

RESOLUTION NO. 2019-28

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2550 12th STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2550 12th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property #2

04/26/2018

ID# 2

Karst Living Trust

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to L. Emery Karst and Virginia R. Karst, Trustees, Karst Living Trust, recorded August 20, 2013, on Reel 3537, Page 94, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 0+00.00, said station marked by a 1/2" iron pipe identified as point number 66 on Survey Number 38656, Marion County Survey Records, and being located 770.98 feet South and 31.04 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 88° 51' 25" East 790.37 feet to Engineer's center line Station 7+90.37, said Station identified as point number 350 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
0+20.00		0+42.50	54.00 in a straight line to 38.00
0+42.50		2+50.50	38.00
2+50.50		2+57.00	38.00 in a straight line to 61.00
2+57.00		2+65.00	61.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 950 square feet, more or less.

04/26/2018

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to L. Emery Karst and Virginia R. Karst, Trustees, Karst Living Trust, recorded August 20, 2013, on Reel 3537, Page 94, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 0+29.00 and 2+65.00 and included in a strip of land 43.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 1,061 square feet, more or less.

04/26/2018

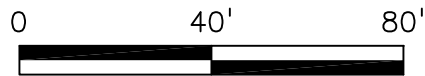
TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to L. Emery Karst and Virginia R. Karst, Trustees, Karst Living Trust, recorded August 20, 2013, on Reel 3537, Page 94, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 0+29.00 and 2+65.00 and included in a strip of land 43.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

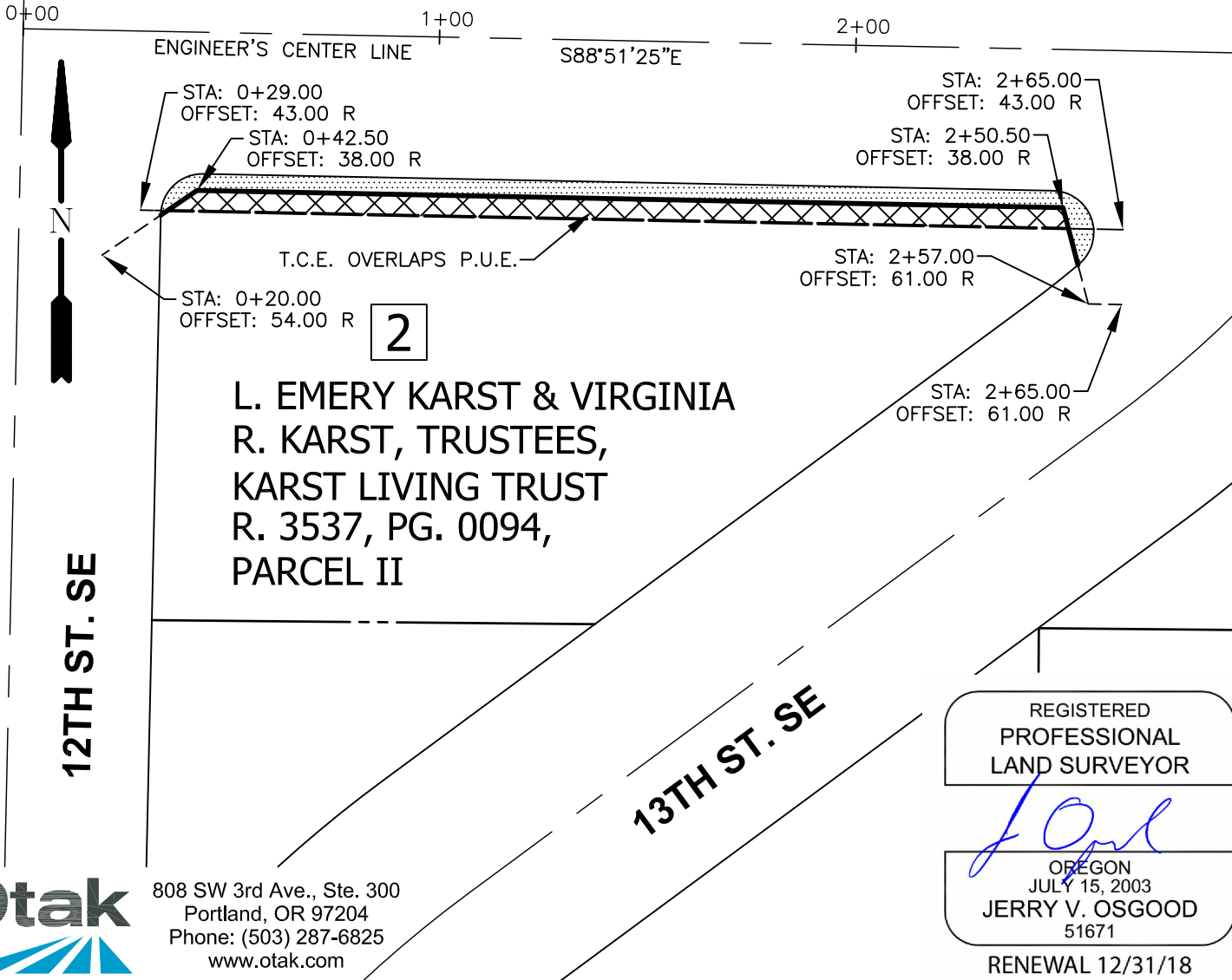
EXCEPT therefrom Tract 1.

This tract of land contains 1,061 square feet, more or less. This tract lies entirely within Tract 2.





McGILCHRIST ST. SE



**L. EMERY KARST & VIRGINIA
R. KARST, TRUSTEES,
KARST LIVING TRUST
R. 3537, PG. 0094,
PARCEL II**



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry V. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671
RENEWAL 12/31/18

	RIGHT OF WAY TRACT 1 (950 SQ. FT.)		PERMANENT EASEMENT - PUBLIC UTILITIES TRACT 2 (1,061 SQ. FT.)
	TEMPORARY CONSTRUCTION EASEMENT TRACT 3 (1,061 SQ. FT.)		

McGILCHRIST ST. SE (12TH STREET SE TO 25TH STREET SE) CORRIDOR IMPROVEMENTS		SITE PROPERTY ID # 2 2550 12TH STREET SE SALEM, OR 97302 TAX MAP: 073W35CB TAX LOT: 3200 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 3537 PAGE 0094	CITY OF SALEM DEPARTMENT OF PUBLIC WORKS ACQUISITION MAP P.N. 687002 BY: MDR DATE: 04-26-2018
OWNER NAME/ ADDRESS	L. EMERY KARST & VIGINIA R. KARST, KARST LIVING TRUST 317 SANRODEE DRIVE SE SALEM, OR 97317		

RESOLUTION NO. 2019-29

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2450 12th STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 2450 12th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 3

06/07/2019

RETINA CONSULTANTS PROPERTIES, LLC

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 2 and described in that Statutory Quitclaim Deed to Retina Consultants Properties, LLC, recorded January 2, 2003, on Reel 2048, Page 63, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 0+00.00, said station marked by a 1/2" iron pipe identified as point number 66 on Survey Number 38656, Marion County Survey Records, and being located 770.98 feet South and 31.04 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 88° 51' 25" East 790.37 feet to Engineer's center line Station 7+90.37, said Station identified as point number 350 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
3+10.00		3+26.00	38.00 in a straight line to 63.00
3+26.00		3+40.00	63.00 in a straight line to 71.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 99 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2019.06.07 15:53:04-07'00'

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWS: 12/31/20

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2019.06.07 15:53:45-07'00'

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

RENEWS: 12/31/20

3

RETINA CONSULTANTS
PROPERTIES, LLC
R. 2048, PG. 0063,
PARCEL 2

EXHIBIT
'B'

13TH ST. SE



STA: 3+40.00
OFFSET: 71.00 L

STA: 3+26.00
OFFSET: 63.00 L

STA: 3+10.00
OFFSET: 38.00 L

McGILCHRIST ST. SE

2+00

S88°51'25"E

3+00

ENGINEER'S CENTER LINE



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



TEMPORARY CONSTRUCTION
EASEMENT (99 SQ. FT.)

0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

3

2450 12TH ST. SE
SALEM, OR 97302

TAX MAP: 073W35CB
TAX LOT: 3300

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2048 PAGE 0063

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 06-07-2019

OWNER
NAME/
ADDRESS

RETINA CONSULTANTS
PROPERTIES, LLC

2450 12TH STREET SE
SALEM, OR 97302

RESOLUTION NO. 2019-30

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1330 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1330 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 4

07/31/2019

SALEM PEDIATRIC PROPERTIES, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Salem Pediatric Properties, LLC, recorded February 13, 2009, on Reel 3033, Page 360, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 0+00.00, said station marked by a 1/2" iron pipe identified as point number 66 on Survey Number 38656, Marion County Survey Records, and being located 770.98 feet South and 31.04 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 88° 51' 25" East 790.37 feet to Engineer's center line Station 7+90.37, said Station identified as point number 350 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
3+20.00		3+28.00	71.00
3+28.00		3+43.00	71.00 in a straight line to 54.50
3+43.00		3+79.00	54.50 in a straight line to 38.50
3+79.00		4+44.00	38.50
4+44.00		5+76.00	38.50 in a straight line to 44.00
5+76.00		7+15.50	44.00 in a straight line to 46.50
7+15.50		7+50.50	46.50 in a straight line to 70.00
7+50.50		7+51.50	70.00 in a straight line to 140.00
7+51.50		7+71.00	140.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 6,630 square feet, more or less.

07/31/2019

ID# 4
SALEM PEDIATRIC PROPERTIES, LLC**TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Salem Pediatric Properties, LLC, recorded February 13, 2009, on Reel 3033, Page 360, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
6+95.50		6+97.50	52.00 in a straight line to 61.00
6+97.50		7+01.00	61.00 in a straight line to 111.00
7+01.00		7+71.00	140.00

EXCEPT therefrom Tract 1.

This tract of land contains 4,107 square feet, more or less.

07/31/2019

ID# 4
SALEM PEDIATRIC PROPERTIES, LLC**TRACT 3 – PERMANENT EASEMENT FOR PUBLIC UTILITIES**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Salem Pediatric Properties, LLC, recorded February 13, 2009, on Reel 3033, Page 360, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
3+55.00		4+44.00	43.50
4+44.00		5+76.00	43.50 in a straight line to 49.00
5+76.00		7+30.00	49.00 in a straight line to 52.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,747 square feet, more or less. 125 square feet of this tract lies within Tract 2.

07/31/2019

SALEM PEDIATRIC PROPERTIES, LLC

TRACT 4 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Salem Pediatric Properties, LLC, recorded February 13, 2009, on Reel 3033, Page 360, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
3+48.00		4+44.00	48.50
4+44.00		5+57.00	48.50 in a straight line to 53.00
5+57.00		6+81.00	79.00
6+81.00		7+71.00	140.00

EXCEPT therefrom Tracts 1 and 2.

This tract of land contains 7,734 square feet, more or less. 1,622 square feet of this tract lies within Tract 3.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

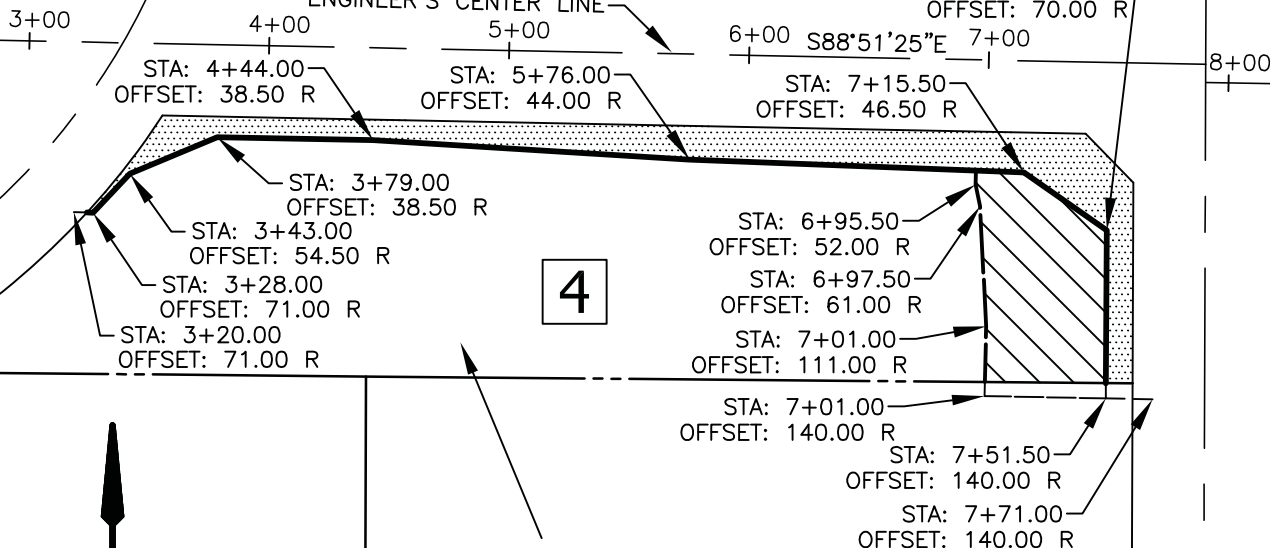
DIGITALLY SIGNED
2019.08.01 08:41:51-07'00'

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS
RENEWES: 12/31/20

13TH STREET SE

McGILCHRIST ST. SE

ENGINEER'S CENTER LINE



**SALEM PEDIATRIC
PROPERTIES, LLC
R. 3033, PG. 0360**

PRINGLE RD SE



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (6,630 SQ. FT.)**



**PERMANENT EASEMENT -
STORM WATER FACILITIES
TRACT 2 (4,107 SQ. FT.)**

0 80' 160'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 4

1330 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CB

TAX LOT: 2500

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERIDIAN

MARION COUNTY, OREGON

REEL 3033 PAGE 0360

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-31-2019

OWNER
NAME/
ADDRESS

**SALEM PEDIATRIC
PROPERTIES, LLC**

2478 13TH STREET SE
SALEM, OR 97302

REGISTERED
PROFESSIONAL
LAND SURVEYORDIGITALLY SIGNED
2019.08.01 08:42:12-07'00'OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

RENEWES: 12/31/20

13TH STREET SE

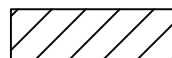
McGILCHRIST ST. SE

ENGINEER'S CENTER LINE
S88°51'25"E 5+00STA: 3+55.00
OFFSET: 43.50 R3+00
STA: 3+48.00
OFFSET: 48.50 RSTA: 4+44.00
OFFSET: 43.50 RSTA: 5+76.00
OFFSET: 49.00 RTRACT 3 OVERLAPS
TRACT 2STA: 7+30.00
OFFSET: 52.00 RSTA: 4+44.00
OFFSET: 48.50 RSTA: 5+57.00
OFFSET: 53.00 RSTA: 5+57.00
OFFSET: 79.00 RTRACT 4
OVERLAPS TRACT 3
4
STA: 6+81.00
OFFSET: 79.00 RSTA: 6+81.00
OFFSET: 140.00 RSTA: 7+71.00
OFFSET: 140.00 RSALEM PEDIATRIC
PROPERTIES LLC
R. 3033, PG. 0360

PRINGLE RD SE

808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

0 80' 160'

PERMANENT EASEMENT
- PUBLIC UTILITIES
TRACT 3 (1,747 SQ. FT.)TEMPORARY CONSTRUCTION
EASEMENT
TRACT 4 (7,734 SQ. FT.)

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 4

1330 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CB

TAX LOT: 2500

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERIDIAN

MARION COUNTY, OREGON

REEL 3033 PAGE 0360

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKSACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 07-31-2019

OWNER
NAME/
ADDRESSSALEM PEDIATRIC
PROPERTIES, LLC2478 13TH STREET SE
SALEM, OR 97302

RESOLUTION NO. 2019-31

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2475 PRINGLE ROAD SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2475 Pringle Road SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 6

08/13/2018

ID# 6
MASAB, LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to MASAB, LLC, recorded July 30, 2001, on Reel 1816, Page 2, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 0+00.00, said station marked by a 1/2" iron pipe identified as point number 66 on Survey Number 38656, Marion County Survey Records, and being located 770.98 feet South and 31.04 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 88° 51' 25" East 790.37 feet to Engineer's center line Station 7+90.37, said Station identified as point number 350 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
7+22.00		7+58.00	42.00 in a straight line to 50.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 72 square feet, more or less.

08/13/2018

ID# 6
MASAB, LLC**TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to MASAB, LLC, recorded July 30, 2001, on Reel 1816, Page 2, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
6+60.00		6+92.50	54.00
6+92.50		7+14.00	54.00 in a straight line to 60.50
7+14.00		7+30.00	60.50 in a straight line to 77.00
7+30.00		7+35.00	77.00 in a straight line to 98.00
7+35.00		7+55.00	181.00

EXCEPT therefrom Tract 1.

This tract of land contains 2,903 square feet, more or less.

08/13/2018

ID# 6
MASAB, LLC**TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to MASAB, LLC, recorded July 30, 2001, on Reel 1816, Page 2, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
5+90.00		6+23.00	52.00
6+23.00		6+60.00	47.00

This tract of land contains 436 square feet, more or less.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

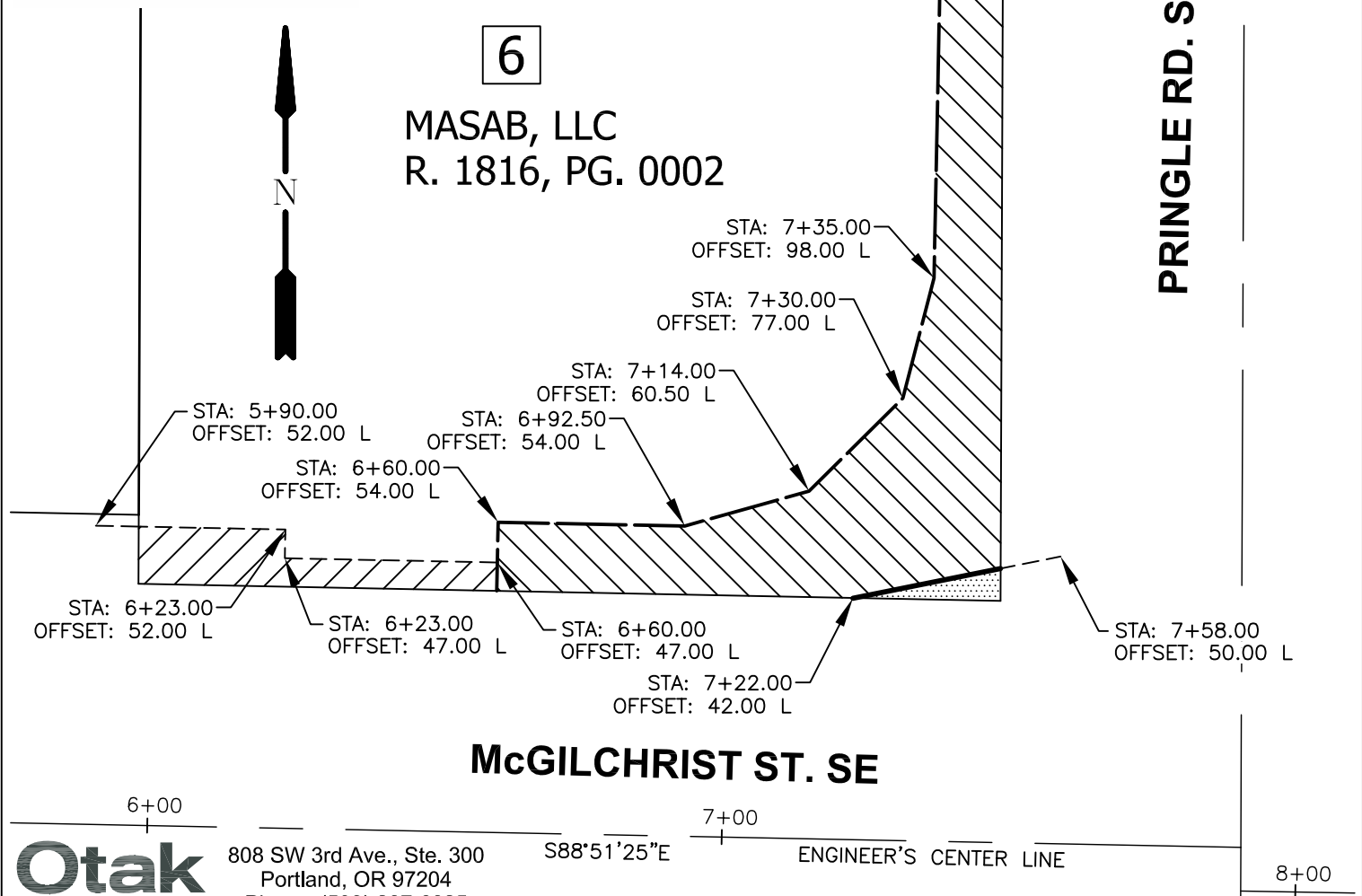
RENEWAL 12/31/18

PARTITION PLAT
1990-44
PARCEL 2

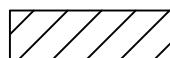
6

MASAB, LLC
R. 1816, PG. 0002

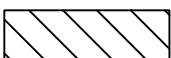
PRINGLE RD. SE



RIGHT OF WAY
TRACT 1 (72 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (436 SQ. FT.)



PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 2 (2,903 SQ. FT.)

