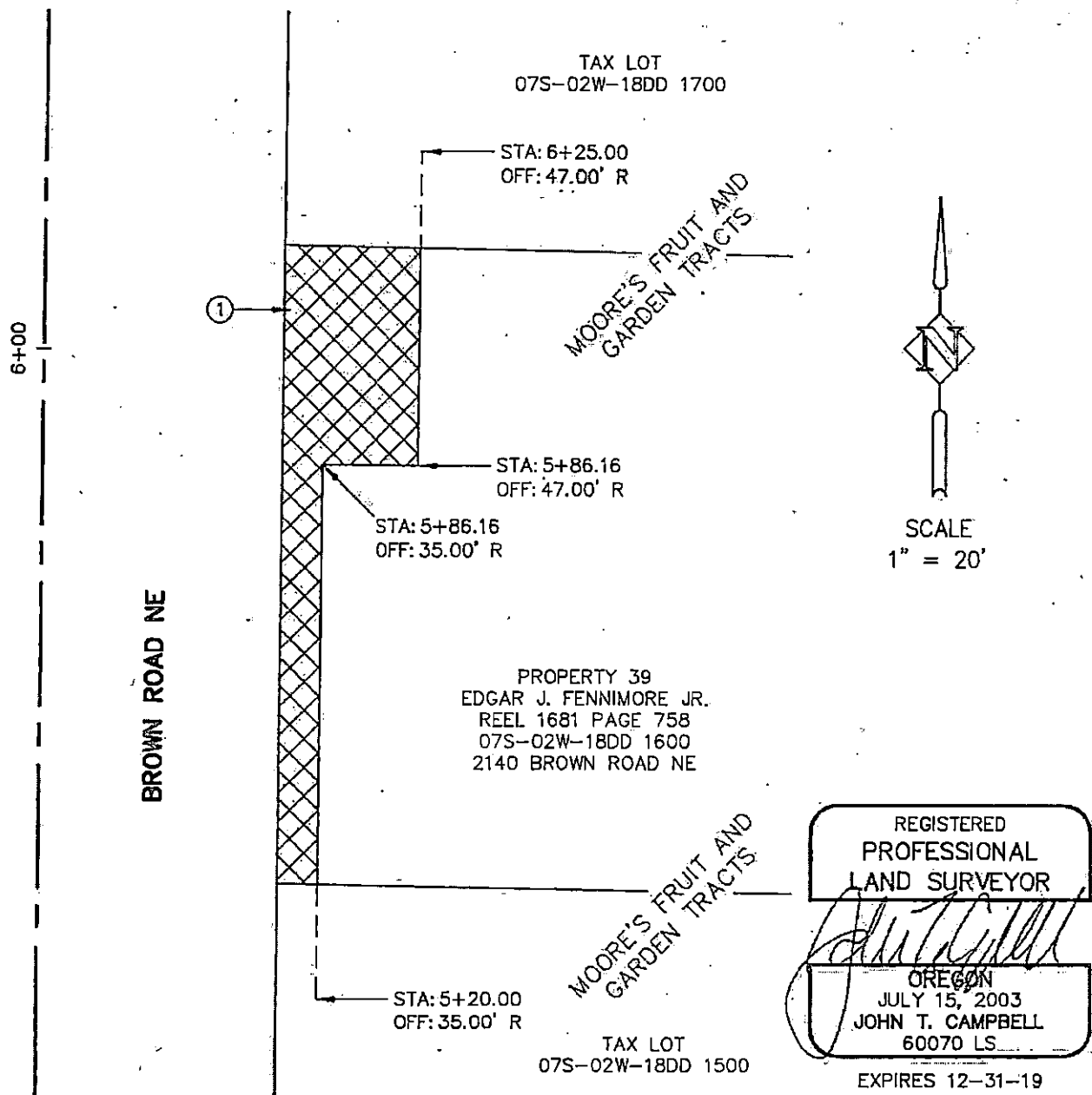
The tract of land to which this description applies contains 720 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 39



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 720 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

REGISTERED
PROFESSIONAL
LAND SURVEYOR
John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS
EXPIRES 12-31-19

RESOLUTION NO. 2018-62

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2130 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2130 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 40

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 1500
Property ID No. 40

OWNER: Brent M. Reddaway and Avis R.
Robertson, Trustees, or their
successors in trust, under the Brent
and Avis Reddaway Living Trust,
dated June 2, 2000, and any
amendments thereto

Page 1 of 2

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Brent M. Reddaway and Avis R. Robertson, Trustees, or their successors in trust, under the Brent and Avis Reddaway Living Trust, dated June 2, 2000, and any amendments thereto, recorded June 7, 2000 as Reel 1695, Page 95, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 4+40.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 5+04.91;

Thence easterly, in a straight line, to a point 53.33 feet right of Existing Brown Road N.E. Centerline Station 5+04.91;

Thence northerly, in a straight line, to a point 53.33 feet right of Existing Brown Road N.E. Centerline Station 5+50.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

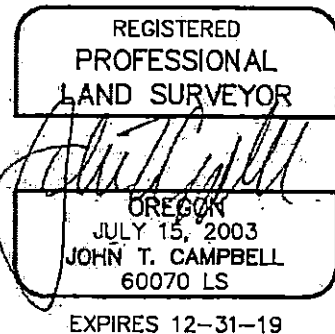
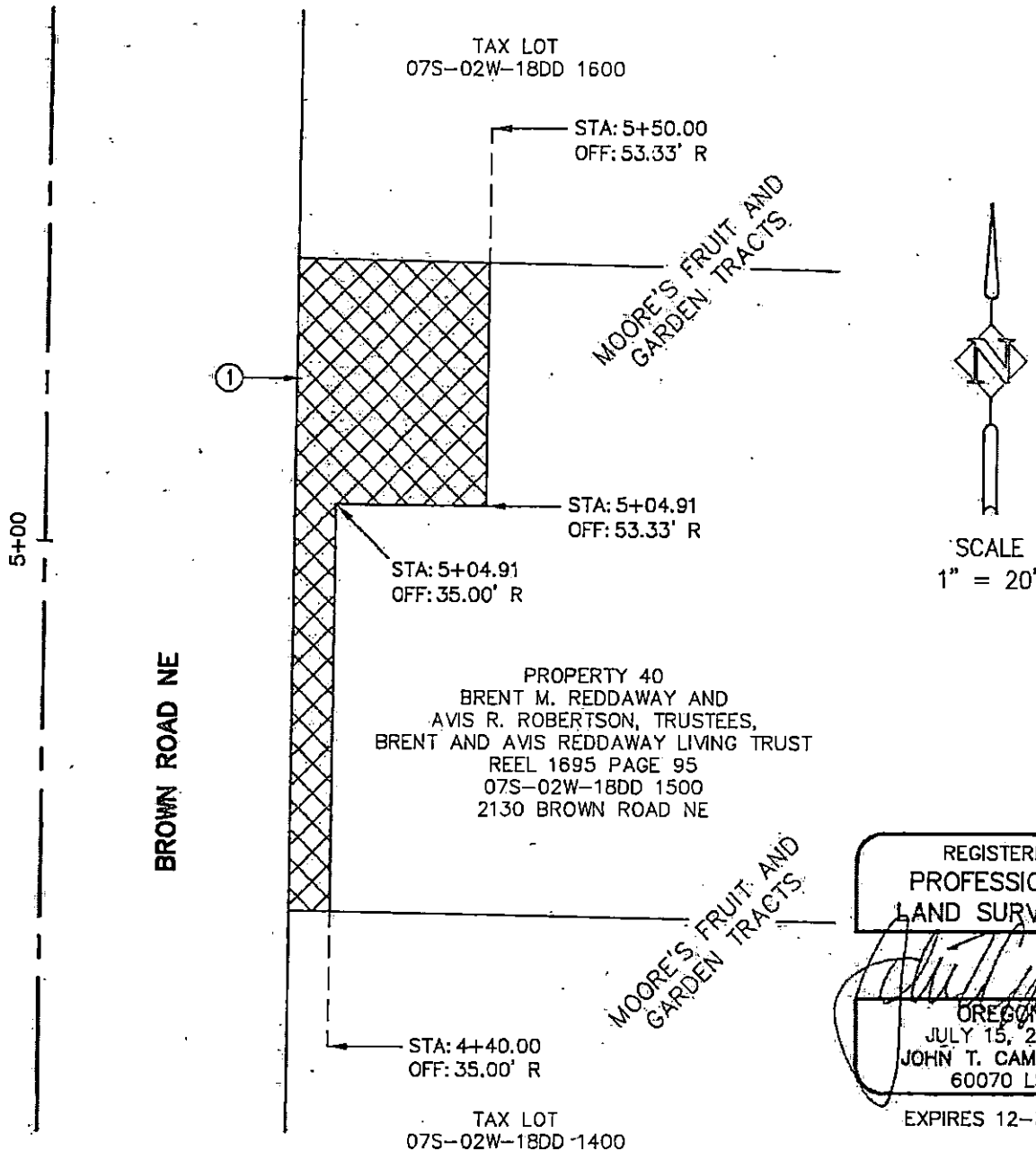
The tract of land to which this description applies contains 925 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 40



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 925 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS
205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-63

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2090 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2090 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507 ,
Property # 41

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Carl Stites and Phyllis Stites

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 1400

Property ID No. 41

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Personal Representatives Deed to Carl Stites and Phyllis Stites, recorded October 5, 2005 as Reel 2547, Page 275, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 55.32 feet right of Existing Brown Road N.E. Centerline Station 3+65.00;

Thence northerly, in a straight line, to a point 55.32 feet right of Existing Brown Road N.E. Centerline Station 4+07.00;

Thence westerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 4+07.00;

Thence northerly, in a straight line, to a point 35.00 feet right of Existing Brown Road N.E. Centerline Station 4+33.58;

Thence easterly, in a straight line, to a point 48.33 feet right of Existing Brown Road N.E. Centerline Station 4+33.58;

Thence northerly, in a straight line, to a point 48.33 feet right of Existing Brown Road N.E. Centerline Station 4+70.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