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

6

2475 PRINGLE RD. SE

SALEM, OR 97302

TAX MAP: 073W35CB

TAX LOT: 2401

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 1816 PAGE 0002

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
NAME/
ADDRESS

MASAB, LLC
3083 NW 126TH PL.
PORTLAND, OR 97229

RESOLUTION NO. 2019-32

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2488 PRINGLE ROAD SE

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2488 Pringle Road SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 7

05/18/2018

ID# 7
Delk Pringle Rd Property, LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Exhibit "B" and described in that Deed to Delk Pringle Rd Property, LLC, recorded April 2, 2013, on Reel 3488, Page 367, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
8+10.00		8+39.00	114.00 in a straight line to 67.00
8+39.00		8+72.00	67.00 in a straight line to 52.00
8+72.00		9+50.00	52.00 in a straight line to 55.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 3,351 square feet, more or less.

05/18/2018

ID# 7

Delk Pringle Rd Property, LLC

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

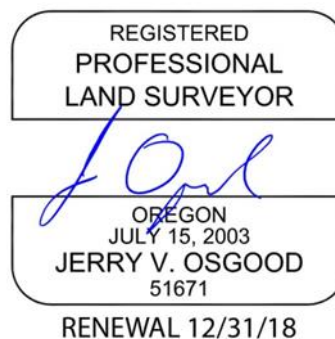
A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Exhibit "B" and described in that Deed to Delk Pringle Rd Property, LLC, recorded April 2, 2013, on Reel 3488, Page 367, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
8+10.00		8+43.50	135.00 in a straight line to 75.50
8+43.50		8+74.00	75.50 in a straight line to 62.00
8+74.00		9+50.00	62.00 in a straight line to 65.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,367 square feet, more or less.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

7

DELK PRINGLE RD
PROPERTY, LLC
R. 3488, PG. 0367,
EXHIBIT "B"

STA: 8+10.00
OFFSET: 135.00 L

STA: 8+10.00
OFFSET: 114.00 L

STA: 8+43.50
OFFSET: 75.50 L

STA: 8+39.00
OFFSET: 67.00 L

STA: 8+74.00
OFFSET: 62.00 L

STA: 8+72.00
OFFSET: 52.00 L

STA: 9+50.00
OFFSET: 65.00 L

UNION PACIFIC RAILROAD

STA: 9+50.00
OFFSET: 55.00 L

McGILCHRIST ST. SE

8+00

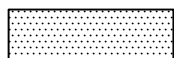
9+00

S89°00'47"E

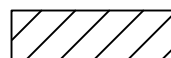
ENGINEER'S CENTER LINE



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (3,351 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (1,367 SQ. FT.)

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 7

2488 PRINGLE RD. SE
SALEM, OR 97302

TAX MAP: 073W35CB
TAX LOT: 0800

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3488 PAGE 0367

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

**DELK PRINGLE RD
PROPERTY, LLC**

P.O. BOX 13071
SALEM, OR 97309

RESOLUTION NO. 2019-33

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2508 PRINGLE ROAD SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2508 Pringle Road SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 8

05/18/2018

ID# 8
PRINGLE PLACE, LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to Pringle Place, LLC, recorded August 27, 2013, on Reel 3539, Page 169, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
8+27.00		8+37.50	223.00
8+37.50		8+46.00	87.00 in a straight line to 57.50
8+46.00		8+73.00	57.50 in a straight line to 39.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 987 square feet, more or less.

05/18/2018

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to Pringle Place, LLC, recorded August 27, 2013, on Reel 3539, Page 169, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
8+27.00		8+44.00	186.00
8+44.00		8+52.00	89.00 in a straight line to 63.00
8+52.00		8+85.00	63.00 in a straight line to 39.00

ALSO that portion of said property lying between lines parallel with and 186.00 feet Southerly and 223.00 feet Southerly of said center line, and lying between lines at right angles to said center line at Engineer's Stations 8+27.00 and 8+58.00.

EXCEPT therefrom Tract 1.

This tract of land contains 1,553 square feet, more or less.



**EXHIBIT
'B'**

McGILCHRIST ST. SE

8+00

ENGINEER'S CENTER LINE

9+00

S89°00'47"E

10+00

PRINGLE RD. SE

UNION PACIFIC RAILROAD

STA: 8+73.00
OFFSET: 39.00 R

STA: 8+85.00
OFFSET: 39.00 R

STA: 8+46.00
OFFSET: 57.50 R

STA: 8+52.00
OFFSET: 63.00 R

STA: 8+44.00
OFFSET: 89.00 R

STA: 8+37.50
OFFSET: 87.00 R

8

**PRINGLE PLACE, LLC
R. 3539, PG. 0169, PARCEL I**

STA: 8+27.00
OFFSET: 186.00 R

STA: 8+44.00
OFFSET: 186.00 R

STA: 8+58.00
OFFSET: 186.00 R

STA: 8+58.00
OFFSET: 223.00 R

STA: 8+37.50
OFFSET: 223.00 R

STA: 8+27.00
OFFSET: 223.00 R

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

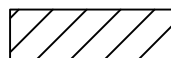
RENEWAL 12/31/18



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (987 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (1,553 SQ. FT.)**

0 40' 80'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

8

2508 PRINGLE RD. SE
SALEM, OR 97302

TAX MAP: 073W35CB
TAX LOT: 0700

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3539 PAGE 0169

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

PRINGLE PLACE, LLC

P.O. BOX 1109
AUMSVILLE, OR 97325

RESOLUTION NO. 2019-34

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2558 PRINGLE ROAD SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2558 Pringle Road SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 9

05/18/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Pringle Place, LLC, recorded August 27, 2013, on Reel 3539, Page 169, of Marion County Records; said tract being that portion of said property lying between lines parallel with and 186.00 feet Southerly and 223.00 feet Southerly of said center line, and lying between lines at right angles to said center line at Engineer's Stations 8+27.00 and 8+37.50, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 29 square feet, more or less.

05/18/2018

PN# 687002
ID# 9
PRINGLE PLACE, LLC

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Pringle Place, LLC, recorded August 27, 2013, on Reel 3539, Page 169, of Marion County Records; said tract being that portion of said property lying between lines parallel with and 186.00 feet Southerly and 223.00 feet Southerly of said center line, and lying between lines at right angles to said center line at Engineer's Stations 8+37.50 and 8+58.00, which center line is described in Tract 1.

This tract of land contains 284 square feet, more or less.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

8+00

ENGINEER'S CENTER LINE

9+00

S89°00'47"E

EXHIBIT
'B'

McGILCHRIST ST. SE

UNION PACIFIC RAILROAD

PRINGLE RD. SE



STA: 8+27.00
OFFSET: 186.00 R

STA: 8+37.50
OFFSET: 186.00 R

STA: 8+58.00
OFFSET: 186.00 R

STA: 8+58.00
OFFSET: 223.00 R

STA: 8+37.50
OFFSET: 223.00 R

STA: 8+27.00
OFFSET: 223.00 R

9

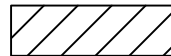
PRINGLE PLACE, LLC
R. 3539, PG. 0169,
PARCEL II



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (29 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (284 SQ. FT.)

0 40' 80'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 9

2558 PRINGLE RD. SE
SALEM, OR 97302

TAX MAP: 073W35CB
TAX LOT: 0600

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3539 PAGE 0169

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

PRINGLE PLACE, LLC

P.O. BOX 1109
AUMSVILLE, OR 97325

RESOLUTION NO. 2019-35

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1425 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1425 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 10

08/13/2018

PORTLAND HISTORIC PROPERTIES, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Portland Historic Properties, LLC, recorded August 12, 2015, on Reel 3732, Page 211, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
9+80.00		10+64.00	87.00
10+64.00		11+66.00	56.00
11+66.00		13+19.00	56.00 in a straight line to 40.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 5,148 square feet, more or less.

08/13/2018

PORTLAND HISTORIC PROPERTIES, LLC

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Portland Historic Properties, LLC, recorded August 12, 2015, on Reel 3732, Page 211, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
9+80.00		10+64.00	107.00
10+64.00		11+19.00	66.00
11+19.00		11+81.00	88.00

EXCEPT therefrom Tract 1.

This tract of land contains 3,314 square feet, more or less.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

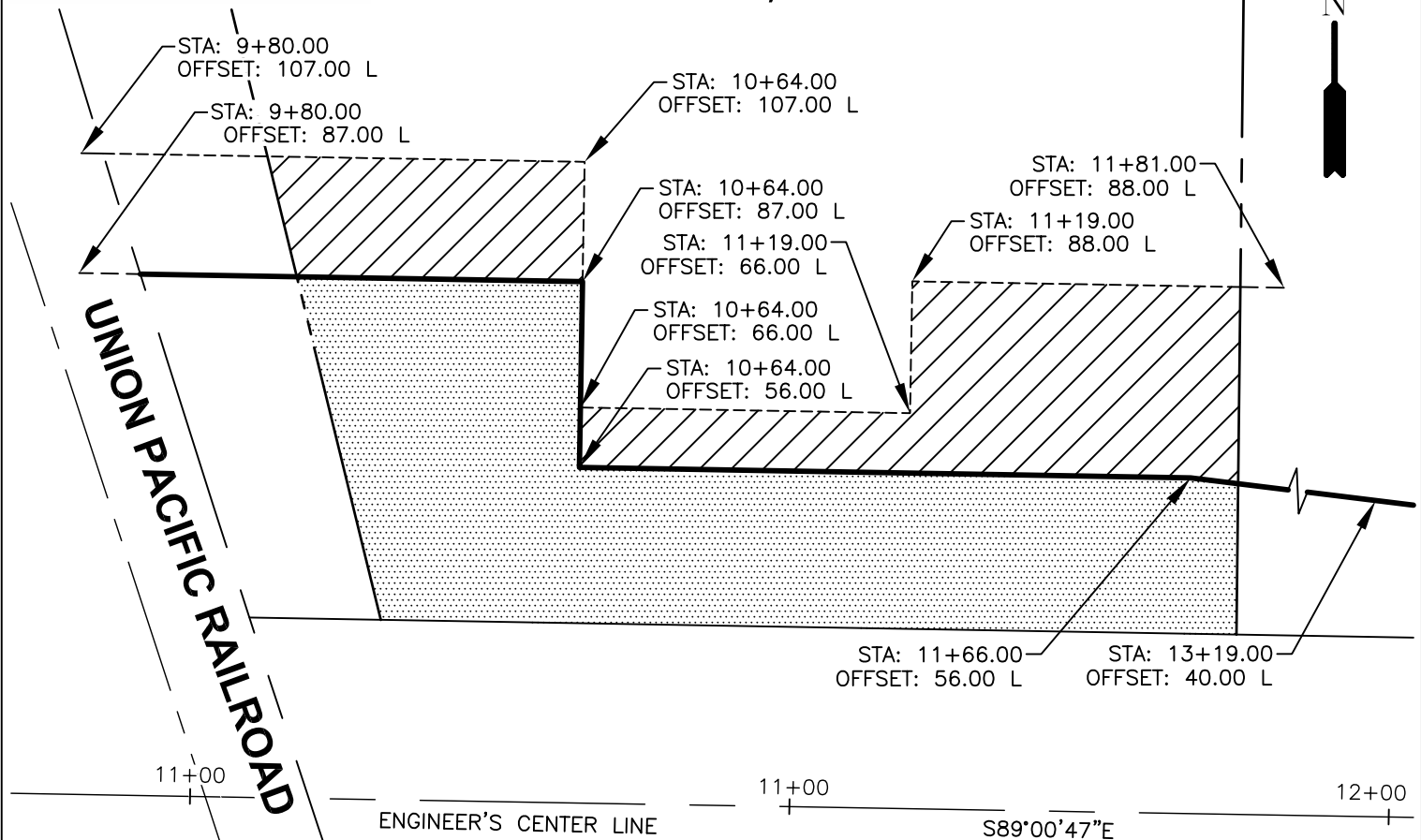
J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

10

PORTLAND HISTORIC
PROPERTIES, LLC
R. 3732, PG. 0211

EXHIBIT
'B'



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

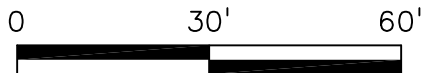
McGILCHRIST ST. SE



RIGHT OF WAY
TRACT 1 (5,148 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (3,314 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 10

1425 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CB

TAX LOT: 0300

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 3732 PAGE 0211

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
NAME/
ADDRESS

PORTLAND HISTORIC
PROPERTIES, LLC

3735 SE CLAY ST
PORTLAND, OR 97214

RESOLUTION NO. 2019-36

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1655 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1655 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 11

04/26/2018

WALLING PROPERTIES, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel V and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded March 2, 2007, on Reel 2780, Page 289, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
11+66.00		13+19.00	56.00 in a straight line to 40.00
13+19.00		13+62.00	40.00
13+62.00		13+81.00	40.00 in a straight line to 53.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 3,133 square feet, more or less.

04/26/2018

WALLING PROPERTIES, LLC

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel V and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded March 2, 2007, on Reel 2780, Page 289, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
12+84.00		13+60.00	50.00 in a straight line to 46.50
13+60.00		13+81.00	46.50 in a straight line to 65.00

EXCEPT therefrom Tract 1.

This tract of land contains 680 square feet, more or less.

04/26/2018

WALLING PROPERTIES, LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel V and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded March 2, 2007, on Reel 2780, Page 289, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
11+66.00		12+84.00	66.00 in a straight line to 53.00
12+84.00		13+59.00	53.00 in a straight line to 50.00
13+59.00		13+81.00	50.00 in a straight line to 65.00

EXCEPT therefrom Tracts 1 and 2.

This tract of land contains 1,345 square feet, more or less.



**EXHIBIT
'B'**

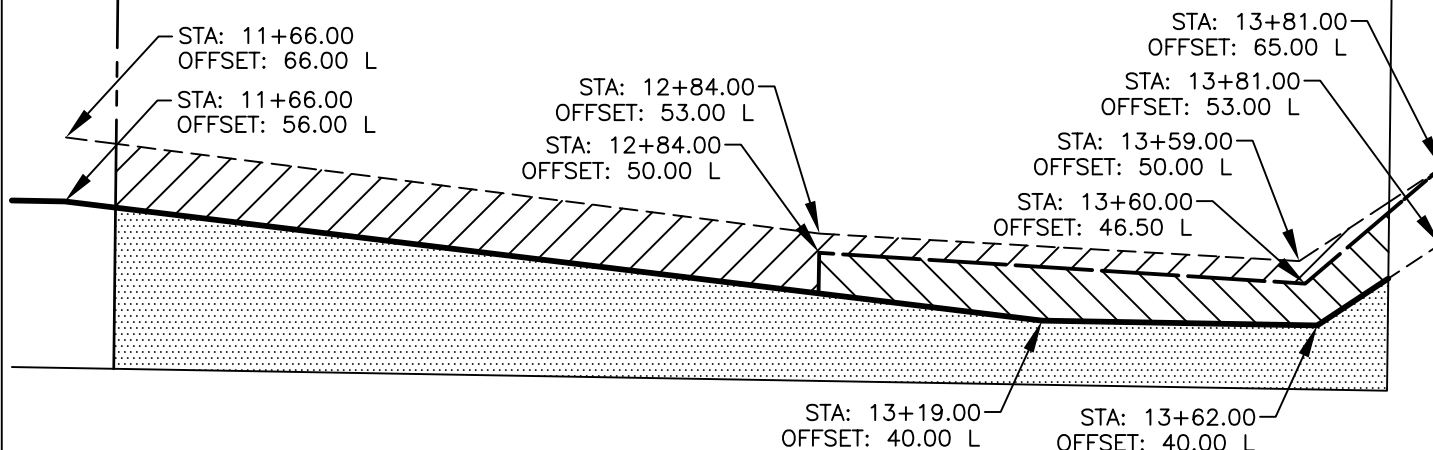
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

11

**WALLING PROPERTIES, LLC
R. 2780, PG. 0289, PARCEL V**



McGILCHRIST ST. SE

12+00

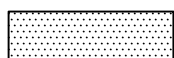
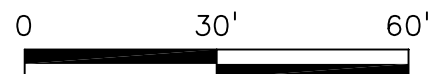
ENGINEER'S CENTER LINE

13+00

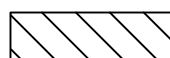
S89°00'47"E



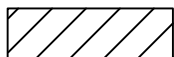
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (3,133 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES
TRACT 2 (680 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,345 SQ. FT.)**

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 11

1655 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CB

TAX LOT: 0400

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2780 PAGE 0289

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 04-26-2018

OWNER
NAME/
ADDRESS

WALLING PROPERTIES, LLC

P.O. BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-37

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1500-1518 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1500-1518 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 12

08/13/2018

ID# 12
DNW, LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in Lot 1, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
9+50.00		10+95.00	105.00 in a straight line to 52.00
10+95.00		14+10.00	32.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 779 square feet, more or less.

08/13/2018

ID# 12
DNW, LLC**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

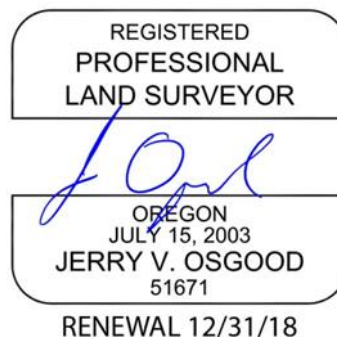
A tract of land lying in Lot 1, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

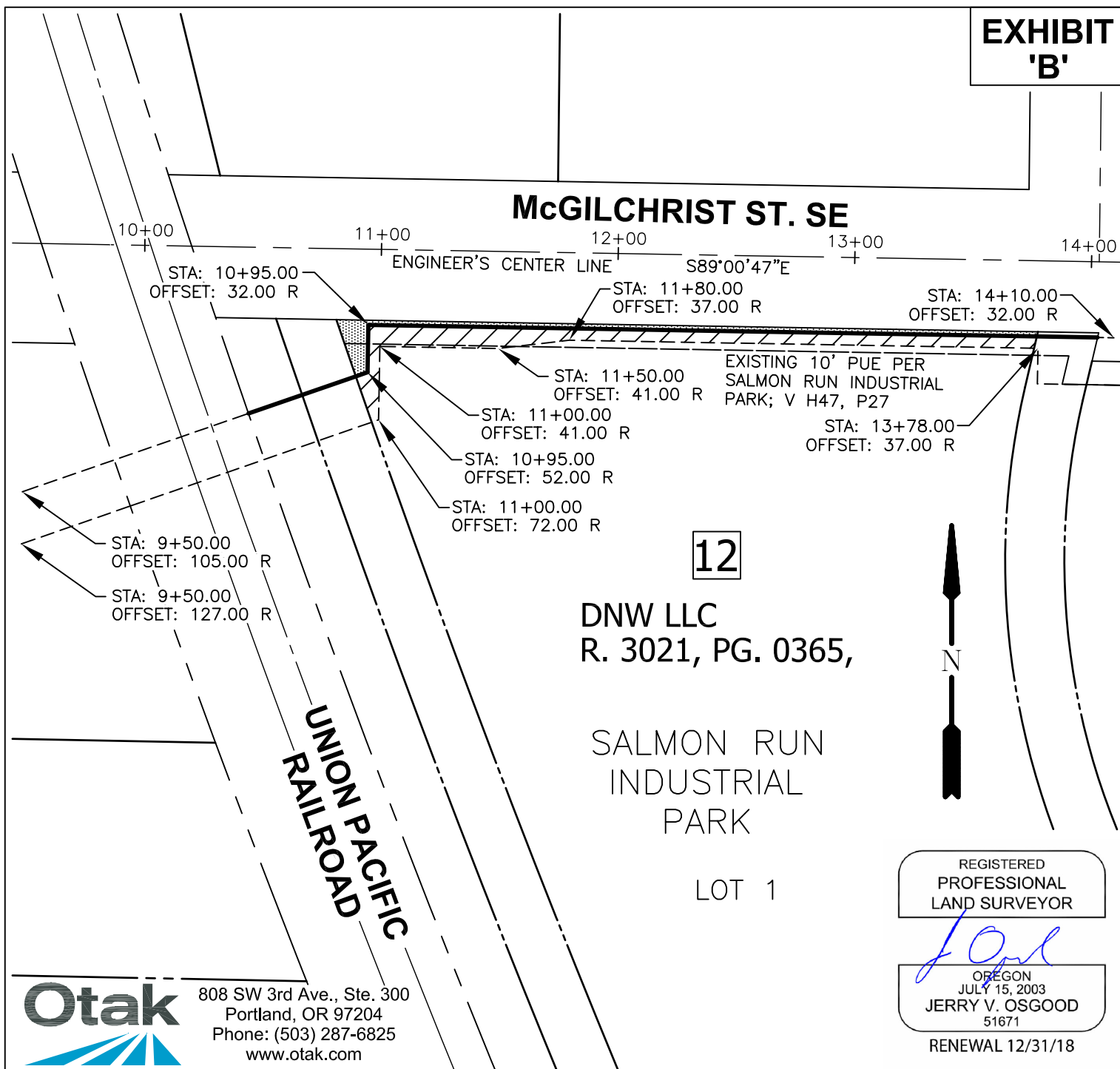
Station	to	Station	Width on Southerly Side of Center Line
9+50.00		11+00.00	127.00 in a straight line to 72.00
11+00.00		11+50.00	41.00
11+50.00		11+80.00	41.00 in a straight line to 37.00
11+80.00		13+78.00	37.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,880 square feet, more or less.



**EXHIBIT
'B'**



**RIGHT OF WAY
(779 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (1,880 SQ. FT.)**

0 60' 120'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 12

1500-1518 McGILCHRIST ST SE
SALEM, OR 97302

TAX MAP: 073W35CB
TAX LOT: 4400

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3021 PAGE 0365

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
NAME/
ADDRESS

DNW, LLC

P.O. BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-38

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35CD2600 (R348619).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at Taxlot 073W35CD2600 (R348619), 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 13

07/16/2019

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 2, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 10+99.00 and 14+10.00 and included in a strip of land 32.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 51 square feet, more or less.

07/16/2019

ID# 13
DNW, LLC**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in Lot 2, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

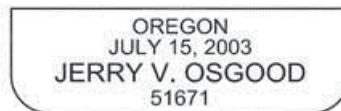
Station	to	Station	Width on Southerly Side of Center Line
11+80.00		13+78.00	37.00
13+78.00		14+27.00	52.00

EXCEPT therefrom Tract 1.

This tract of land contains 464 square feet, more or less.

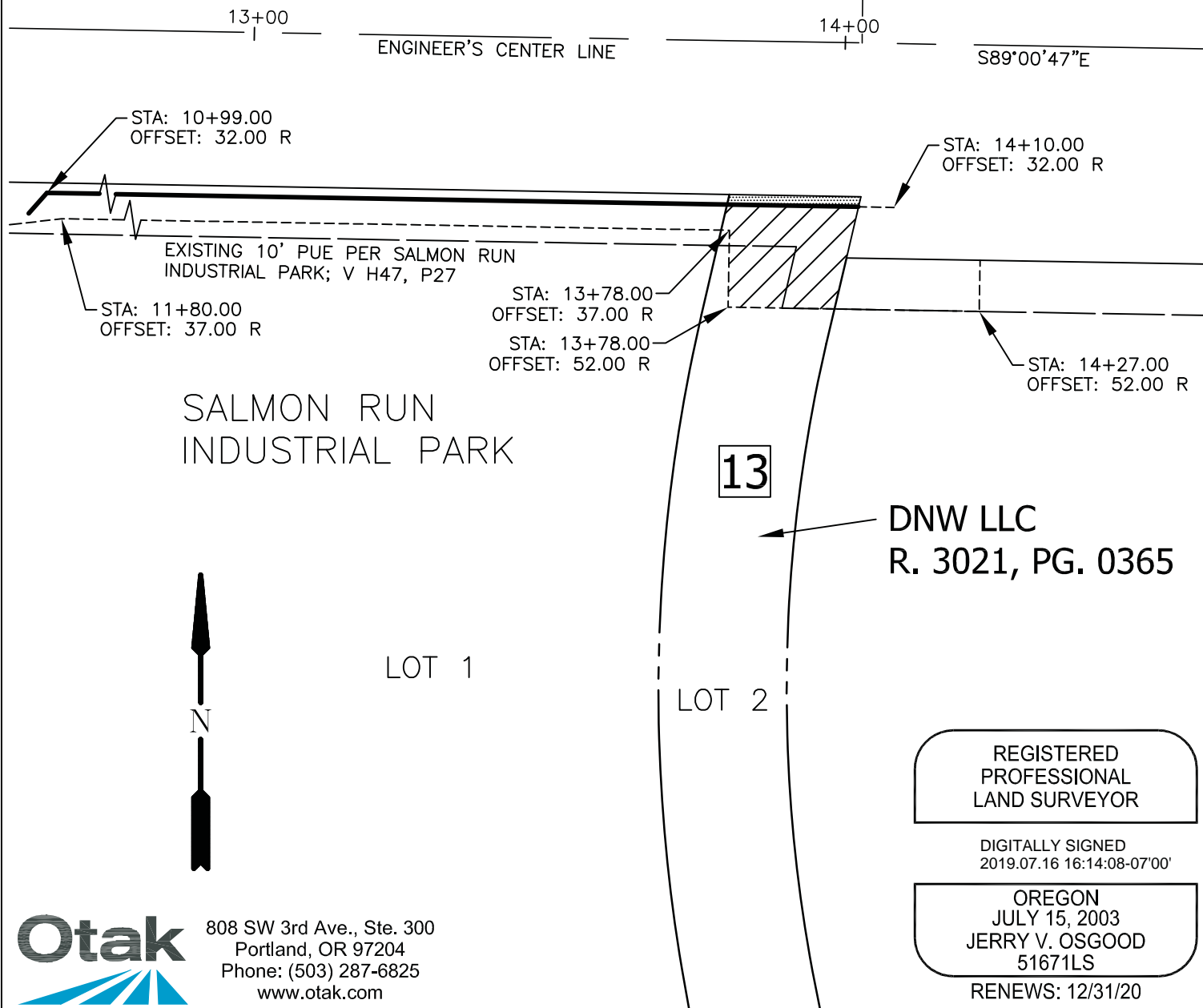


DIGITALLY SIGNED
2019.07.16 16:13:47-07'00'

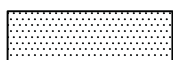


RENEWS: 12/31/20

McGILCHRIST ST. SE



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (51 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (464 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID

13

1500 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CD

TAX LOT: 2600

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 3021

PAGE 0365

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

ACQUISITION MAP

P.N. 687002

BY: MDR

DATE: 07-16-2019

OWNER
NAME/
ADDRESS

DNW, LLC

PO BOX 12828
SALEM, OR 97309

07/16/2019

ID# 13
DNW, LLC**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in Lot 2, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
11+80.00		13+78.00	37.00
13+78.00		14+27.00	52.00

EXCEPT therefrom Tract 1.

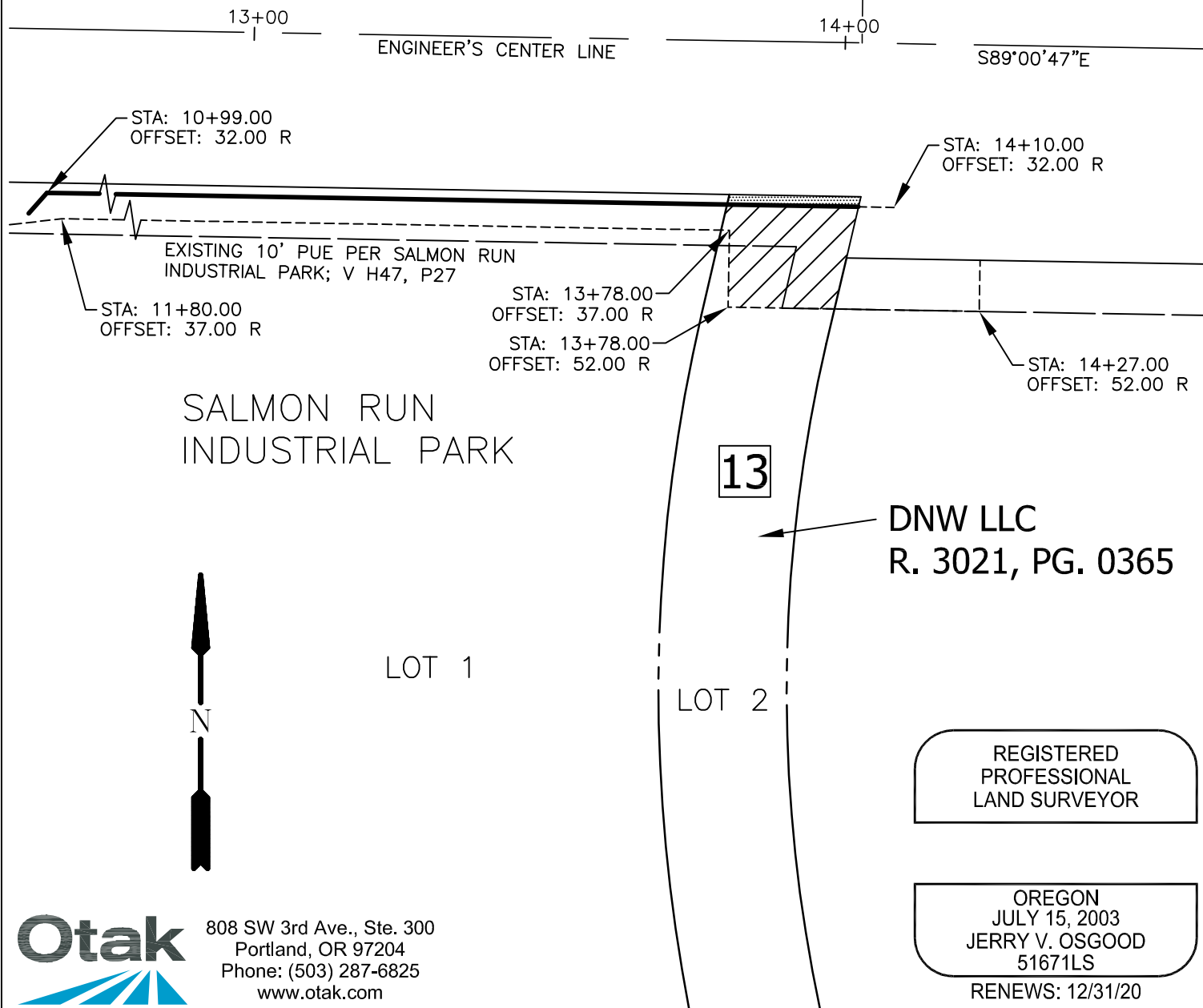
This tract of land contains 464 square feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

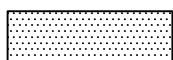
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWS: 12/31/20

McGILCHRIST ST. SE



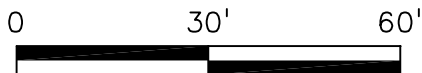
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (51 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (464 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID

13

1500 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CD

TAX LOT: 2600

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 3021

PAGE 0365

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

ACQUISITION MAP

P.N. 687002

BY: MDR

DATE: 07-16-2019

OWNER
NAME/
ADDRESS

DNW, LLC

PO BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-39

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1750 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 1750 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 14

05/04/2018

TRACT 1 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 3, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 13+78.00 and 14+27.00 and included in a strip of land 52.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 271 square feet, more or less.

05/04/2018

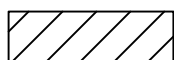
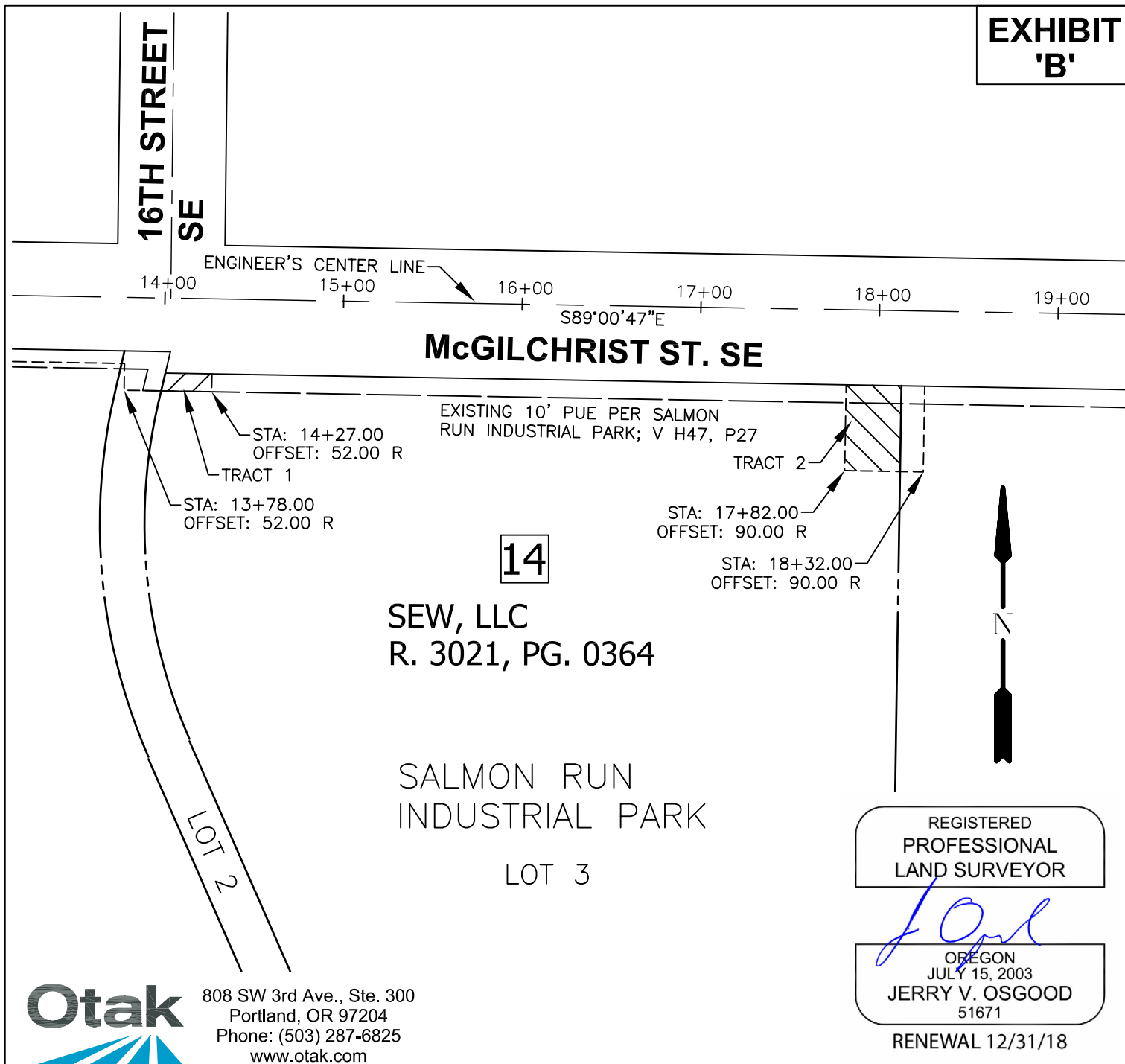
ID# 14
SEW, LLC

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

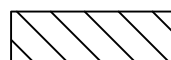
A tract of land lying in Lot 3, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 17+82.00 and 18+32.00 and included in a strip of land 90.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

This tract of land contains 1,488 square feet, more or less.





TEMPORARY CONSTRUCTION
EASEMENT TRACT 1 (271 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (1,488 SQ. FT.)

0 80' 160'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

14

1750 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35CA
TAX LOT: 0800

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERIDIAN
MARION COUNTY, OREGON

REEL 3021 PAGE 0364

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-04-2018

OWNER
NAME/
ADDRESS

SEW, LLC

P.O. BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-40

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1815 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1815 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 15

05/04/2018

ID# 15
NWC #5, LLP**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Quitclaim Deed to NWC #5, LLP, recorded May 17, 2013, on Reel 3504, Page 67, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
14+26.00		14+36.00	49.00 in a straight line to 44.00
14+36.00		17+74.00	44.00 in a straight line to 36.00
17+74.00		21+50.00	36.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 5,509 square feet, more or less.

05/04/2018

ID# 15
NWC #5, LLP**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

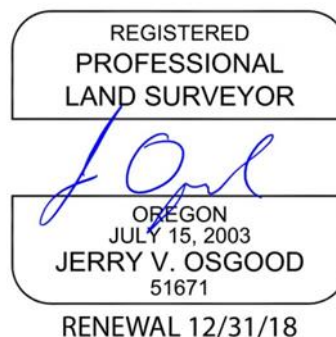
A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Quitclaim Deed to NWC #5, LLP, recorded May 17, 2013, on Reel 3504, Page 67, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE which center line is described in Tract 1.

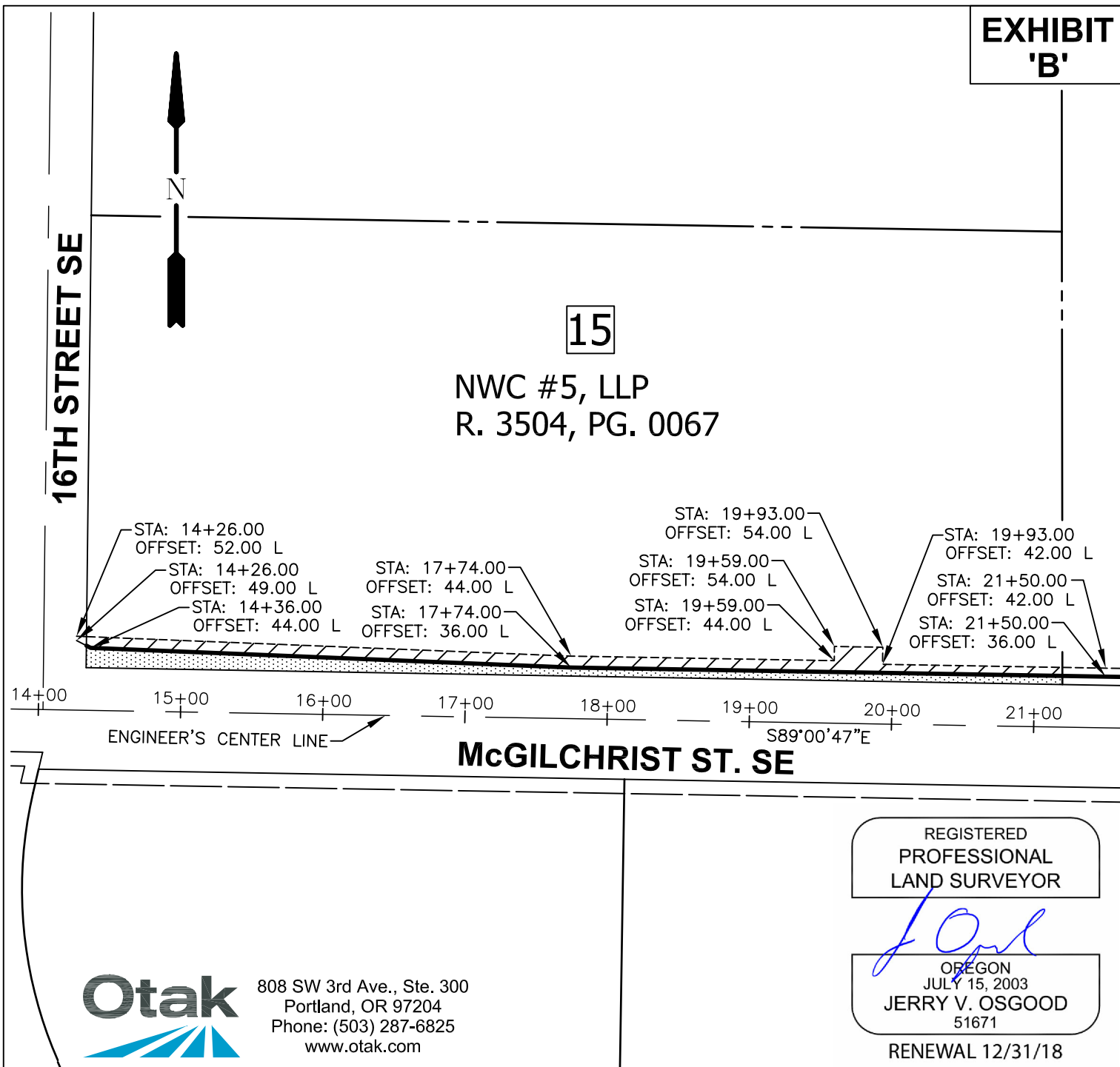
The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northerly Side of Center Line
14+26.00		17+74.00	52.00 in a straight line to 44.00
17+74.00		19+59.00	44.00
19+59.00		19+93.00	54.00
19+93.00		21+50.00	42.00

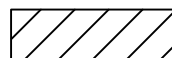
EXCEPT therefrom Tract 1.

This tract of land contains 5,538 square feet, more or less.





**RIGHT OF WAY
TRACT 1 (5,509 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT
TRACT 2 (5,538 SQ. FT.)**

0 100' 200'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

15

1815 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35CA
TAX LOT: 0400

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERIDIAN
MARION COUNTY, OREGON

REEL 3504 PAGE 0067

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-04-2018

OWNER
NAME/
ADDRESS

NWC #5, LLP

P.O. BOX 73399
PUYALLUP, WA 98373

RESOLUTION NO. 2019-41

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35CA0900 (R348621).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as Taxlot 073W35CA0900 (R348621), 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 16

07/16/2019

ID# 16

SEW, LLC and

WALLING FAMILY LIMITED PARTNERSHIP

TRACT 1 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 4, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 17+82.00 and 18+32.00 and included in a strip of land 90.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 625 square feet, more or less.