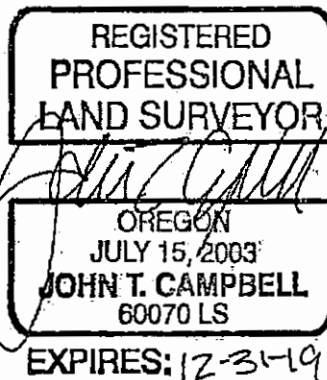
Checked by: WK
Date: 6/1/18

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 1,273 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 41

TAX LOT
07S-02W-18DD 1500

STA: 4+70.00
OFF: 48.33' R

MOORE'S FRUIT AND
GARDEN TRACTS

STA: 4+33.58
OFF: 48.33' R

STA: 4+33.58
OFF: 35.00' R

STA: 4+07.00
OFF: 35.00' R

STA: 4+07.00
OFF: 55.32' R

PROPERTY 41
CARL STITES AND
PHYLLIS STITES
REEL 2547 PAGE 275
07S-02W-18DD 1400
2090 BROWN ROAD NE

TAX LOT
07S-02W-
18DD 1301

PARCEL 2
MINOR PARTITION
NO. 82-13M
(MCSR 29459)

STA: 3+65.00
OFF: 55.32' R



SCALE
1" = 20'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15/2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 1273 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-64

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2070 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2070 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 42

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 2, 2018
OWNER: Monica Brown
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 1301
Property ID No. 42

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Southeast One-Quarter of the Southeast One-Quarter of Section 18, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Special Warranty Deed to Monica Brown, recorded October 22, 2003 as Reel 2221, Page 367, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 42.30 feet right of Existing Brown Road N.E. Centerline Station 3+45.00;

Thence northerly, in a straight line, to a point 42.30 feet right of Existing Brown Road N.E. Centerline Station 3+90.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

Checked by: WK
Date: 6/1/18

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

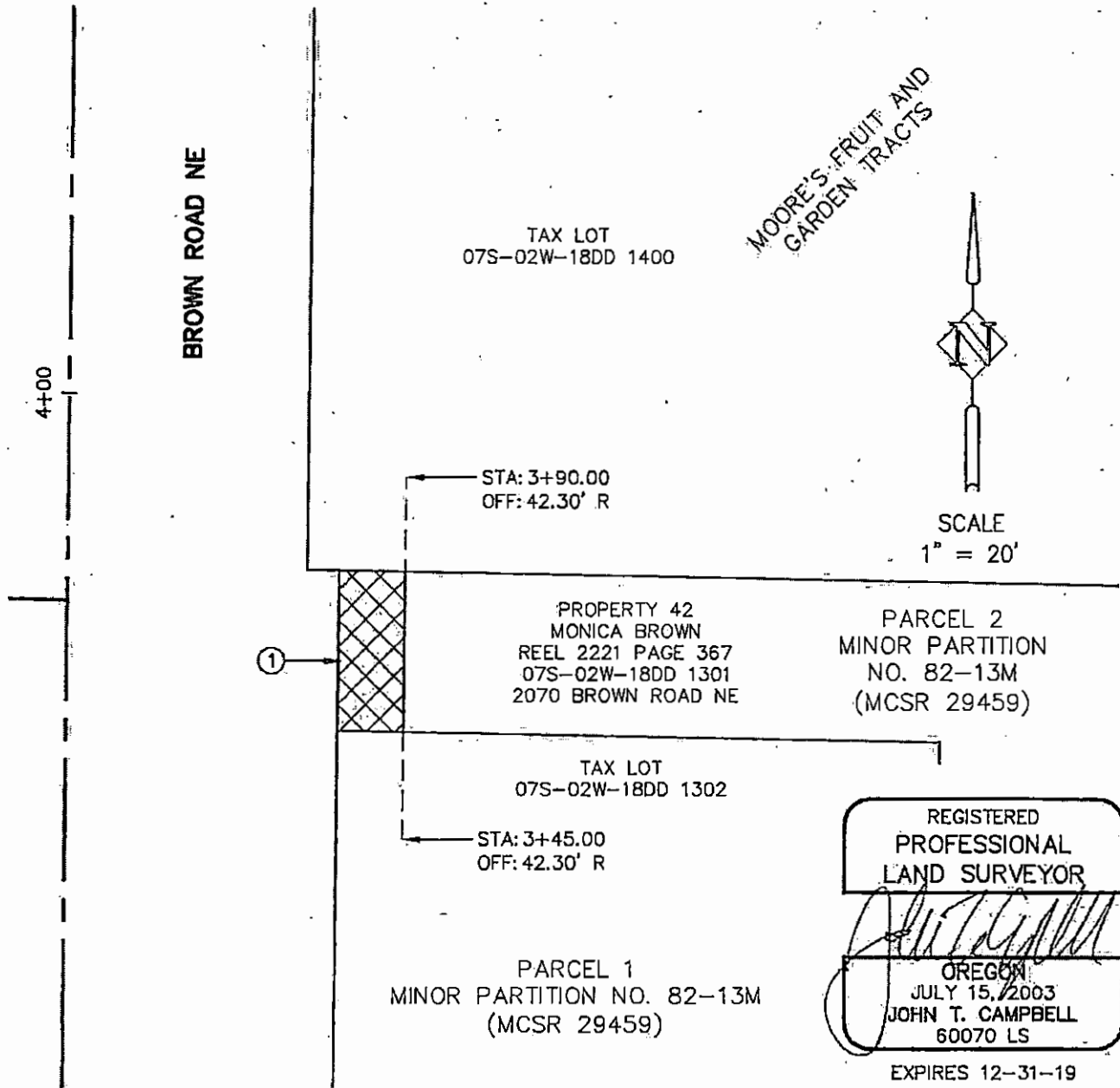
The tract of land to which this description applies contains 166 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 42