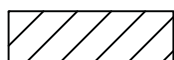
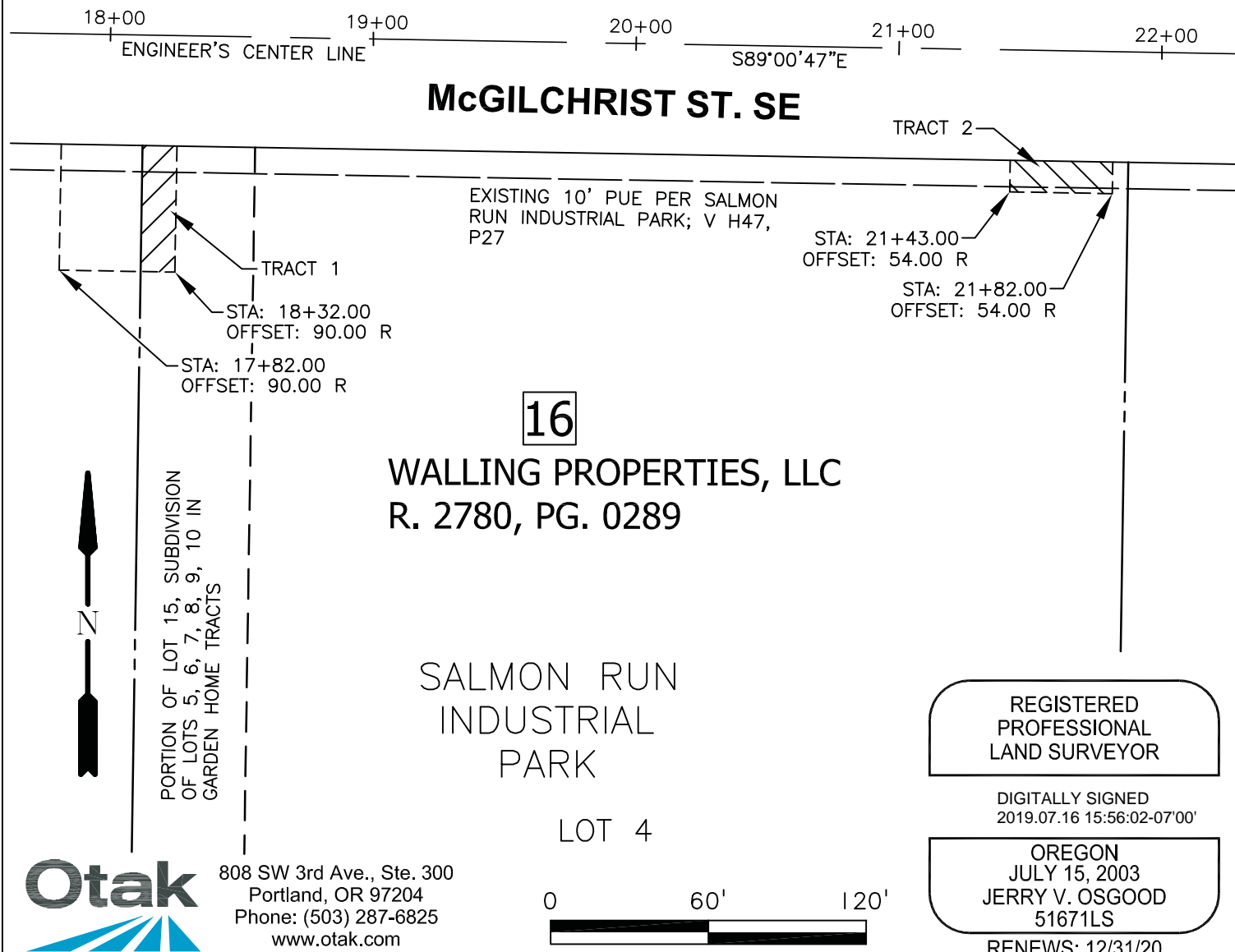
07/16/2019

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

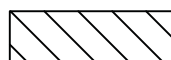
A tract of land lying in Lot 4, SALMON RUN INDUSTRIAL PARK, City of Salem, Marion County, Oregon; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 21+43.00 and 21+82.00 and included in a strip of land 54.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

This tract of land contains 467 square feet, more or less.





TEMPORARY CONSTRUCTION
EASEMENT TRACT 1 (625 SQ. FT.)
SEW, LLC AND WALLING FAMILY
LIMITED PARTNERSHIP



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (467 SQ. FT.)
WALLING PROPERTIES, LLC

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

16

1780 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CA

TAX LOT: 0900

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 2 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2780 PAGE 0289

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-16-2019

OWNER
NAME/
ADDRESS

WALLING PROPERTIES, LLC

P.O. BOX 12828
SALEM, OR. 97309

RESOLUTION NO. 2019-42

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1865 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1865 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 17

05/04/2018

VISTA PROPERTY INVESTMENTS LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments LLC, recorded August 9, 2007, on Reel 2851, Page 351, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 17+74.00 and 27+45.00 and included in a strip of land 36.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 3,725 square feet, more or less.

05/04/2018

VISTA PROPERTY INVESTMENTS LLC

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments LLC, recorded August 9, 2007, on Reel 2851, Page 351, of Marion County Records; said tract being that portion of said property 20.00 feet in width, lying 10.00 feet on each side of the following described line:

Beginning at a point opposite and 31.50 Northerly of Engineer's Station 27+59.79 on the center line of McGilchrist Street SE, which center line is described in Tract 1; thence North 35° 42' 43" East 74.20 feet to a point opposite and 92.49 feet Northerly of Engineer's Station 28+02.06 on said center line.

This tract of land contains 1,278 square feet, more or less.

05/04/2018

VISTA PROPERTY INVESTMENTS LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments LLC, recorded August 9, 2007, on Reel 2851, Page 351, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
19+93.00		24+86.00	42.00
24+86.00		25+37.00	46.00
25+37.00		27+45.00	42.00 in a straight line to 46.00
27+45.00		28+65.00	46.00

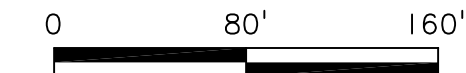
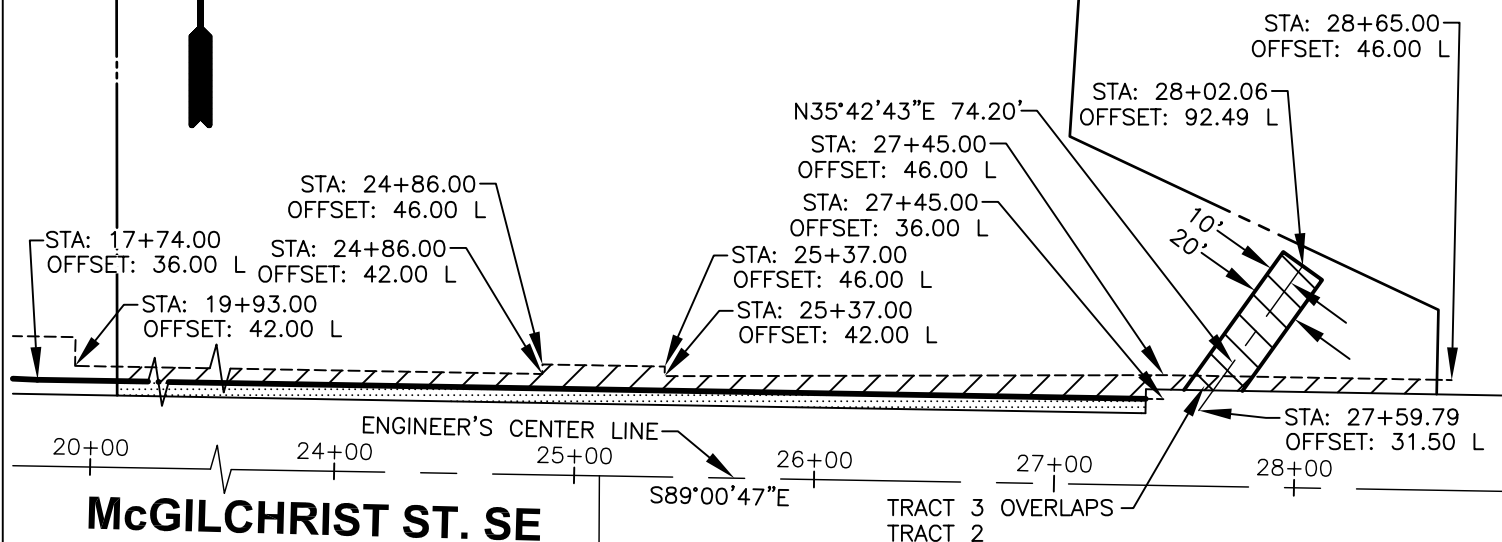
EXCEPT therefrom Tract 1.

This tract of land contains 5,031 square feet, more or less. 147 square feet of this tract lies within Tract 2.



17

**VISTA PROPERTY
INVESTMENTS LLC
R. 2851, PG. 0351**



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

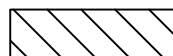
REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

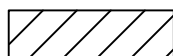
RENEWAL 12/31/18



RIGHT OF WAY
TRACT 1 (3,725 SQ. FT.)



PERMANENT EASEMENT - STORM
WATER FACILITIES



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (5,031 SQ. FT.)

TRACT 2 (1,278 SQ. FT.)

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

17

1865 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35CA

TAX LOT: 0301

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2851 PAGE 0351

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-04-2018

OWNER
NAME/
ADDRESS

**VISTA PROPERTY
INVESTMENTS LLC**

P.O. BOX 4657
SALEM, OR 97302

RESOLUTION NO. 2019-43

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1920-1922 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1920-1922 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 19

05/04/2018

NATHAN J. & PENELOPE A. LEVIN

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Deed Creating an Estate by the Entirety to Penelope A. Levin, recorded January 23, 1998, on Reel 1456, Page 615, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
25+25.00		25+36.00	77.00
25+36.00		25+37.00	77.00 in a straight line to 48.00
25+37.00		25+48.00	48.00 in a straight line to 37.00
25+48.00		29+00.00	37.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 2,568 square feet, more or less.

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Deed Creating an Estate by the Entirety to Penelope A. Levin, recorded January 23, 1998, on Reel 1456, Page 615, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 25+25.00 and 33+47.00 and included in a strip of land 42.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 1,570 square feet, more or less.

05/04/2018

NATHAN J. & PENELOPE A. LEVIN

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Deed Creating an Estate by the Entirety to Penelope A. Levin, recorded January 23, 1998, on Reel 1456, Page 615, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
25+25.00		25+39.00	80.00
25+39.00		25+40.00	80.00 in a straight line to 49.00
25+40.00		25+45.00	49.00 in a straight line to 44.00
25+45.00		28+28.00	44.00
28+28.00		28+64.00	49.00

EXCEPT therefrom Tract 1.

This tract of land contains 2,492 square feet, more or less. 1,570 square feet of this tract lies within Tract 2.



RESOLUTION NO. 2019-44

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2050 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2050 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 20

05/04/2018

LOREN & MARGE LOTTIS TRUST

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 2 and described in that Deed to Loren A. Lottis and Margery A. Lottis, Trustees of the Loren & Marge Lottis Trust, recorded December 16, 2016, on Reel 3892, Page 192, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 25+48.00 and 33+27.00 and included in a strip of land 37.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 698 square feet, more or less.

05/04/2018

LOREN & MARGE LOTTIS TRUST

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 2 and described in that Deed to Loren A. Lottis and Margery A. Lottis, Trustees of the Loren & Marge Lottis Trust, recorded December 16, 2016, on Reel 3892, Page 192, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 25+25.00 and 33+47.00 and included in a strip of land 42.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 501 square feet, more or less.

05/04/2018

LOREN & MARGE LOTTIS TRUST

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 2 and described in that Deed to Loren A. Lottis and Margery A. Lottis, Trustees of the Loren & Marge Lottis Trust, recorded December 16, 2016, on Reel 3892, Page 192, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

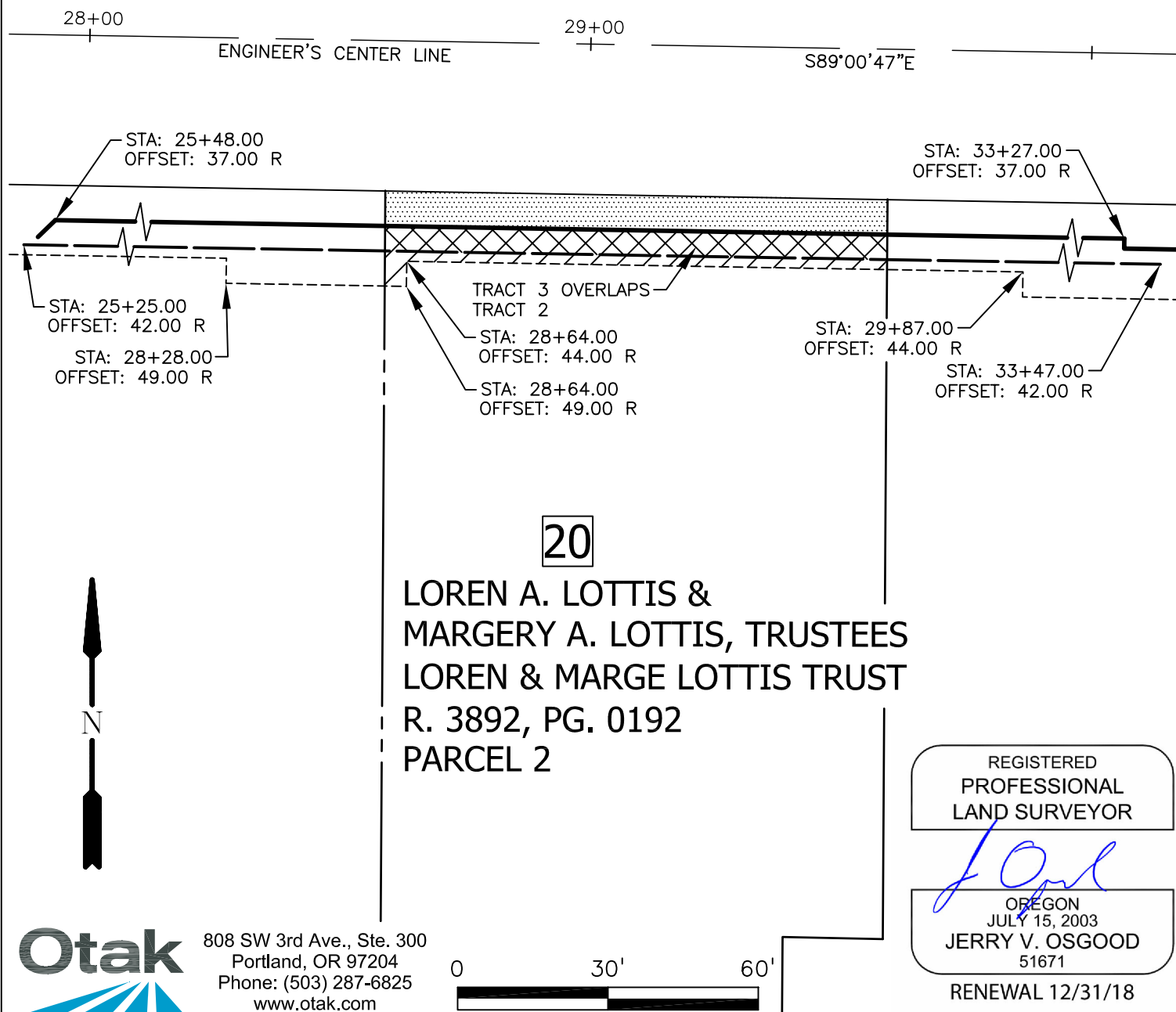
Station	to	Station	Width on Southerly Side of Center Line
28+28.00		28+64.00	49.00
28+64.00		29+87.00	44.00


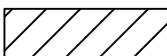

EXCEPT therefrom Tract 1.

This tract of land contains 723 square feet, more or less. 501 square feet of this tract lies within Tract 2.



McGILCHRIST ST. SE



	RIGHT OF WAY TRACT 1 (698 SQ. FT.)		TEMPORARY CONSTRUCTION EASEMENT TRACT 3 (723 SQ. FT.)
	PERMANENT EASEMENT - PUBLIC UTILITIES TRACT 2 (501 SQ. FT.)		

McGILCHRIST ST. SE (12TH STREET SE TO 25TH STREET SE) CORRIDOR IMPROVEMENTS		SITE PROPERTY ID # 20 2050 McGILCHRIST ST. SE SALEM, OR 97302 TAX MAP: 073W35DB TAX LOT: 4101 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 3892 PAGE 0192	CITY OF SALEM DEPARTMENT OF PUBLIC WORKS ACQUISITION MAP P.N. 687002 BY: MDR DATE: 05-04-2018
OWNER NAME/ ADDRESS	LOREN & MARGE LOTTIS TRUST 2743 FRONT ST NE SALEM, OR 97301		

RESOLUTION NO. 2019-45

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2110 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2110 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 21

05/04/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Airgas-NorPac, Inc., recorded November 23, 2005, on Reel 2570, Page 348, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 25+48.00 and 33+27.00 and included in a strip of land 37.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,386 square feet, more or less.

05/04/2018

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Airgas-NorPac, Inc., recorded November 23, 2005, on Reel 2570, Page 348, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 25+25.00 and 33+47.00 and included in a strip of land 42.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 995 square feet, more or less.

05/04/2018

ID# 21
AIRGAS-NORPAC, INC.**TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Airgas-NorPac, Inc., recorded November 23, 2005, on Reel 2570, Page 348, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

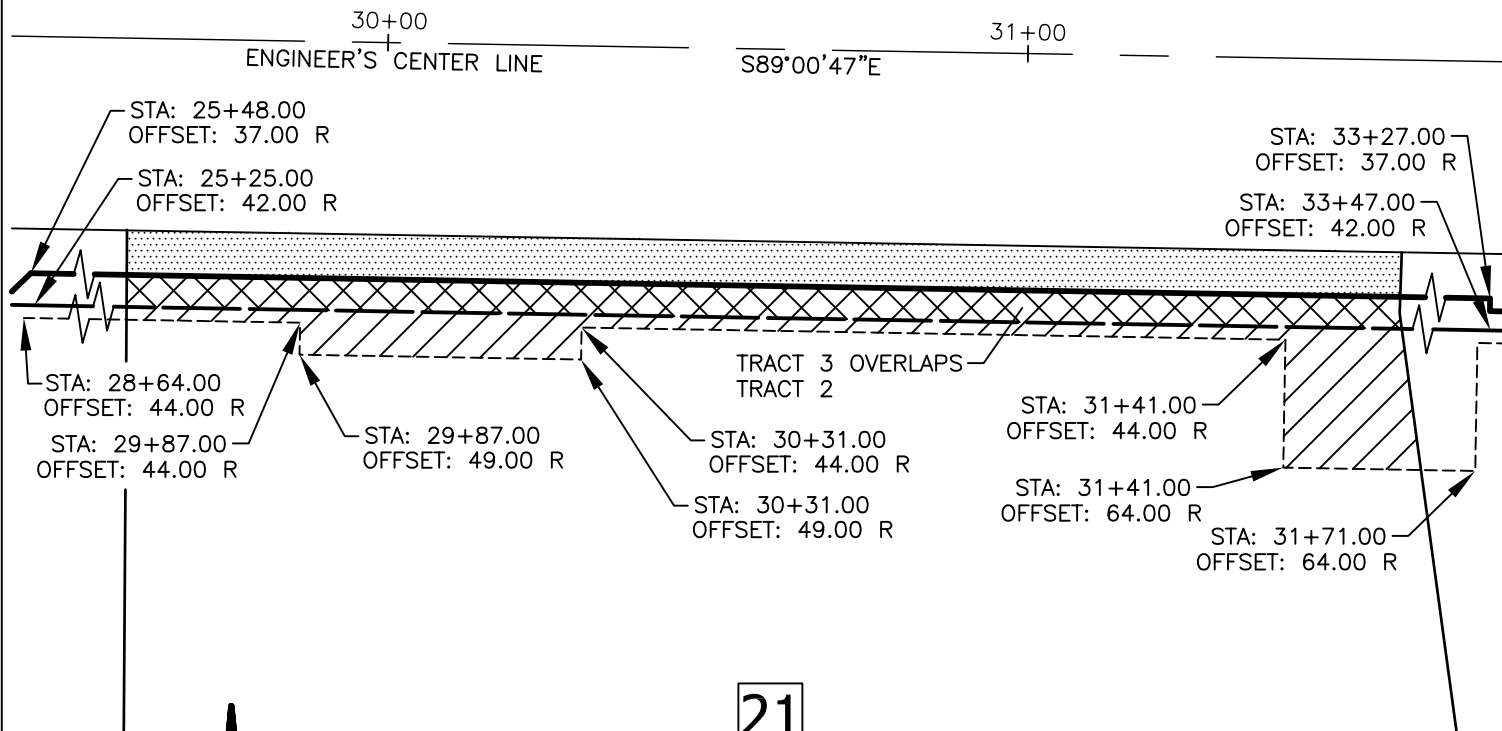
Station	to	Station	Width on Southerly Side of Center Line
28+64.00		29+87.00	44.00
29+87.00		30+31.00	49.00
30+31.00		31+41.00	44.00
31+41.00		31+71.00	64.00

EXCEPT therefrom Tract 1.

This tract of land contains 2,014 square feet, more or less. 995 square feet of this tract lies within Tract 2.



McGILCHRIST ST. SE

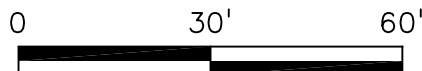


21

**AIRGAS-NORPAC, INC
R. 2570, PG. 0348**



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



REGISTERED
PROFESSIONAL
LAND SURVEYOR

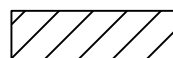
J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

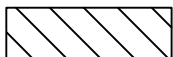
RENEWAL 12/31/18



**RIGHT OF WAY
TRACT 1 (1,386 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (2,014 SQ. FT.)**



**PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 2 (995 SQ. FT.)**

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 21

2110 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DB

TAX LOT: 4100

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2570 PAGE 0348

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-04-2018

OWNER
NAME/
ADDRESS

AIRGAS-NORPAC, INC

3737 WORSHAM AVE
LONG BEACH, CA 90808

RESOLUTION NO. 2019-46

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2190 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2190 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 22

07/06/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
31+41.00		33+27.00	37.00
33+27.00		33+42.00	39.00
33+42.00		33+47.00	39.00 in a straight line to 42.00
33+47.00		33+62.26	42.00 in a straight line to 69.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,745 square feet, more or less.

07/06/2018

TRACT 2 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being all that portion of said property lying between lines at right angles to the center line of 22nd Street SE at Engineer's Stations 223+75.00 and 225+00.00 and lying Easterly of a line 32.50 feet Westerly of said center line, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records, said McGilchrist Street SE center line being described in Tract 1; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

EXCEPT therefrom Tract 1.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 7,481 square feet, more or less.

07/06/2018

TRACT 3 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 31+41.00 and 33+47.00 and included in a strip of land 42.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 893 square feet, more or less.

07/06/2018

TRACT 4 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
31+41.00		31+71.00	64.00
31+71.00		33+43.00	44.00
33+43.00		33+57.24	44.00 in a straight line to 69.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,574 square feet, more or less. 893 square feet of this tract lies within Tract 3.

07/06/2018

PN# 687002
ID# 22
STEVEN J BELLO

TRACT 5 – TEMPORARY CONSTRUCTION EASEMENT

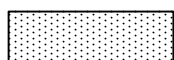
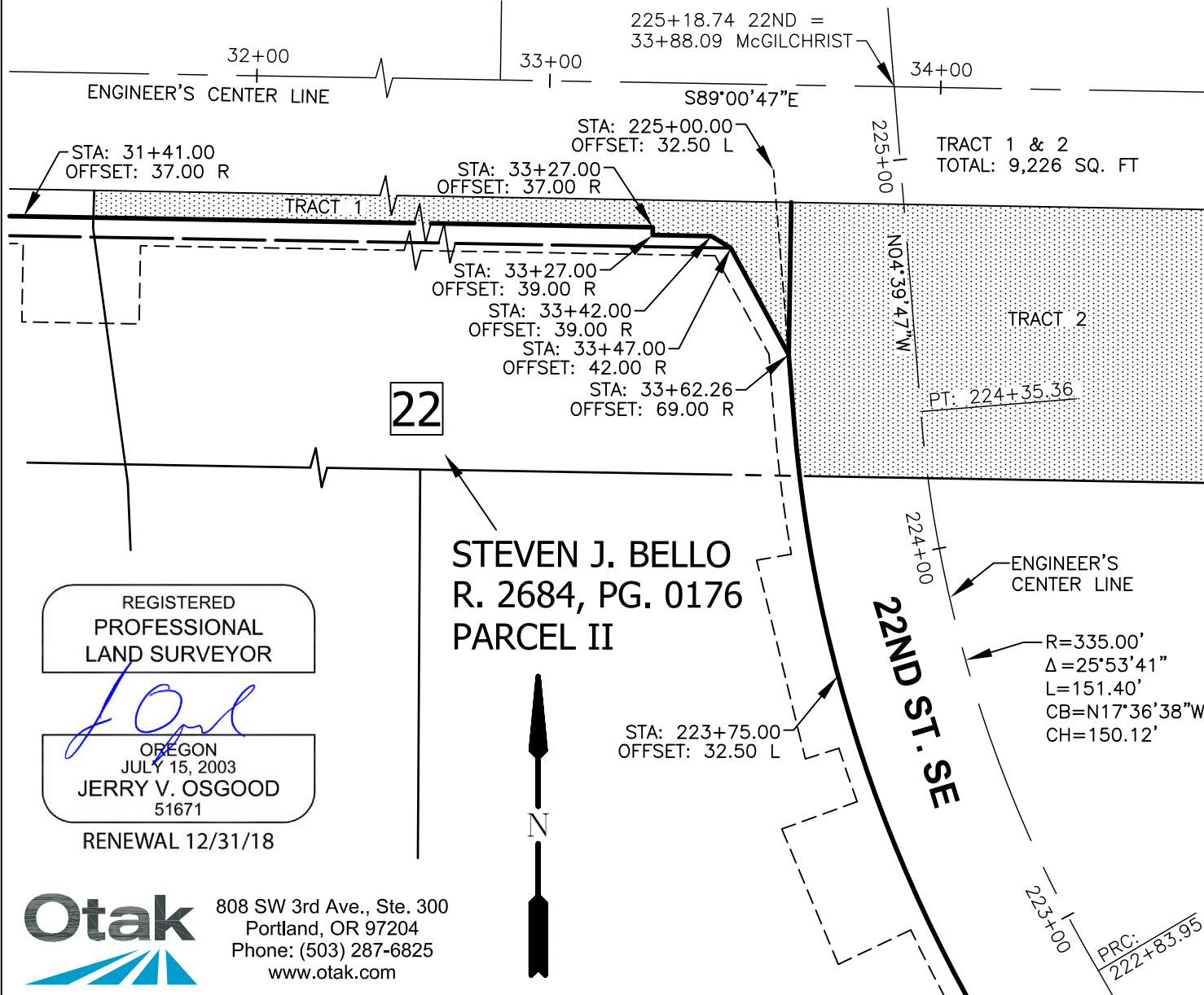
A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 22nd Street SE at Engineer's Stations 224+05.00 and 225+00.00 and included in a strip of land 37.50 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 2.

EXCEPT therefrom Tracts 1, 2 and 4.

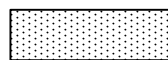
This tract of land contains 178 square feet, more or less.



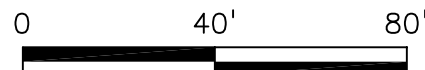
McGILCHRIST ST. SE



**RIGHT OF WAY
TRACT 1 (1,745 SQ. FT.)**



**RIGHT OF WAY
TRACT 2 (7,481 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID

22

2190 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DB

TAX LOT: 3700

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2684 PAGE 0176

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

ACQUISITION MAP

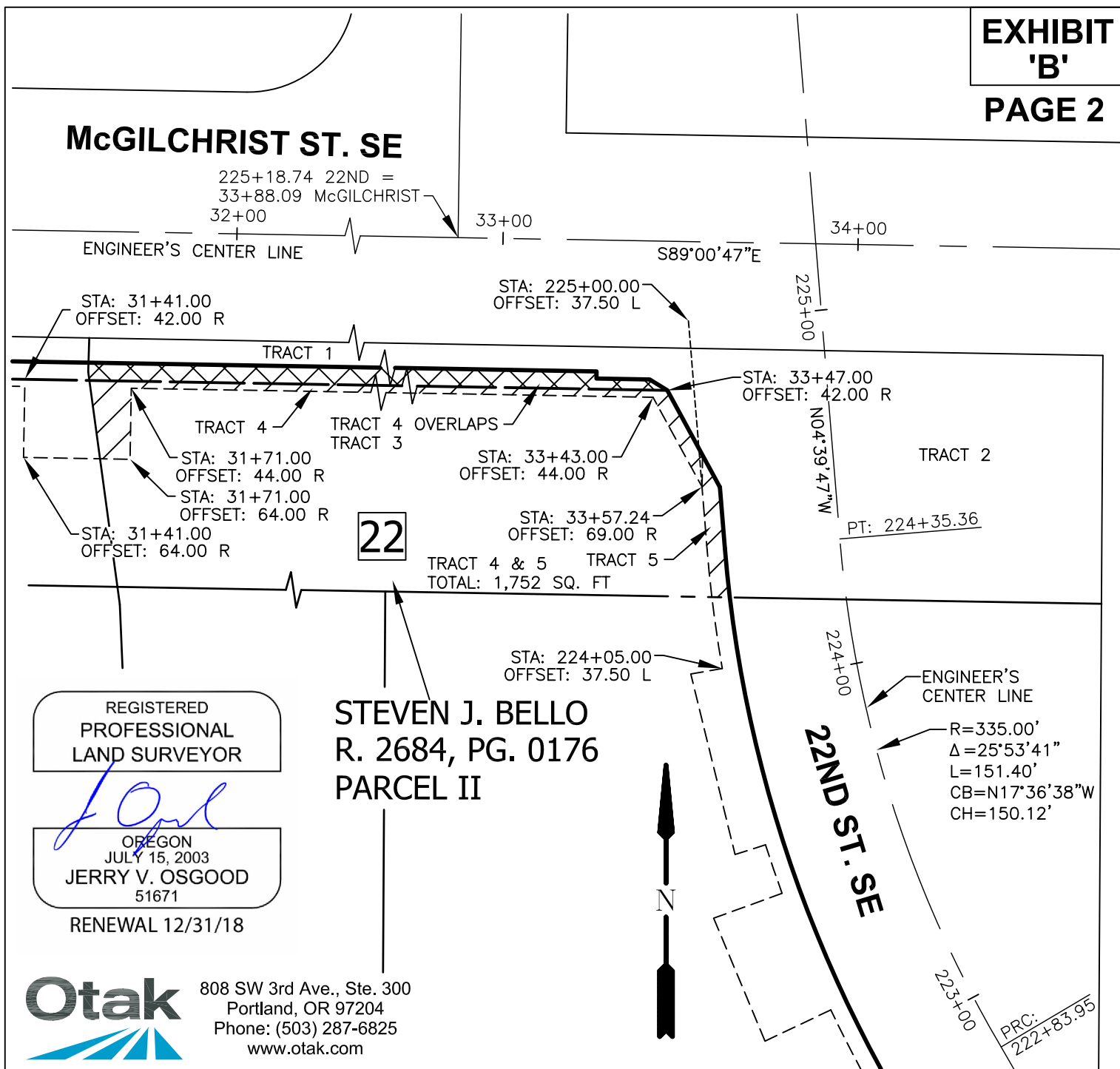
P.N. 687002

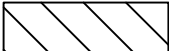



BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

STEVEN J. BELLO

2190 McGILCHRIST ST. SE
SALEM, OR 97302



 PERMANENT EASEMENT - PUBLIC UTILITIES TRACT 3 (893 SQ. FT.)		 TEMPORARY CONSTRUCTION EASEMENT TRACT 5 (178 SQ. FT.)	
 TEMPORARY CONSTRUCTION EASEMENT TRACT 4 (1,574 SQ. FT.)	<div>040'80'</div> 		
<div>McGILCHRIST ST. SE</div> <div>(12TH STREET SE TO 25TH STREET SE)</div> <div>CORRIDOR IMPROVEMENTS</div>		<div><div>SITE</div><div>PROPERTY ID # 22</div><div>2190 McGILCHRIST ST. SE SALEM, OR 97302 TAX MAP: 073W35DB TAX LOT: 3700 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 2684 PAGE 0176</div></div>	<div>CITY OF SALEM DEPARTMENT OF PUBLIC WORKS</div> <div>ACQUISITION MAP</div> <div>P.N. 687002</div> <div>BY: MDR DATE: 07-06-2018</div>
<div>OWNER NAME/ ADDRESS</div>	<div>STEVEN J. BELLO</div> <div>2190 McGILCHRIST ST. SE SALEM, OR 97302</div>		

RESOLUTION NO. 2019-47

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2500 BLOCK OF 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2500 Block of 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 23

07/06/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being all that portion of said property lying between lines at right angles to the center line of 22nd Street SE at Engineer's Stations 222+25.00 and 224+35.36 and lying Easterly of a line 32.50 feet Westerly of said center line, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 12,593 square feet, more or less.

07/06/2018

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 22nd Street SE at Engineer's Stations 223+62.00 and 224+02.00 and included in a strip of land 43.00 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 467 square feet, more or less.

07/06/2018

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Warranty Deed to Steven J Bello, recorded July 31, 2006, on Reel 2684, Page 176, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
222+49.00		223+14.00	37.50 along a curve
223+14.00		223+46.00	58.00 in a straight line to 58.00
223+46.00		223+59.00	37.50 along a curve
223+59.00		224+05.00	46.50 in a straight line to 46.50
224+05.00		224+35.36	37.50 along a curve

EXCEPT therefrom Tracts 1 and 2.

This tract of land contains 1,511 square feet, more or less.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

**EXHIBIT
'B'**

STA: 224+35.36
OFFSET: 32.50 L

STA: 224+35.36
OFFSET: 37.50 L

STA: 224+05.00
OFFSET: 37.50 L
STA: 224+05.00
OFFSET: 46.50 L

STA: 224+02.00
OFFSET: 43.00 L

STA: 223+62.00
OFFSET: 43.00 L
STA: 223+59.00
OFFSET: 46.50 L

STA: 223+59.00
OFFSET: 37.50 L
STA: 223+46.00
OFFSET: 37.50 L

STA: 223+46.00
OFFSET: 58.00 L

STA: 223+14.00
OFFSET: 58.00 L

STA: 223+14.00
OFFSET: 37.50 L

STEVEN J. BELLO
R. 2684, PG. 0176
PARCEL I

STA: 222+49.00
OFFSET: 37.50 L

R=335.00'
 $\Delta=30^{\circ}53'41''$
L=180.64'
CB=N15°06'38"W
CH=178.46'

STA: 222+25.00
OFFSET: 32.50 L

PT: 224+35.36
ENGINEER'S
CENTER LINE

R=335.00'
 $\Delta=25^{\circ}53'41''$
L=151.40'
CB=N17°36'38"W
CH=150.12'

EXISTING 22ND ST. SE

**FUTURE
22ND ST. SE**



23



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (12,593 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 2 (467 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,511 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

23

2500 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3800

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2684 PAGE 0176

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

STEVEN J. BELLO
2190 McGILCHRIST ST. SE
SALEM, OR 97302

RESOLUTION NO. 2019-48

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2615 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2615 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 24

07/06/2018

STEVEN J. BELLO & GLENN E. BELLO

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Tax Lot 3901 and described in that Quit Claim Deed to Steven J. Bello and Glenn E. Bello, recorded July 12, 2016, on Reel 3838, Page 229, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Westerly Side of Center Line
221+50.00		222+03.00	27.50 in a straight line to 29.50
222+03.00		222+49.00	29.50 in a straight line to 32.50
222+49.00		222+83.95	32.50 along a curve

ALSO all that portion of said property lying Easterly of said center line.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 2,816 square feet, more or less.

07/06/2018

STEVEN J. BELLO & GLENN E. BELLO

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Tax Lot 3901 and described in that Quit Claim Deed to Steven J. Bello and Glenn E. Bello, recorded July 12, 2016, on Reel 3838, Page 229, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
221+50.00		222+03.00	32.50 in a straight line to 34.50
222+03.00		222+49.00	43.00 in a straight line to 43.00
222+49.00		222+83.95	37.50 along a curve

EXCEPT therefrom Tract 1.

This tract of land contains 813 square feet, more or less.



EXHIBIT 'B'

EXISTING 22ND ST. SE

R=335.00'
 $\Delta=30^{\circ}53'41''$
 L=180.64'
 CB=N15°06'38"W
 CH=178.46'



PC: 221+03.32

FUTURE
ENGINEER'S
CENTER LINE

22ND ST. SE

STA: 222+83.95
OFFSET: 32.50 L

STA: 222+83.95
OFFSET: 37.50 L

STA: 222+49.00
OFFSET: 32.50 L

STA: 222+49.00
OFFSET: 37.50 L

STA: 222+49.00
OFFSET: 43.00 L

STA: 222+03.00
OFFSET: 29.50 L

STA: 222+03.00
OFFSET: 43.00 L

STA: 222+03.00
OFFSET: 34.50 L

STA: 221+50.00
OFFSET: 32.50 L

STA: 221+50.00
OFFSET: 27.50 L

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

24

STEVEN J. BELLO
 & GLENN E. BELLO
 R. 3838, PG. 0229
 TAX LOT 3901



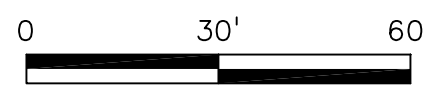
808 SW 3rd Ave., Ste. 300
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com



RIGHT OF WAY
TRACT 1 (2,816 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (813 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

24

2615 22ND ST. SE
 SALEM, OR 97302

TAX MAP: 073W35DB
 TAX LOT: 3901

SECTION 35 TOWNSHIP 7 SOUTH
 RANGE 3 WEST WILL. MERDIAN
 MARION COUNTY, OREGON
 REEL 3838 PAGE 0229

CITY OF SALEM
 DEPARTMENT OF
 PUBLIC WORKS

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

**STEVEN J. BELLO
 & GLENN E. BELLO**

2615 22ND ST. SE
 SALEM, OR 97302

RESOLUTION NO. 2019-49

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2615 22nd STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2615 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 25

07/06/2018

STEVEN J. BELLO & GLENN E. BELLO

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Tax Lot 4001 and described in that Quit Claim Deed to Steven J. Bello and Glenn E. Bello, recorded July 12, 2016, on Reel 3838, Page 229, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Westerly Side of Center Line
220+93.00		221+03.32	26.00
221+03.32		221+50.00	26.00 in a straight line to 27.50
221+50.00		222+03.00	27.50 in a straight line to 29.50

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 487 square feet, more or less.

07/06/2018

STEVEN J. BELLO & GLENN E. BELLO

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Tax Lot 4001 and described in that Quit Claim Deed to Steven J. Bello and Glenn E. Bello, recorded July 12, 2016, on Reel 3838, Page 229, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
220+88.00		221+50.00	30.00 in a straight line to 32.50
221+50.00		222+03.00	32.50 in a straight line to 34.50

EXCEPT therefrom Tract 1.

This tract of land contains 359 square feet, more or less.

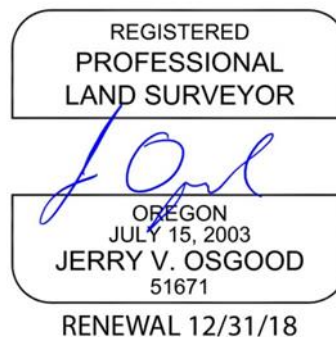


EXHIBIT
'B'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

STA: 222+03.00
OFFSET: 29.50 L

STA: 222+03.00
OFFSET: 34.50 L

STA: 221+50.00
OFFSET: 32.50 L

STA: 221+50.00
OFFSET: 27.50 L

STA: 221+03.32
OFFSET: 26.00 L

STA: 220+93.00
OFFSET: 26.00 L

STA: 220+88.00
OFFSET: 30.00 L

00+222
ENGINEER'S
CENTER LINE

R=335.00'
 $\Delta=30^{\circ}53'41''$
L=180.64'
CB=N15°06'38"W
CH=178.46'

EXISTING
22ND ST. SE

PC: 221+03.32

221+00

N00°20'13"E

25

STEVEN J. BELLO
& GLENN E. BELLO
R. 3838, PG. 0229
TAX LOT 4001



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (487 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (359 SQ. FT.)

0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

25

2615 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 4001

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3838 PAGE 0229

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

**STEVEN J. BELLO
& GLENN E. BELLO**

2615 22ND ST. SE
SALEM, OR 97302

RESOLUTION NO. 2019-50

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1815-1951 22nd STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1815-1951 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 26

07/06/2018

WALLING PROPERTIES, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Resultant East Parcel and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded January 10, 2007, on Reel 2758, Page 488, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
28+65.00		29+02.00	35.00 in a straight line to 44.00
29+02.00		32+75.00	44.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,375 square feet, more or less.

07/06/2018

WALLING PROPERTIES, LLC

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Resultant East Parcel and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded January 10, 2007, on Reel 2758, Page 488, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
28+45.00		28+59.00	65.00 in a straight line to 100.00
28+59.00		31+09.00	100.00
31+09.00		32+75.00	85.00

EXCEPT therefrom Tract 1.

This tract of land contains 20,181 square feet, more or less.

07/06/2018

WALLING PROPERTIES, LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Resultant East Parcel and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded January 10, 2007, on Reel 2758, Page 488, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records, said McGilchrist Street SE center line being described in Tract 1; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Westerly Side of Center Line
227+49.00		227+55.00	73.00 in a straight line to 86.00
227+55.00		227+94.00	86.00 in a straight line to 64.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 262 square feet, more or less.

07/06/2018

WALLING PROPERTIES, LLC

TRACT 4 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Resultant East Parcel and described in that Statutory Warranty Deed to Walling Properties, LLC, recorded January 10, 2007, on Reel 2758, Page 488, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 22nd Street SE which center line is described in Tract 3.