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 166 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-65

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2060 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2060 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 43

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Laura S. Benjamin and
Daniel C. Benjamin

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 1302

Property ID No. 43

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Warranty Deed to Laura S. Benjamin and Daniel C. Benjamin, recorded December 13, 2004 as Reel 2412, Page 372, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 2+76.93;

Thence easterly, in a straight line, to a point 42.22 feet right of Existing Brown Road N.E. Centerline Station 2+76.93;

Thence northerly, in a straight line, to a point 42.22 feet right of Existing Brown Road N.E. Centerline Station 3+13.29;

Thence westerly, in a straight line, to a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 3+13.29;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

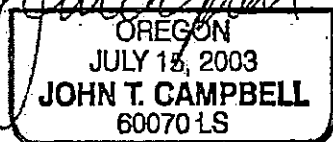
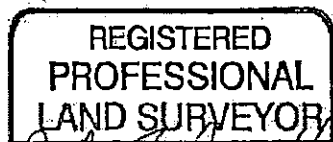
Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 299 square feet, more or less.

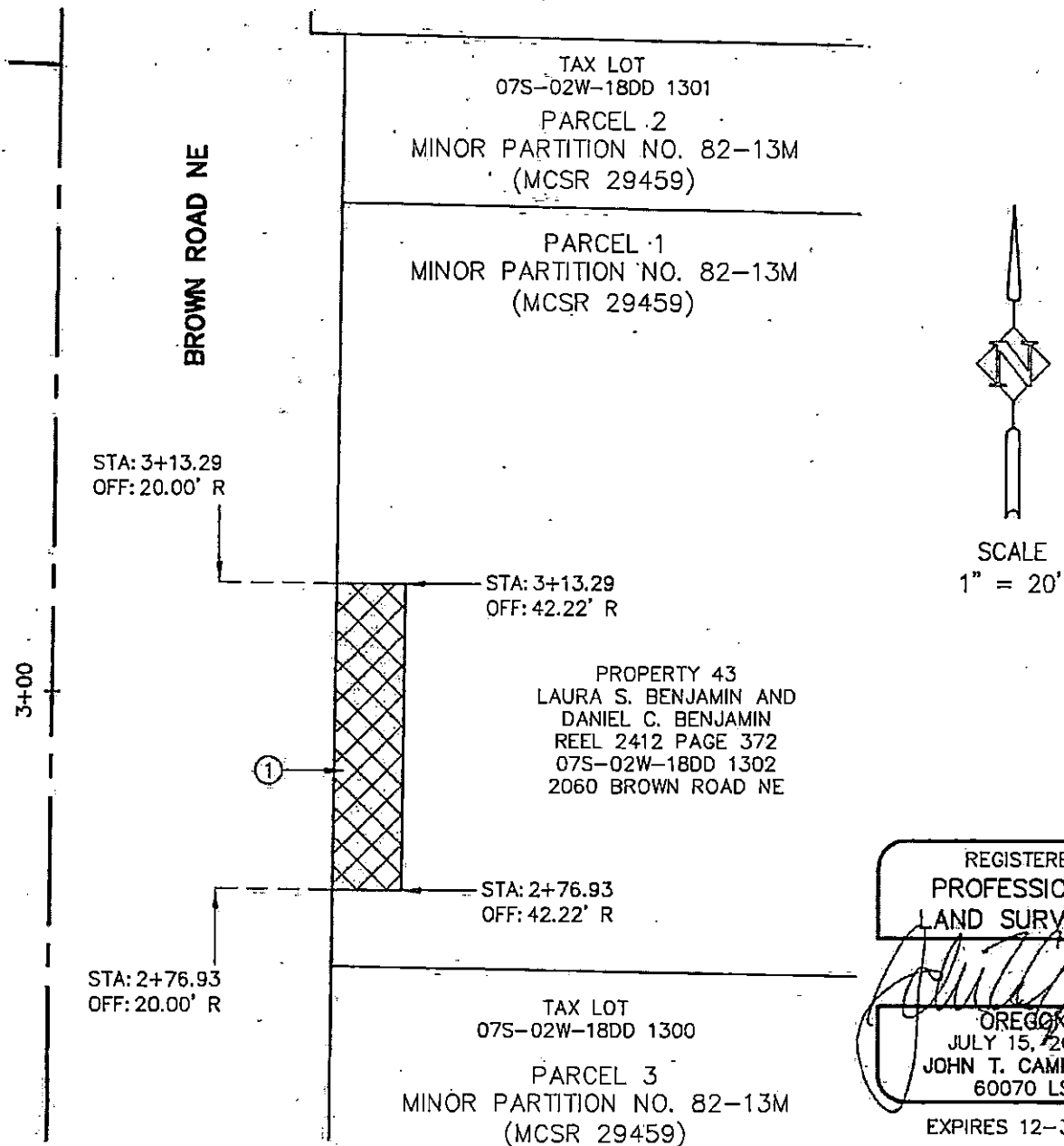


EXPIRES: 12-31-19

Checked by: WAK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 43



LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 299 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-66

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2032 AND 2042 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 2032 & 2042 Brown Road NE, 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 improvements 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 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 identified in "Exhibit A" and depicted in "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 property rights identified in "Exhibit A," and shown on "Exhibit B."

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 44

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)

March 2, 2018

OWNER: Jesse and Kelly Briseno

Page 1 of 2

Project No. 713507

Map & Tax Lot No. 07S-02W-18DD 1300

Property ID No. 44

TRACT.1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed-Statutory Form to Jesse and Kelly Briseno, recorded June 12, 2015 as Reel 3709, Page 107, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 39.00 feet right of Existing Brown Road N.E. Centerline Station 1+75.00;

Thence northerly, in a straight line, to a point 39.00 feet right of Existing Brown Road N.E. Centerline Station 1+97.26;

Thence easterly, in a straight line, to a point 46.36 feet right of Existing Brown Road N.E. Centerline Station 1+97.63;

Thence northerly, in a straight line, to a point 44.70 feet right of Existing Brown Road N.E. Centerline Station 2+31.58;

Thence westerly, in a straight line, to a point 20.00 feet right of Existing Brown Road N.E. Centerline Station 2+30.38;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

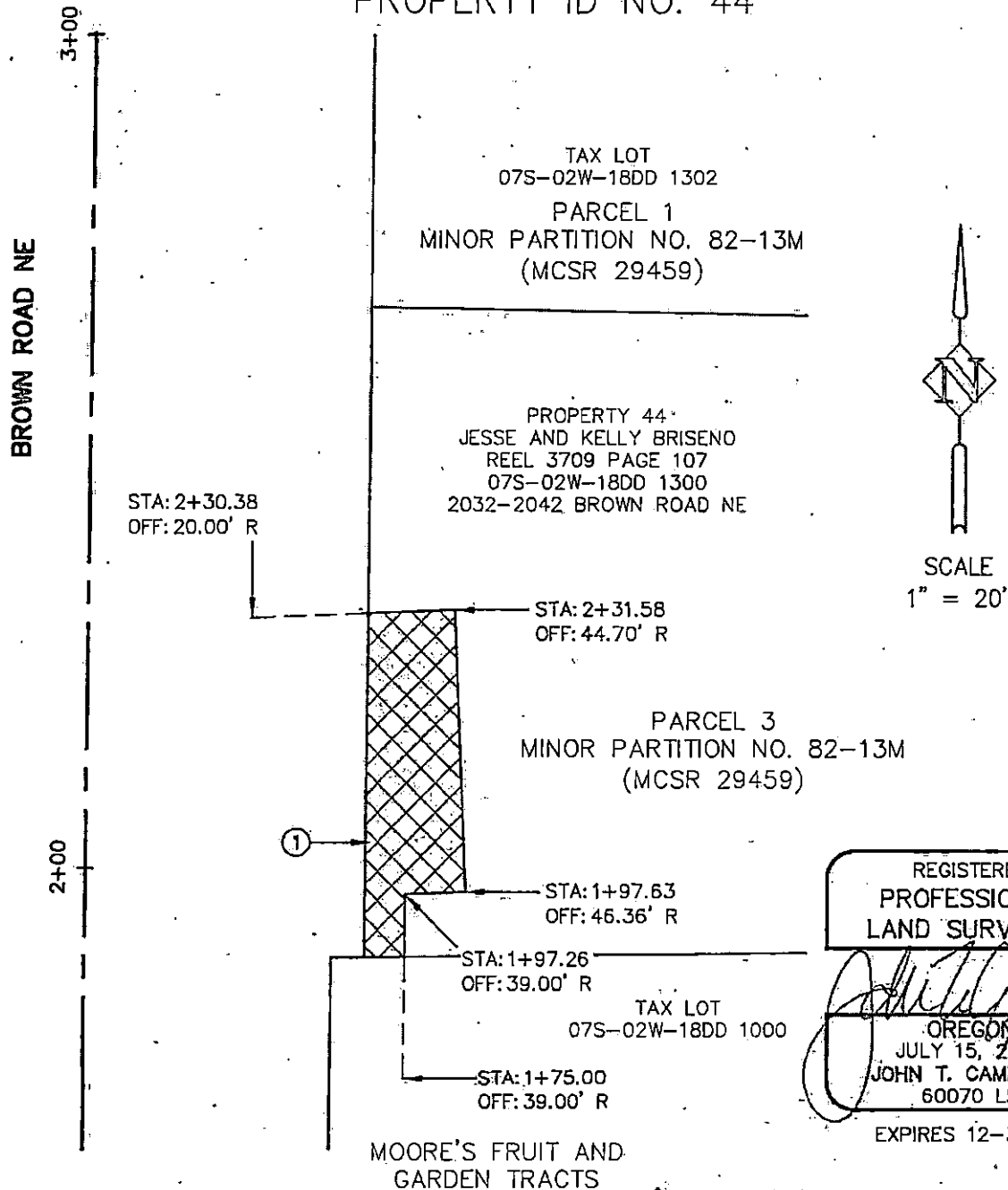
The tract of land to which this description applies contains 429 square feet, more or less.