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

Station	to	Station	Width on Westerly Side of Center Line
228+30.00		229+22.21	36.00 along a curve
229+22.21		229+50.00	36.00 in a straight line to 20.00

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



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

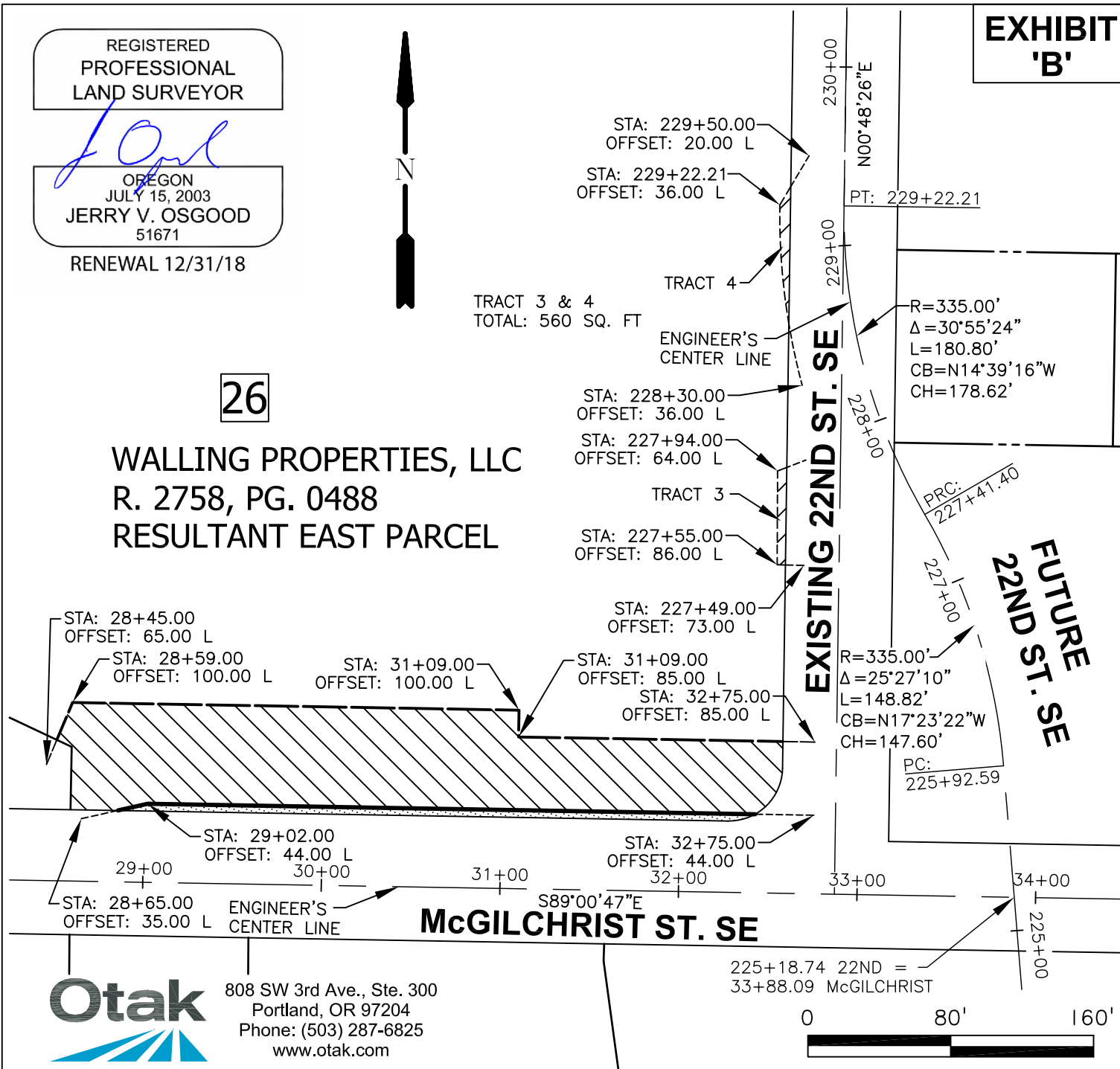
J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18



26

**WALLING PROPERTIES, LLC
R. 2758, PG. 0488
RESULTANT EAST PARCEL**



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (1,375 SQ. FT.)



**TEMPORARY CONSTRUCTION
EASEMENT**
TRACT 3 (262 SQ. FT.)
TRACT 4 (298 SQ. FT.)



**PERMANENT EASEMENT - STORM
WATER FACILITIES** TRACT 2 (20,181 SQ. FT.)

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 26

1815-1951 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 4500

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2758 PAGE 0488

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

WALLING PROPERTIES, LLC

P.O. BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-51

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1860 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 1860 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 27

05/11/2018

RICHARD F. COX LIVING TRUST

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Property 2 and described in that Statutory Warranty Deed to Richard F. Cox and Beverly M. Cox, Trustees, Richard F. Cox Living Trust, recorded November 13, 2003, on Reel 2234, Page 352, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Easterly Side of Center Line
228+90.00		229+38.00	37.00 in a straight line to 35.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 261 square feet, more or less.



EP: 230+33.20

BLOCK 4

27

**RICHARD F. & BEVERLY M. COX, TRUSTEES
RICHARD F. COX LIVING TRUST
R. 2234, PG. 0352
PROPERTY 2**

22ND ST. SE

ENGINEER'S CENTER LINE

230+00

PT: 229+22.21

229+00

STA: 229+38.00
OFFSET: 35.00 R

LAKESIDE ADDITION



STA: 228+90.00
OFFSET: 37.00 R

R=335.00'
Δ=30°55'24"
L=180.80'
CB=N14°39'16"W
CH=178.62'

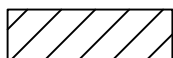
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

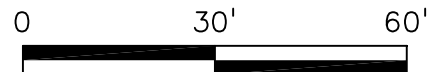
RENEWAL 12/31/18



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



TEMPORARY CONSTRUCTION
EASEMENT (261 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

27

1860 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3100

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
REEL 2234 PAGE 0352

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-11-2018

OWNER
NAME/
ADDRESS

**RICHARD F. COX
LIVING TRUST**
6630 HUNTINGTON CR SE
SALEM, OR 97306

RESOLUTION NO. 2019-52

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1880 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1880 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 28

07/06/2018

RICHARD F. COX LIVING TRUST

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Property 3 and described in that Statutory Warranty Deed to Richard F. Cox and Beverly M. Cox, Trustees, Richard F. Cox Living Trust, recorded November 13, 2003, on Reel 2234, Page 352, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Easterly Side of Center Line
227+41.40		228+11.00	32.50 along a curve
228+11.00		228+90.00	32.50 in a straight line to 23.89

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,385 square feet, more or less.

07/06/2018

RICHARD F. COX LIVING TRUST

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Property 3 and described in that Statutory Warranty Deed to Richard F. Cox and Beverly M. Cox, Trustees, Richard F. Cox Living Trust, recorded November 13, 2003, on Reel 2234, Page 352, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described in Tract 1.

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

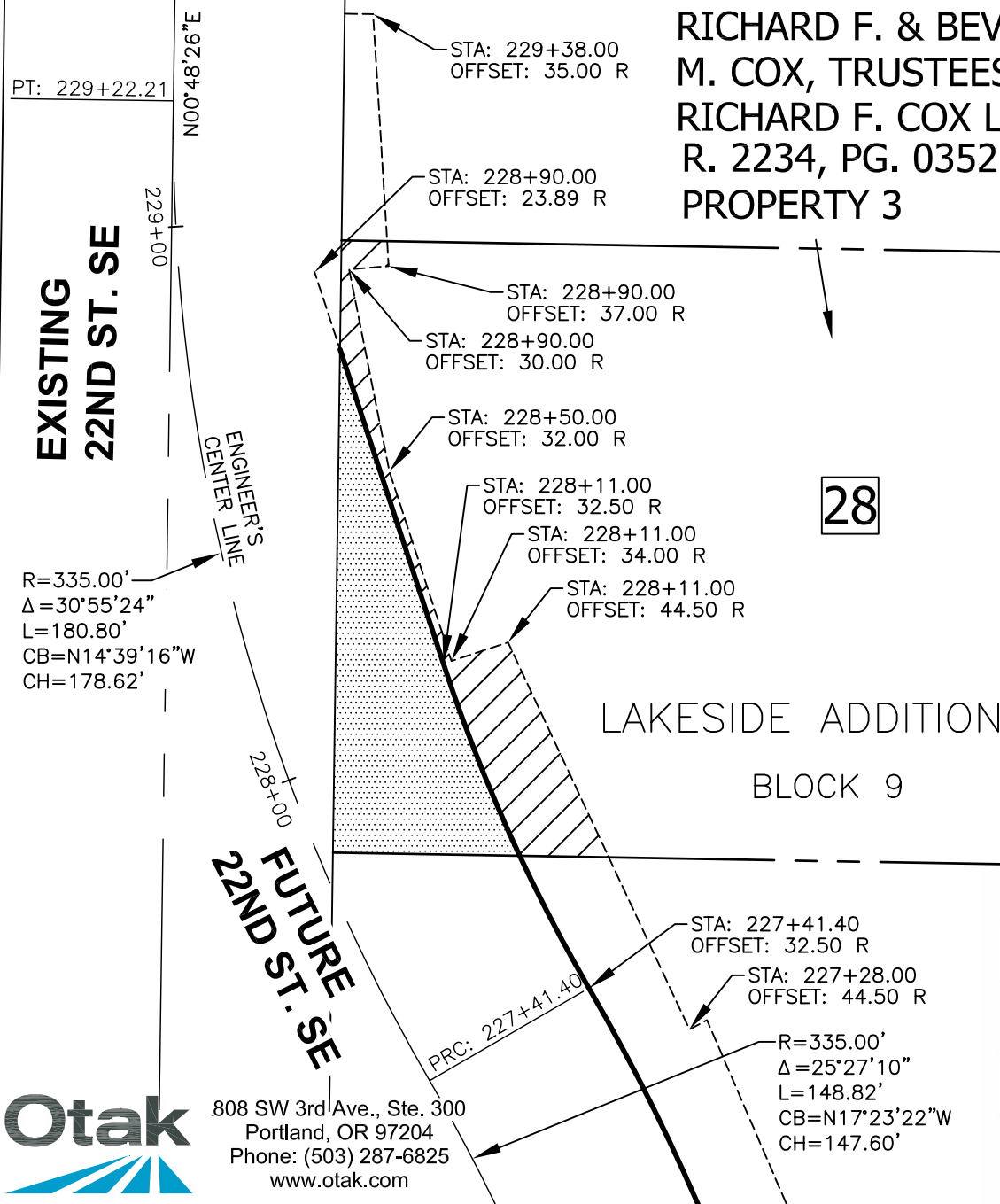
Station	to	Station	Width on Easterly Side of Center Line
227+28.00		228+11.00	44.50 in a straight line to 44.50
228+11.00		228+50.00	34.00 in a straight line to 32.00
228+50.00		228+90.00	32.00 in a straight line to 30.00
228+90.00		229+38.00	37.00 in a straight line to 35.00

EXCEPT therefrom Tract 1.

This tract of land contains 727 square feet, more or less.



**RICHARD F. & BEVERLY
M. COX, TRUSTEES
RICHARD F. COX LIVING TRUST
R. 2234, PG. 0352
PROPERTY 3**



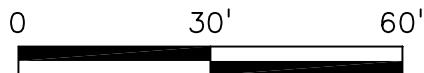
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

RIGHT OF WAY
TRACT 1 (1,385 SQ. FT.)

TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (727 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

28

1880 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3200

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2234 PAGE 0352

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

**RICHARD F. COX
LIVING TRUST**
6630 HUNTINGTON CR SE
SALEM, OR 97306

RESOLUTION NO. 2019-53

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1950 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1950 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 29

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
34+14.32		34+31.00	65.00 in a straight line to 41.00
34+31.00		34+45.00	41.00
34+45.00		34+48.00	41.00 in a straight line to 39.00
34+48.00		34+89.16	39.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 754 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 2 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described as follows:

Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records, said McGilchrist Street SE center line being described in Tract 1; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

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

Station	to	Station	Width on Easterly Side of Center Line
225+35.00		225+92.59	32.50
225+92.59		227+41.40	32.50 along a curve
227+41.40		228+11.00	32.50 along a curve

ALSO all that portion of said property lying Westerly of said center line.

EXCEPT therefrom Tract 1.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 17,284 square feet, more or less.

TRACT 3 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 22nd Street SE at Engineer's Stations 226+80.00 and 227+25.00 and included in a strip of land 42.00 feet in width, lying on the Easterly side of said center line, which center line is described in Tract 2.

EXCEPT therefrom Tract 2.

This tract of land contains 446 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 4 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 34+20.00 and 34+89.16 and included in a strip of land 44.00 feet in width, lying on the Northerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 160 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 5 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
34+00.00		34+31.00	82.00
34+31.00		34+40.00	82.00 in a straight line to 44.00
34+40.00		34+89.16	44.00

EXCEPT therefrom Tracts 1 and 2.

This tract of land contains 827 square feet, more or less. 160 square feet of this tract lies within Tract 4.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 6 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel II and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described in Tract 2.

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

Station	to	Station	Width on Easterly Side of Center Line
225+96.25		226+76.00	44.50 along a curve
226+76.00		227+28.00	48.00 in a straight line to 48.00
227+28.00		228+11.00	44.50 in a straight line to 44.50

EXCEPT therefrom Tracts 2, 3 and 5.

This tract of land contains 1,961 square feet, more or less.





808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

PAGE 1

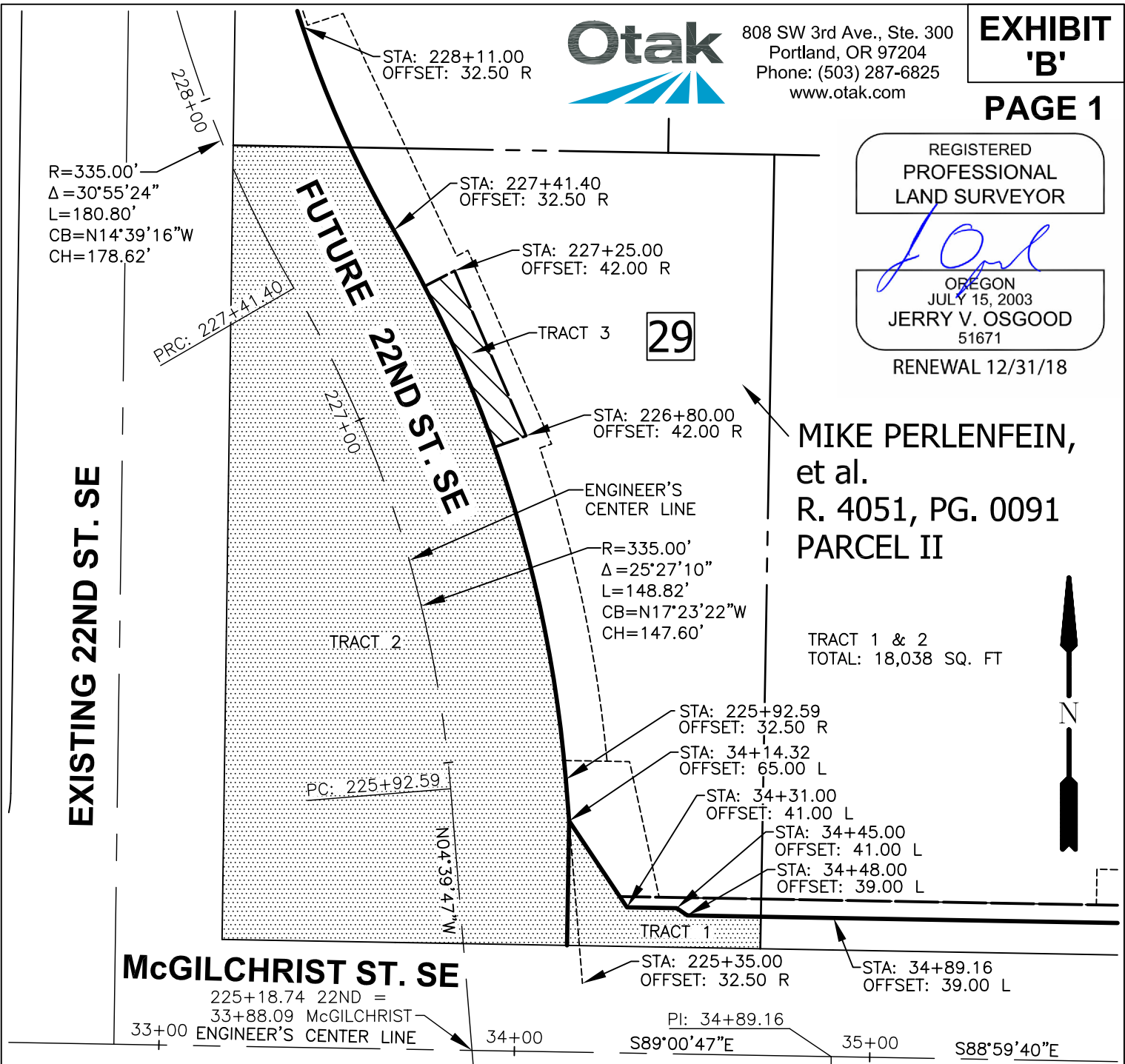
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

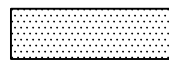
RENEWAL 12/31/18

**MIKE PERLENFEIN,
et al.
R. 4051, PG. 0091
PARCEL II**

TRACT 1 & 2
TOTAL: 18,038 SQ. FT



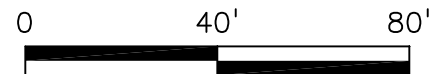
**RIGHT OF WAY
TRACT 1 (754 SQ. FT.)**



**RIGHT OF WAY
TRACT 2 (17,284 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 3 (446 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

29

1950 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3600

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERIDIAN
MARION COUNTY, OREGON

REEL 4051 PAGE 0091

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

MIKE PERLENFEIN, et al.

995 COMMERCIAL ST. SE
SALEM, OR 97303



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

PAGE 2

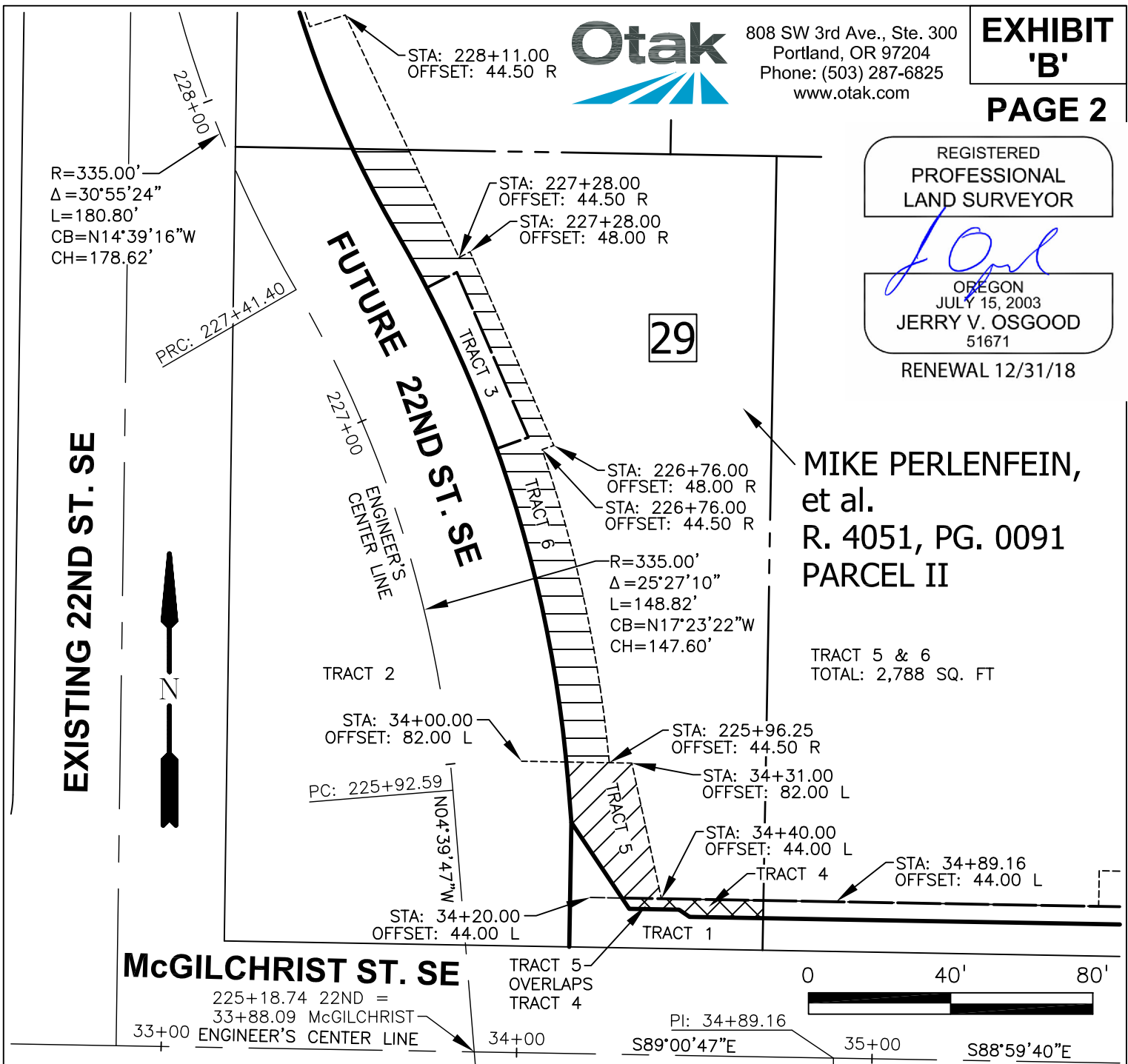
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

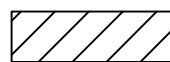
RENEWAL 12/31/18

**MIKE PERLENFEIN,
et al.
R. 4051, PG. 0091
PARCEL II**

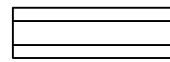
TRACT 5 & 6
TOTAL: 2,788 SQ. FT



**PERMANENT EASEMENT - STORM
WATER FACILITIES
TRACT 4 (160 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 5 (827 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 6 (1,961 SQ. FT.)**

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

29

1950 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3600

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 4051 PAGE 0091

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

MIKE PERLENFEIN, et al.

995 COMMERCIAL ST. SE
SALEM, OR 97303

RESOLUTION NO. 2019-54

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 1950 22ND STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 1950 22nd Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 30

07/06/2018

ID# 30
MIKE PERLENFEIN, et al.

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel III and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 34+48.00 and 36+95.00 and included in a strip of land 39.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 900 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel III and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 34+40.00 and 35+99.00 and included in a strip of land 44.00 feet in width, lying on the Northerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 500 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel III and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
34+40.00		34+89.16	44.00
34+89.16		35+63.00	44.00
35+63.00		35+99.00	54.00

EXCEPT therefrom Tract 1.

This tract of land contains 557 square feet, more or less. 500 square feet of this tract lies within Tract 2.