Checked by: Wk
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 44



REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

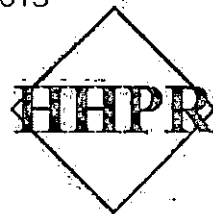
EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 429 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171
SLM-05 TMW 03/02/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-67

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 BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2010 BROWN ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2010 Brown Road NE, 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 improvements 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 identified in "Exhibit A" and depicted in "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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 45

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
February 27, 2018
OWNER: Michael Mueller 2010 Brown Rd
LLC

Project No. 713507
Map & Tax Lot No. 07S-02W-18DD 1000
Property ID No. 45

Page 1 of 3

TRACT 1 - Right-Of-Way Acquisition

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to Michael Mueller 2010 Brown Rd LLC, recorded November 17, 2017 as Reel 4016, Page 293, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 87.27 feet right of Existing Brown Road N.E. Centerline Station 0+35.00;

Thence northwesterly, in a straight line, to a point 33.00 feet right of Existing Brown Road N.E. Centerline Station 0+65.29;

Thence northerly, in a straight line, to a point 33.00 feet right of Existing Brown Road N.E. Centerline Station 2+00.00;

EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Sunnyview Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Brown Road N.E., being more particularly described as follows:

Beginning at Existing Brown Road N.E. Centerline Station 0+00.00, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

Thence N00°32'15"E, along the existing centerline of Brown Road N.E., 2748.43 feet to Existing Brown Road N.E. Centerline Station 27+48.43 and the terminus of this centerline.

This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 835 square feet, more or less.

TRACT 2 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Moore's Fruit and Garden Tracts", as platted and recorded in Volume 12, Page 8, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Bargain and Sale Deed to Michael Mueller 2010 Brown Rd LLC, recorded November 17, 2017 as Reel 4016, Page 293, Marion County Records, said tract being that portion of said property lying westerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 88.78 feet right of Existing Brown Road N.E. Centerline Station 0+35.00;

Thence northwesterly, in a straight line, to a point 82.40 feet right of Existing Brown Road N.E. Centerline Station 0+58.58;

Thence southwesterly, in a straight line, to a point 64.14 feet right of Existing Brown Road N.E. Centerline Station 0+53.63;

Thence northwesterly, in a straight line, to a point 38.00 feet right of Existing Brown Road N.E. Centerline Station 0+68.22;

Thence northerly, in a straight line, to a point 38.00 feet right of Existing Brown Road N.E. Centerline Station 1+60.40;

Thence easterly, in a straight line, to a point 38.80 feet right of existing Brown Road N.E. Centerline Station 1+60.40;

Thence northerly, in a straight line, to a point 38.80 feet right of Existing Brown Road N.E. Centerline Station 2+00.00;

EXCEPTING therefrom the previously described Tract 1,

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Brown Road N.E.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Sunnyview Road N.E.

Checked by: WK
Date: 6/1/18

The stationing used to described this tract is based on the Existing Centerline of Brown Road N.E. described herein, being more particularly described in Tract 1.

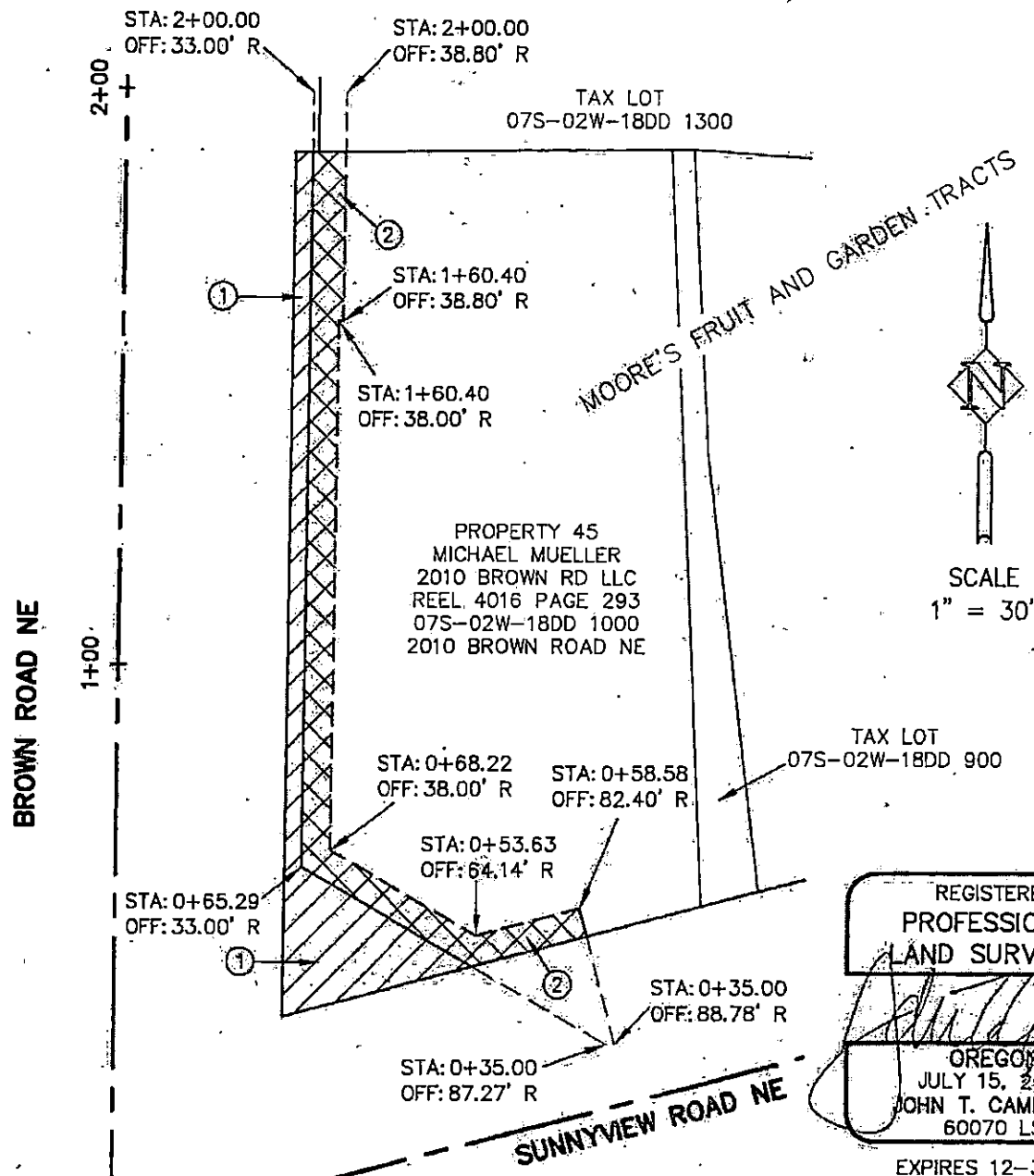
The tract of land to which this description applies contains 900 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"

PROPERTY ID NO. 45



REGISTERED
PROFESSIONAL
LAND SURVEYOR

JOHN T. CAMPBELL
60070 LS

OREGON
JULY 15, 2003

EXPIRES 12-31-19

LEGEND



① RIGHT-OF-WAY ACQUISITION
± 835 SQ.FT.



② TEMPORARY CONSTRUCTION
EASEMENT
± 900 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 KMB 02/27/2018 PAGE 1 OF 1

RESOLUTION NO. 2018-68

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE BROWN ROAD NE CORRIDOR IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 4602 SUNNYVIEW ROAD NE.

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 Brown Road NE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property located at 4602 Sunnyview Road NE, 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 improvements 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 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 identified in “Exhibit A” and depicted in “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 property rights identified in “Exhibit A,” and shown on “Exhibit B.”

Section 3. In the event that no satisfactory agreement to acquire the 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 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 _____, 2018.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 713507
Property # 46

EXHIBIT A

Brown Road NE (San Francisco-Sunnyview)
March 12, 2018
OWNER: Sunnyview Land, LLC
Page 1 of 2

Project No. 713507
Map & Tax Lot No. 07S-02W-19AA 5800
Property ID No. 46

TRACT 1 - Temporary Construction Easement

A tract of land, as shown on attached Exhibit "B", lying in the Northeast One-Quarter of the Northeast One-Quarter of Section 19, Township 7 South, Range 2 West, of the Willamette Meridian, City of Salem, Marion County, Oregon, and being a portion of Lot 8, "Fordyce & Sampels Addition", as platted and recorded in Volume 17, Page 23, Book of Town Plats for Marion County, Oregon, also being a portion of that tract of land as described by Statutory Warranty Deed to Sunnyview Land, LLC, an Oregon limited liability company, recorded April 14, 2015 as Reel 3689, Page 407, Marion County Records, said tract being that portion of said property lying northerly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property;

Beginning at a point 20.00 feet right of Existing Sunnyview Road N.E. Centerline Station 7+64.58;

Thence southerly, in a straight line, to a point 34.26 feet right of Existing Sunnyview Road N.E. Centerline Station 7+64.58;

Thence easterly, in a straight line, to a point 34.26 feet right of Existing Sunnyview Road N.E. Centerline Station 8+03.61;

Thence northerly, in a straight line, to a point 20.00 feet right of Existing Sunnyview Road N.E. Centerline Station 8+03.61;

EXCEPTING therefrom that portion lying within the existing right-of-way of Sunnyview Road N.E.