EXHIBIT 'B'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

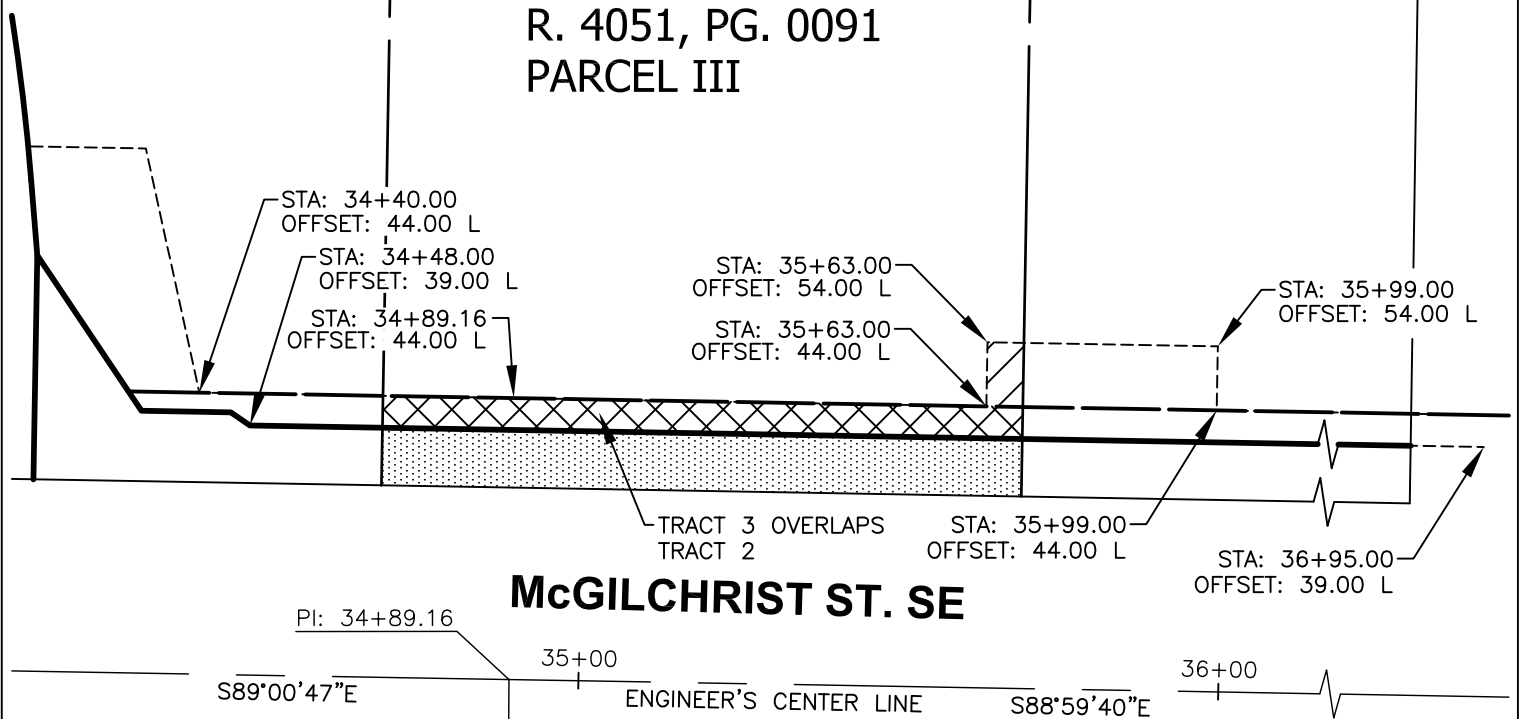
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

LAKESIDE ADDITION

30

MIKE PERLENFEIN,
et al.
R. 4051, PG. 0091
PARCEL III



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

- RIGHT OF WAY TRACT 1 (900 SQ. FT.)
 - TEMPORARY CONSTRUCTION EASEMENT TRACT 3 (557 SQ. FT.)
 - PERMANENT EASEMENT - STORM WATER FACILITIES TRACT 2 (500 SQ. FT.)
- 0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

30

1950 22ND ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3500

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 4051 PAGE 0091

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

MIKE PERLENFEIN, et al.

995 COMMERCIAL ST. SE
SALEM, OR 97303

RESOLUTION NO. 2019-55

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2245 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2245 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 31

07/06/2018

ID# 31
MIKE PERLENFEIN, et al.

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 34+89.16 and 36+95.00 and included in a strip of land 39.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,034 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 35+63.00 and 36+95.00 and included in a strip of land 44.00 feet in width, lying on the Northerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 573 square feet, more or less.

07/06/2018

MIKE PERLENFEIN, et al.

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to Mike Perlenfein, et al., recorded March 1, 2018, on Reel 4051, Page 91, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
35+63.00		35+99.00	54.00
35+99.00		36+95.00	44.00

EXCEPT therefrom Tract 1.

This tract of land contains 877 square feet, more or less. 573 square feet of this tract lies within Tract 2.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

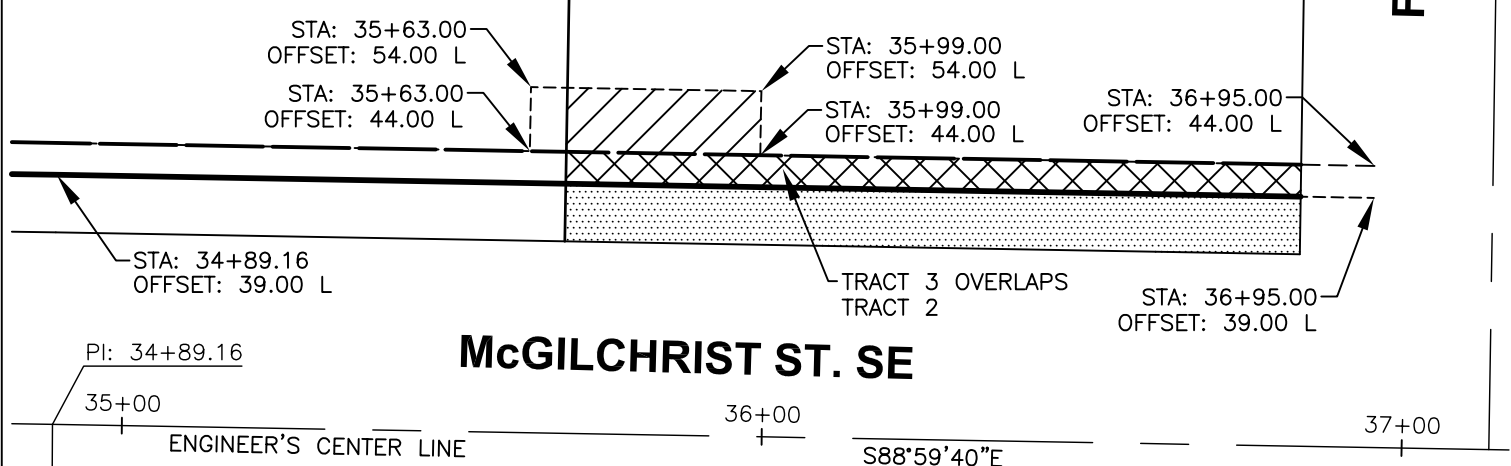
RENEWAL 12/31/18

LAKESIDE ADDITION

31

MIKE PERLENFEIN,
et al.
R. 4051, PG. 0091
PARCEL I

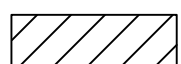
FORD ST. SE



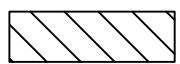
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



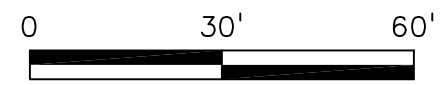
RIGHT OF WAY
TRACT 1 (1,034 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (877 SQ. FT.)



PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 2 (573 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 31

2245 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35DB
TAX LOT: 3400

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
REEL 4051 PAGE 0091

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

MIKE PERLENFEIN, et al.

995 COMMERCIAL ST. SE
SALEM, OR 97303

RESOLUTION NO. 2019-56

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2255 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2255 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 32

07/06/2018

WILLIAM H. BURRELL, JR. & KATHLEEN K. BURRELL

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to William H. Burrell, Jr. and Kathleen K. Burrell, recorded October 23, 1986, on Reel 497 Page 418, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 37+32.00 and 39+40.00 and included in a strip of land 39.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,648 square feet, more or less.

07/06/2018

WILLIAM H. BURRELL, JR. & KATHLEEN K. BURRELL

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to William H. Burrell, Jr. and Kathleen K. Burrell, recorded October 23, 1986, on Reel 497 Page 418, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 37+32.00 and 39+40.00 and included in a strip of land 44.00 feet in width, lying on the Northerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 916 square feet, more or less.

07/06/2018

WILLIAM H. BURRELL, JR. & KATHLEEN K. BURRELL

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Special Warranty Deed to William H. Burrell, Jr. and Kathleen K. Burrell, recorded October 23, 1986, on Reel 497 Page 418, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
37+32.00		38+92.00	44.00
38+92.00		39+40.00	55.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,297 square feet, more or less. 916 square feet of this tract lies within Tract 2.



**EXHIBIT
'B'**

LAKESIDE ADDITION

32

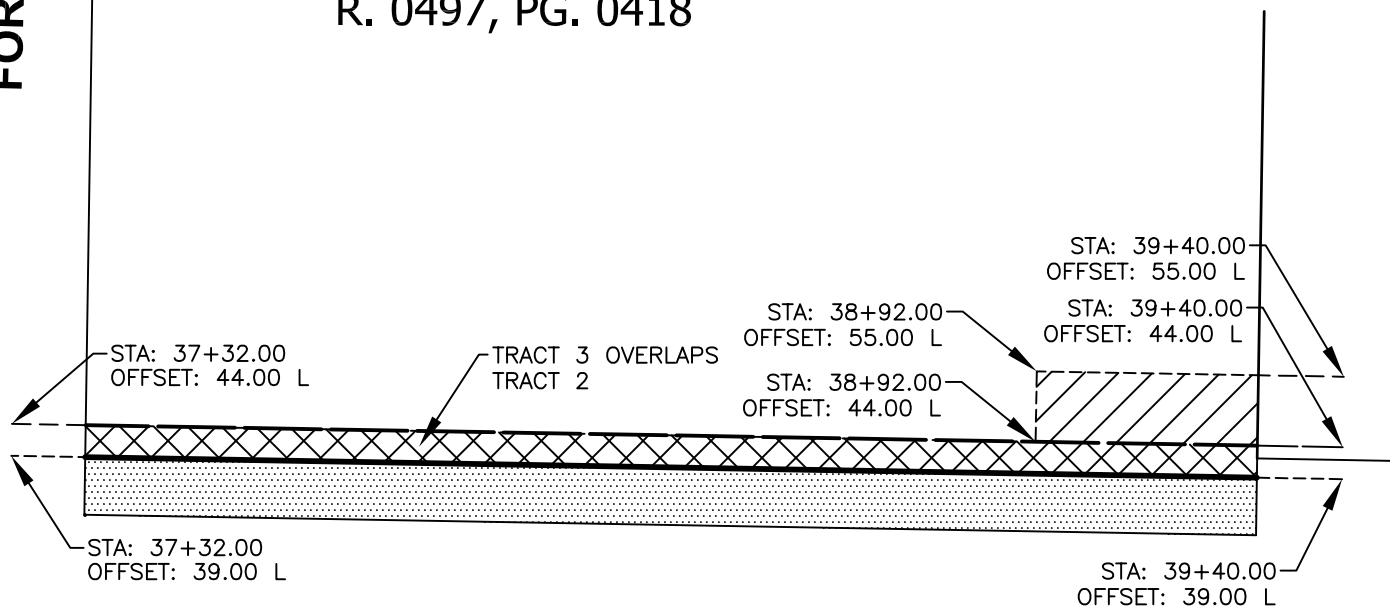
**WILLIAM H. BURRELL, JR.
& KATHLEEN K. BURRELL
R. 0497, PG. 0418**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

FORD ST. SE

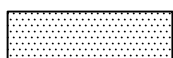


McGILCHRIST ST. SE

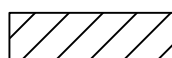
ENGINEER'S CENTER LINE 38+00 S88°59'40"E 39+00



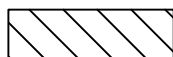
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



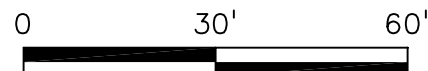
**RIGHT OF WAY
TRACT 1 (1,648 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,297 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 2 (916 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 32

2255 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DB

TAX LOT: 2400

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 0497 PAGE 0418

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

**WILLIAM H. BURRELL, JR.
& KATHLEEN K. BURRELL**

2255 McGILCHRIST ST. SE
SALEM, OR 97302

RESOLUTION NO. 2019-57

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

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 2250 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 34

05/18/2018

ID# 34
JOHNCO INVESTMENTS I, LLC**TRACT 1 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Johnco Investments I, LLC, recorded December 15, 2011, on Reel 3342, Page 122, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
35+00.00		36+84.00	48.00
36+84.00		37+37.00	67.00
37+37.00		38+35.00	48.00
38+35.00		38+72.00	70.00
38+72.00		41+16.00	48.00
41+16.00		41+54.00	57.00
41+54.00		45+00.00	48.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 5,941 square feet, more or less.

05/18/2018

ID# 34
JOHNCO INVESTMENTS I, LLC**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Johnco Investments I, LLC, recorded December 15, 2011, on Reel 3342, Page 122, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Easterly side of the center line of 22nd Street SE, which center line is described as follows:

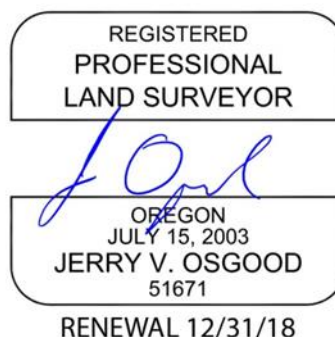
Beginning at 22nd Street SE Engineer's center line Station 220+00.00, said station being 500.05 feet South 00° 20' 13" West of Engineer's Station 34+89.16 on the McGilchrist Street SE center line, which Station is identified as point number 100 on Survey Number 38656, Marion County Survey Records, said McGilchrist Street SE center line being described in Tract 1; thence North 00° 20' 13" East 103.32 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 15° 06' 38" West 178.46 feet) 180.64 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 17° 36' 38" West 150.12 feet) 151.40 feet; thence North 04° 39' 47" West 83.38 feet to Engineer's center line Station 225+18.74, said station equals Station 33+88.09 on said McGilchrist Street SE center line; thence North 04° 39' 47" West 73.85 feet; thence on a 335.00 foot radius curve left (the long chord of which bears North 17° 23' 22" West 147.60 feet) 148.82 feet to a point of reverse curvature; thence on a 335.00 foot radius curve right (the long chord of which bears North 14° 39' 16" West 178.62 feet) 180.80 feet; thence North 00° 48' 26" East 110.99 feet to Engineer's center line Station 230+33.20.

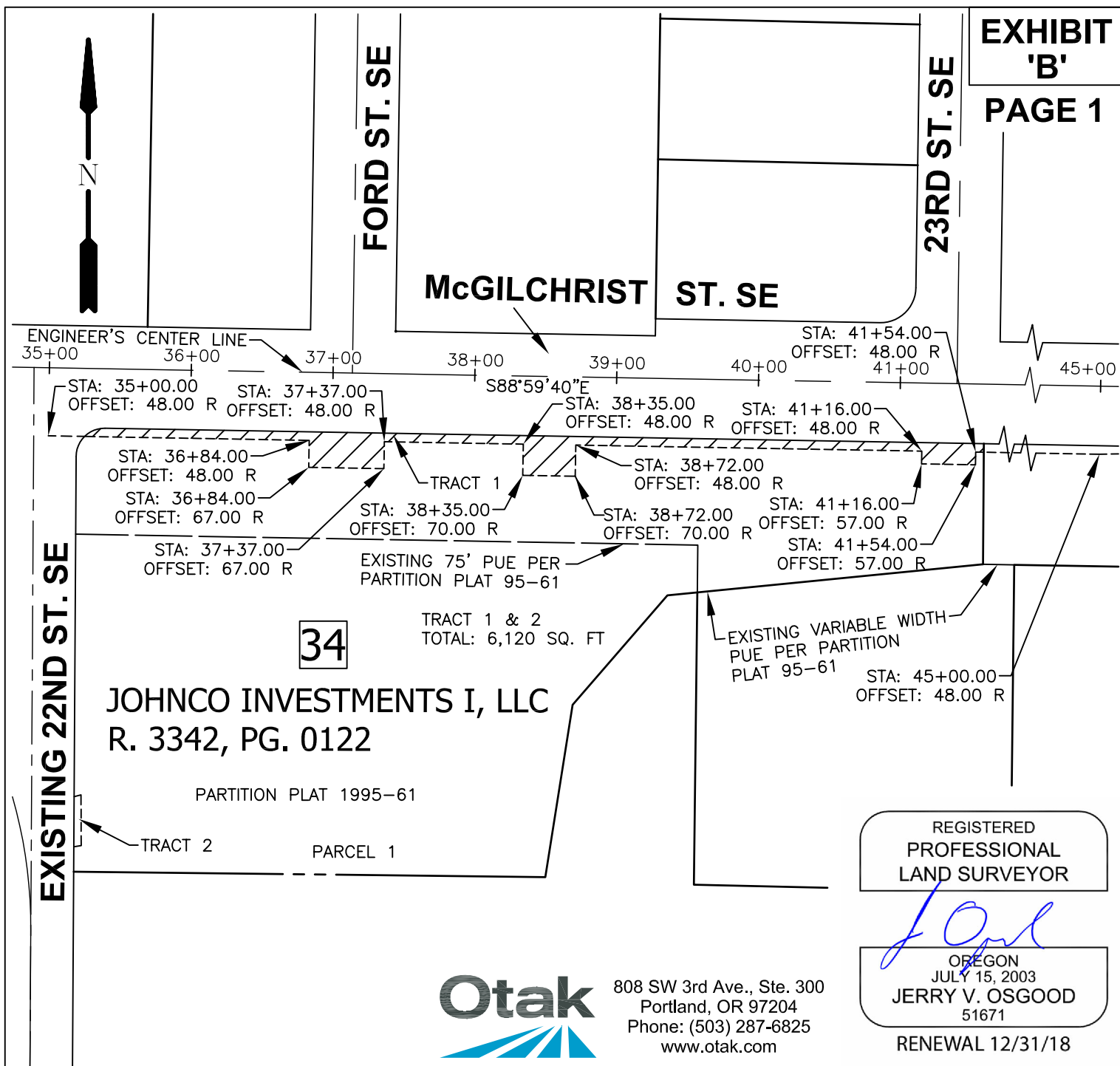
The width in feet of said strip of land is as follows:

Station	to	Station	Width on Easterly Side of Center Line
221+57.00		221+88.00	40.00 in a straight line to 47.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 179 square feet, more or less.





McGILCHRIST ST. SE (12TH STREET SE TO 25TH STREET SE) CORRIDOR IMPROVEMENTS		PROPERTY ID # 34 2250 McGILCHRIST ST. SE SALEM, OR 97302 TAX MAP: 073W35D TAX LOT: 0202 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 3342 PAGE 0122		CITY OF SALEM DEPARTMENT OF PUBLIC WORKS ACQUISITION MAP P.N. 687002 BY: MDR DATE: 05-18-2018	
OWNER NAME/ ADDRESS JOHNCO INVESTMENTS I, LLC 2264 McGILCHRIST ST. SE #210 SALEM, OR 97302					



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

PAGE 2

34

**JOHNCO INVESTMENTS I, LLC
R. 3342, PG. 0122**

TRACT 1 & 2
TOTAL: 6,120 SQ. FT

PARTITION PLAT 1995-61

PARCEL 1

STA: 221+88.00
OFFSET: 47.00 R

TRACT 2

STA: 221+57.00
OFFSET: 40.00 R

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

ENGINEER'S
CENTER LINE

R=335.00'
 $\Delta=30^{\circ}53'41''$
L=180.64'
CB=N15°06'38"W
CH=178.46'



PC: 221+03.32

N00°20'13"E

EXISTING 22ND ST. SE

FUTURE 22ND ST. SE

223+00
PRC: 222+83.95

222+00



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (179 SQ. FT.)

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

34

2250 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35D
TAX LOT: 0202

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3342 PAGE 0122

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

JOHNCO INVESTMENTS I, LLC

2264 McGILCHRIST ST. SE #210
SALEM, OR 97302

RESOLUTION NO. 2019-58

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2260-2266 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 2260-2266 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 35

05/18/2018

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to Holiday Plaza II, LLC, recorded June 23, 1995, on Reel 1244, Page 542, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 41+54.00 and 45+00.00 and included in a strip of land 48.00 feet in width, lying on the Southerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South $89^{\circ} 00' 47''$ East 2,698.67 feet; thence South $88^{\circ} 59' 40''$ East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North $87^{\circ} 15' 20''$ East 249.82 feet) 250.00 feet; thence North $83^{\circ} 30' 20''$ East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North $87^{\circ} 13' 50''$ East 248.15 feet) 248.33 feet; thence South $89^{\circ} 02' 40''$ East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,923 square feet, more or less.



**EXHIBIT
'B'**

McGILCHRIST ST. SE

42+00

43+00

44+00

45+00

S85°59'40"E

ENGINEER'S CENTER LINE

STA: 41+54.00
OFFSET: 48.00 R

35

STA: 45+00.00
OFFSET: 48.00 R

**HOLIDAY PLAZA II
R. 1244, PG. 0542**

PARCEL 2

EXISTING 85' PUE PER PARTITION PLAT 95-61

PARTITION PLAT 1995-61

PARCEL 3

REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

RENEWAL 12/31/18



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



TEMPORARY CONSTRUCTION
EASEMENT (1,923 SQ. FT.)