The stationing used to describe this tract is based on the Existing Centerline of Sunnyview Road N.E., being more particularly described as follows:

Beginning at Existing Sunnyview Road N.E. Centerline Station 7+08.37, said station being located on the existing centerline of Sunnyview Road N.E. at a point N75°22'54"E, 0.22 feet from a 3 inch brass disk in a monument well as shown on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records;

Checked by: WK
Date: 6/1/18

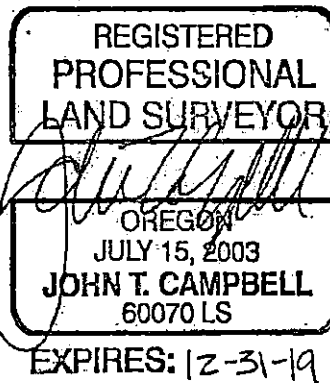
EXHIBIT A CONTINUED - Page 2 of 2
March 12, 2018

Property ID No. 46

Thence N75°22'54"E, along the existing centerline of Sunnyview Road N.E., 205.88 feet to Existing Sunnyview Road N.E. Centerline Station 9+14.25 and the terminus of this centerline.

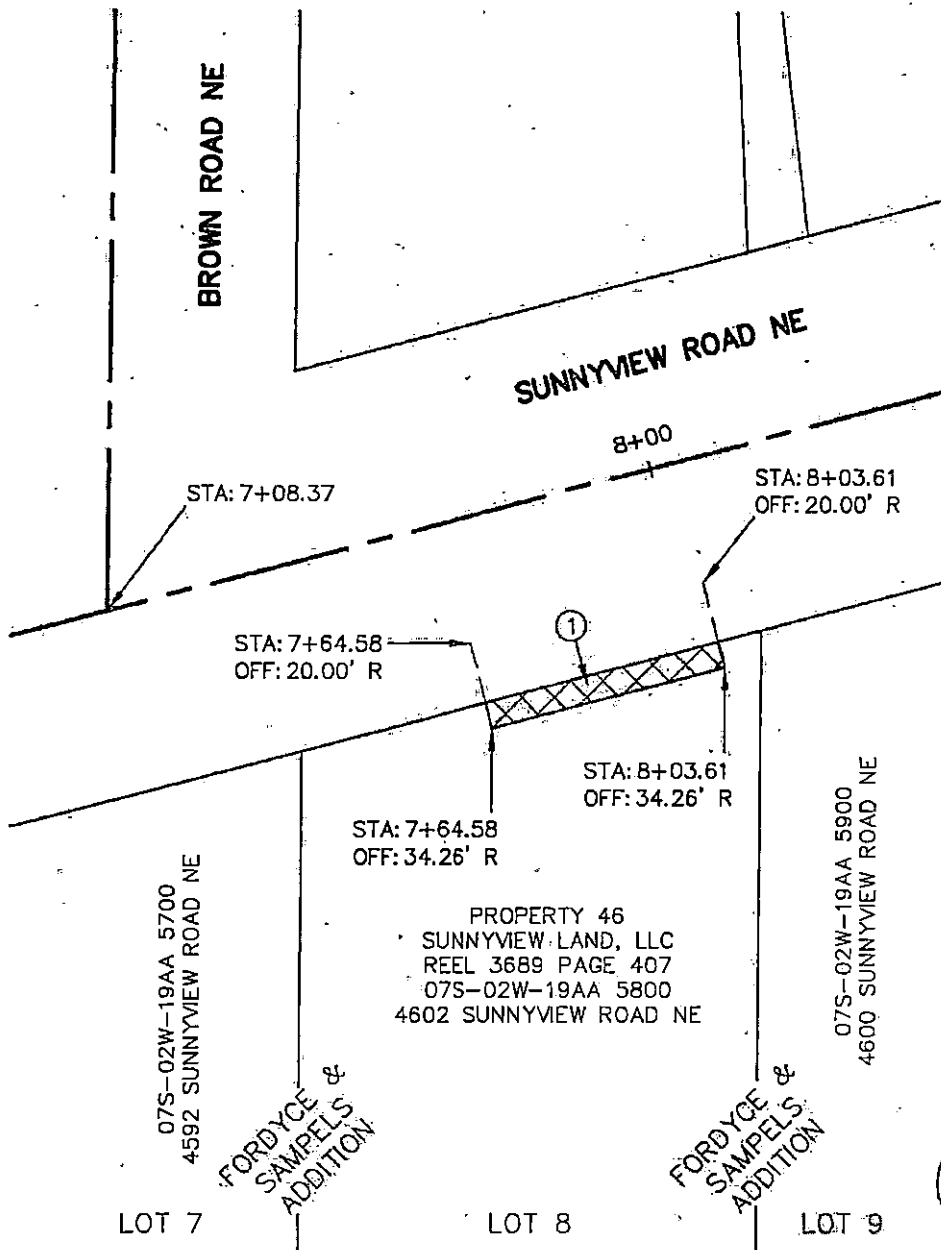
This legal description, along with the Basis of Bearings thereof, is based on Pre-Construction Record of Survey recorded as MCSR 38811, Marion County Survey Records.

The tract of land to which this description applies contains 166 square feet, more or less.



Checked by: WK
Date: 6/1/18

EXHIBIT "B"
PROPERTY ID NO. 46



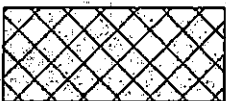
SCALE
1" = 30'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES 12-31-19

LEGEND



① TEMPORARY CONSTRUCTION
EASEMENT
± 166 SQ.FT.

PROJECT NO. 713507
SEE ATTACHED LEGAL
DESCRIPTION



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SLM-05 TMW 03/12/2018 PAGE 1 OF 1