0 50' 100'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 35

2260-2266 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35D
TAX LOT: 0203

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
REEL 1244 PAGE 0542

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

HOLIDAY PLAZA II, LLC

2264 McGILCHRIST ST. SE
SALEM, OR 97302

RESOLUTION NO. 2019-59

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2305 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2305 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 36

05/18/2018

HOMEWOOD HOLDINGS INC.

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Homewood Holdings Inc., recorded December 31, 2013, on Reel 3572 Page 446, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
41+65.00		41+75.00	44.00 in a straight line to 39.00
41+75.00		42+58.00	39.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 694 square feet, more or less.

05/18/2018

HOMEWOOD HOLDINGS INC.

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Homewood Holdings Inc., recorded December 31, 2013, on Reel 3572 Page 446, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
41+65.00		42+16.00	44.00
42+16.00		42+50.00	44.00 in a straight line to 46.00

EXCEPT therefrom Tract 1.

This tract of land contains 402 square feet, more or less.

05/18/2018

HOMEWOOD HOLDINGS INC.

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

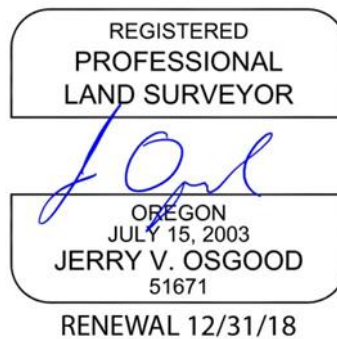
A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to Homewood Holdings Inc., recorded December 31, 2013, on Reel 3572 Page 446, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
41+65.00		42+16.00	44.00
42+16.00		42+50.00	54.00

EXCEPT therefrom Tract 1.

This tract of land contains 677 square feet, more or less. 402 square feet of this tract lies within Tract 2.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

LAKESIDE ADDITION

36

**HOMEWOOD
HOLDINGS INC.
R. 3572, PG. 0446**

23RD ST. SE



STA: 41+65.00
OFFSET: 44.00 L

STA: 42+16.00
OFFSET: 54.00 L

STA: 42+16.00
OFFSET: 44.00 L

TRACT 3
OVERLAPS
TRACT 2

STA: 42+50.00
OFFSET: 54.00 L

STA: 42+50.00
OFFSET: 46.00 L

STA: 41+75.00
OFFSET: 39.00 L

STA: 42+58.00
OFFSET: 39.00 L

McGILCHRIST ST. SE

41+00

ENGINEER'S CENTER LINE

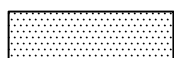
42+00

S88°59'40"E

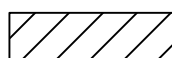
43+00



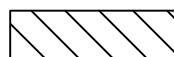
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



**RIGHT OF WAY
TRACT 1 (694 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (677 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 2 (402 SQ. FT.)**

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

36

2305 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 1600

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3572 PAGE 0446

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

HOMEWOOD HOLDINGS INC.

1156 CAYUSE CR. SE
SALEM, OR 97306

RESOLUTION NO. 2019-60

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35DA1500 (R80432).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as Taxlot 073W35DA1500 (R80432), 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 37

07/06/2018

MCGILCHRIST BUSINESS PARK, LLC

TRACT 1 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to McGilchrist Business Park, LLC, recorded March 10, 2017, on Reel 3921 Page 252, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
42+16.00		42+50.00	44.00 in a straight line to 46.00
42+50.00		44+10.00	46.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 500 square feet, more or less.

07/06/2018

MCGILCHRIST BUSINESS PARK, LLC

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to McGilchrist Business Park, LLC, recorded March 10, 2017, on Reel 3921 Page 252, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
42+16.00		42+50.00	54.00
42+50.00		43+69.00	46.00
43+69.00		44+10.00	50.00

EXCEPT therefrom Tract 1.

This tract of land contains 541 square feet, more or less. 500 square feet of this tract lies within Tract 1.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

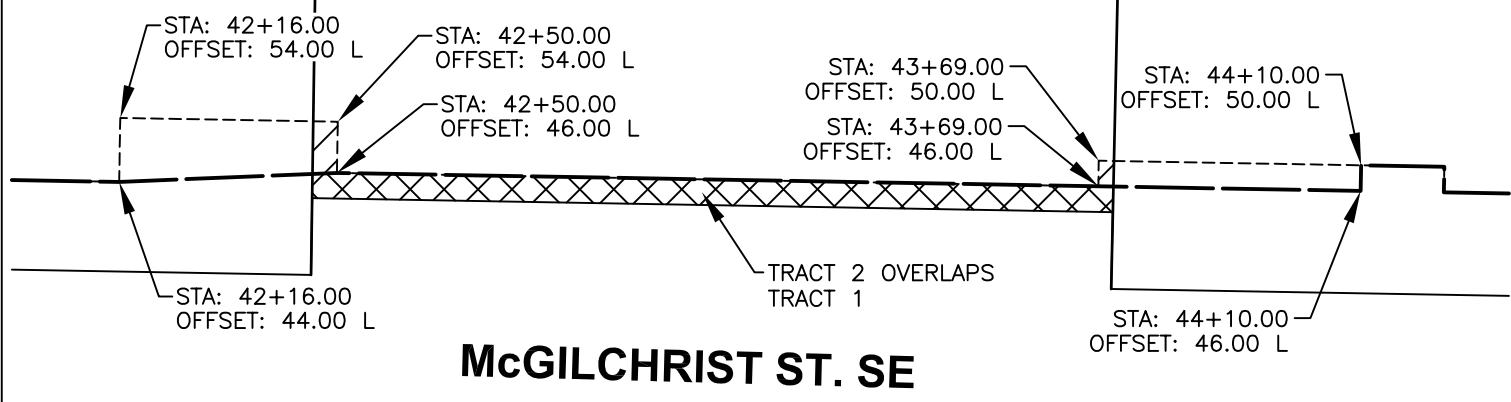
Jerry V. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

LAKESIDE ADDITION

37

**McGILCHIST BUSINESS
PARK, LLC
R. 3921, PG. 0252**



McGILCHRIST ST. SE

43+00

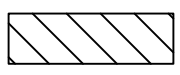
44+00

ENGINEER'S CENTER LINE

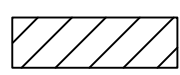
S88°59'40"E



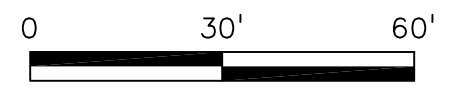
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 1 (500 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (541 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

37

NO SITE ADDRESS

TAX MAP: 073W35DA
TAX LOT: 1500
SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
REEL 3921 PAGE 0252

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

OWNER
NAME/
ADDRESS

**McGILCHRIST BUSINESS
PARK, LLC**

2055 MISSION ST. SE
SALEM, OR 97302

P.N. 687002

BY: MDR DATE: 07-06-2018

RESOLUTION NO. 2019-61

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2375 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2375 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 38

05/18/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to MSC Salem, LLC, recorded August 10, 2006, on Reel 2689 Page 477, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 43+55.00 and 45+15.00 and included in a strip of land 39.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,208 square feet, more or less.

05/18/2018

ID# 38
MSC SALEM, LLC**TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to MSC Salem, LLC, recorded August 10, 2006, on Reel 2689 Page 477, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
43+69.00		44+10.00	46.00
44+10.00		44+23.00	50.00
44+23.00		45+15.00	46.00

EXCEPT therefrom Tract 1.

This tract of land contains 991 square feet, more or less.

05/18/2018

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel 1 and described in that Bargain and Sale Deed to MSC Salem, LLC, recorded August 10, 2006, on Reel 2689 Page 477, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
43+69.00		44+23.00	50.00
44+23.00		44+50.00	46.00
44+50.00		44+84.00	54.00
44+84.00		45+15.00	46.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,417 square feet, more or less. 991 square feet of this tract lies within Tract 2.



EXHIBIT 'B'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

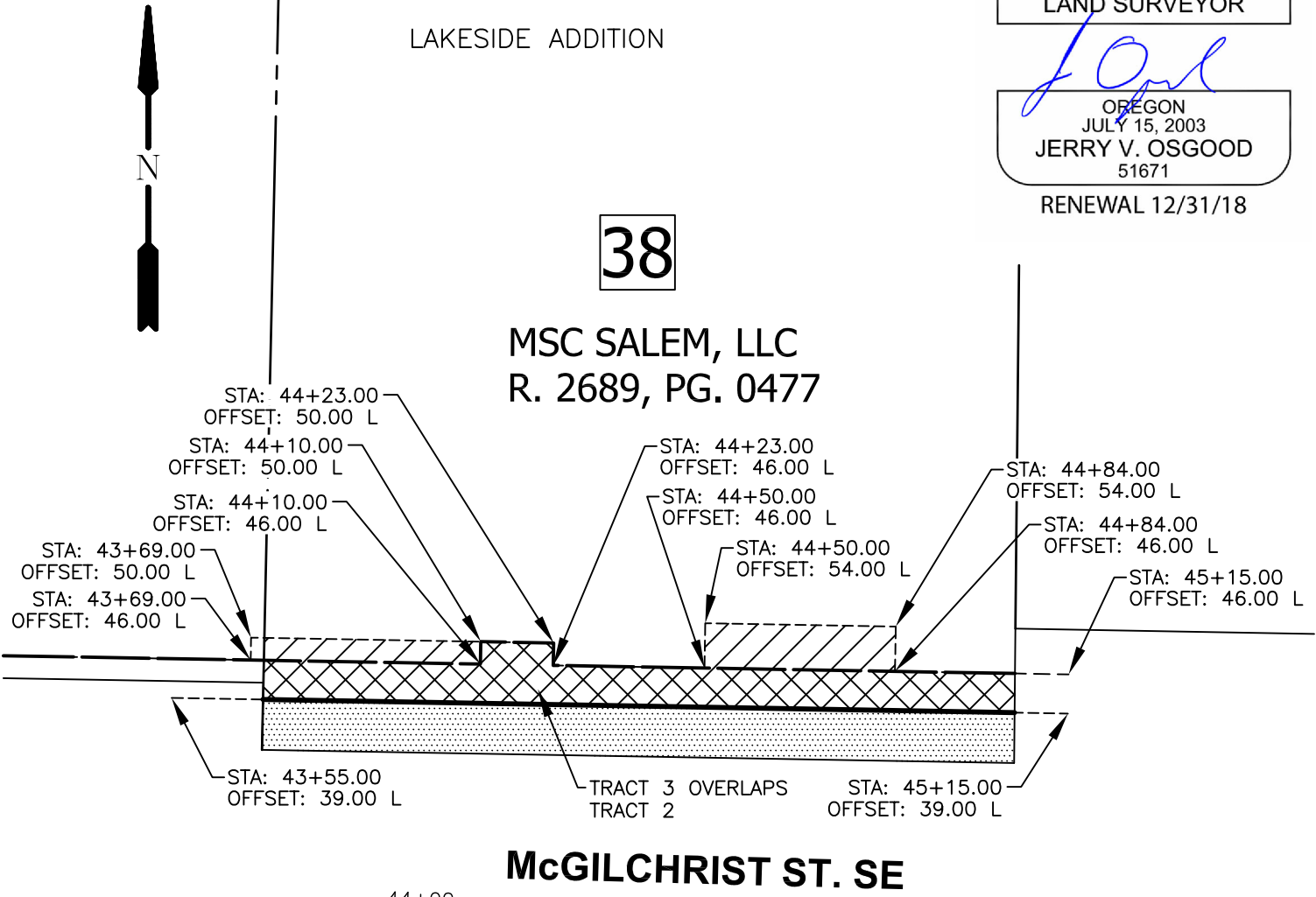
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

LAKESIDE ADDITION

38

MSC SALEM, LLC
R. 2689, PG. 0477



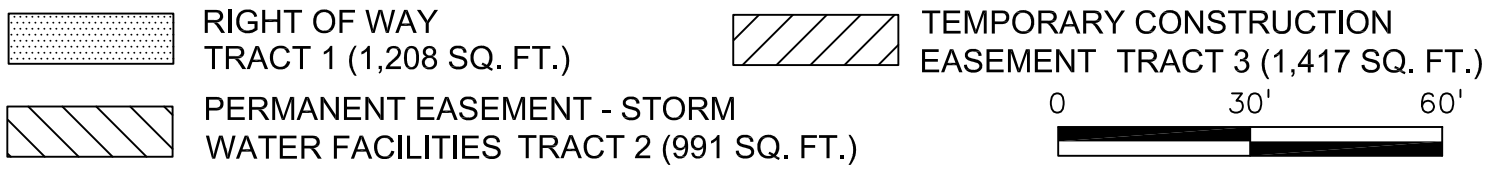
McGILCHRIST ST. SE

ENGINEER'S CENTER LINE

S88°59'40"E



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 38

2375 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 1400

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2689 PAGE 0477

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-18-2018

OWNER
NAME/
ADDRESS

MSC SALEM, LLC

61855 DUNBAR CT.
BEND, OR 97702

RESOLUTION NO. 2019-62

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

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 2425 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 39

05/25/2018

DEMERGASSO FAMILY MARITAL DEDUCTION SHARE TRUST

TRACT 1 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Second Correcting Certificate for Quitclaim Deed, recorded August 9, 2011, on Reel 3306, Page 454, of Marion County Records, said Second Certificate corrects the legal description on the Quitclaim Deed to John Demergasso and Bonnie Eva Demergasso, Trustees, Demergasso Family Trust, recorded on Reel 3042, Page 211, said incorrect description was later used to convey the same real property to Bonnie Eva Demergasso, Trustee, Demergasso Family Marital Deduction Share Trust on Reel 3230, Page 166, which was re-recorded in that "first" Correcting Certificate for Quitclaim Deed on Reel 3260, Page 319; said tract being that portion of said property 20.00 feet in width, lying 10.00 feet on each side of the following described line:

Beginning at a point opposite and 37.45 feet Northerly of Engineer's Station 45+66.06 on the center line of McGilchrist Street SE; thence North 18° 37' 47" West 45.57 feet to a point opposite and 80.37 feet Northerly of Engineer's Station 45+50.74 on said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 560 square feet, more or less.

05/25/2018

DEMERGASSO FAMILY MARITAL DEDUCTION SHARE TRUST

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Second Correcting Certificate for Quitclaim Deed, recorded August 9, 2011, on Reel 3306, Page 454, of Marion County Records, said Second Certificate corrects the legal description on the Quitclaim Deed to John Demergasso and Bonnie Eva Demergasso, Trustees, Demergasso Family Trust, recorded on Reel 3042, Page 211, said incorrect description was later used to convey the same real property to Bonnie Eva Demergasso, Trustee, Demergasso Family Marital Deduction Share Trust on Reel 3230, Page 166, which was re-recorded in that "first" Correcting Certificate for Quitclaim Deed on Reel 3260, Page 319; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
46+49.00		46+98.00	63.00 in a straight line to 64.00

This tract of land contains 456 square feet, more or less.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

39

EXHIBIT
'B'

BONNIE EVA DEMERGASSO, TRUSTEE
DEMERGASSO FAMILY MARITAL
DEDUCTION SHARE TRUST
R. 3306, PG. 0454

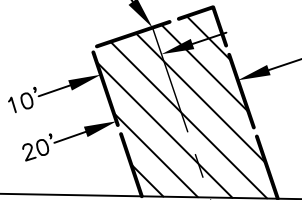
MILLER'S MILL CREEK RURAL
HOME TRACTS

JAMES DAVIDSON DLC NO. 48
JOSEPH E. PARROTT DLC NO. 49

LOT 10

LOT 11

STA: 45+50.74
OFFSET: 80.37 L



N18°37'47"W 45.57'

STA: 45+66.06
OFFSET: 37.45 L

STA: 46+49.00
OFFSET: 63.00 L

STA: 46+98.00
OFFSET: 64.00 L



McGILCHRIST ST. SE

45+00 ENGINEER'S CENTER LINE
S88°59'40"E

PC: 45+80.72

46+00

47+00



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

R=1,909.86'
 $\Delta=07^{\circ}30'00''$
L=250.00'
CB=N87°15'20"E
CH=249.82'



PERMANENT EASEMENT - STORM
WATER FACILITIES
TRACT 1 (560 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (456 SQ. FT.)

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

39

2425 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 0200

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3306 PAGE 0454

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

DEMERGASSO FAMILY MARITAL
DEDUCTION SHARE TRUST

12500 JEFFERSON AV.
NEWPORT NEWS, VA 23602

RESOLUTION NO. 2019-63

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35D0200 (R74563).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as Taxlot 073W35D0200 (R74563), 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 40

05/25/2018

HOLIDAY PLAZA LIMITED PARTNERSHIP

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Parcel 3, Partition Plat No. 95-61, Township 7 South, Range 3 West, W.M., City of Salem, Marion County, Oregon; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

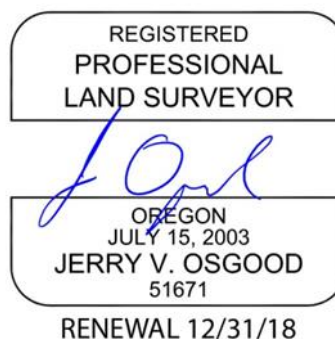
Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

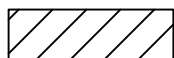
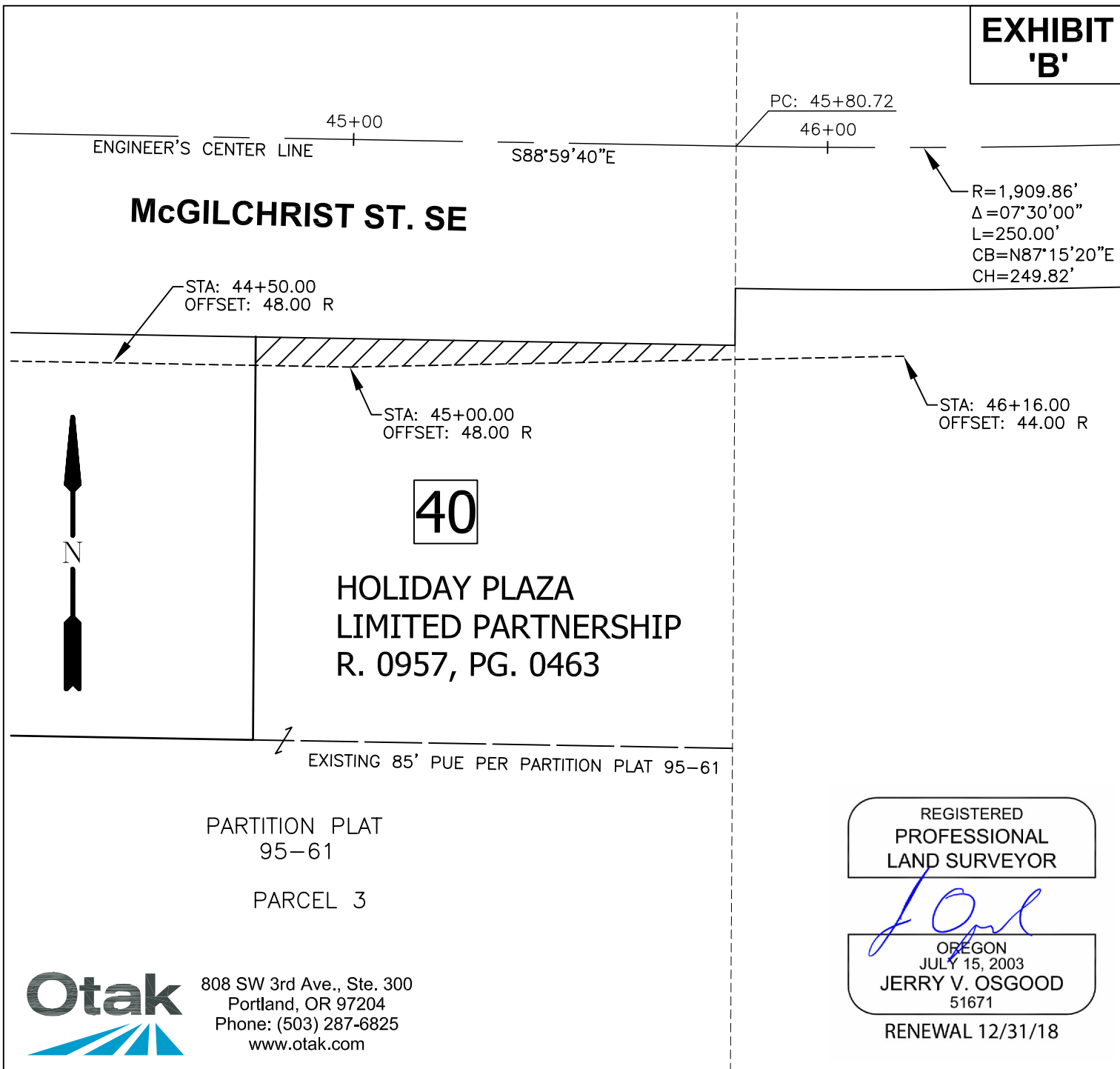
Station	to	Station	Width on Southerly Side of Center Line
44+50.00		45+00.00	48.00
45+00.00		46+16.00	48.00 in a straight line to 44.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

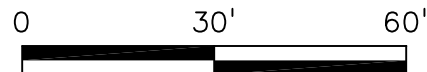
This tract of land contains 484 square feet, more or less.



**EXHIBIT
'B'**



TEMPORARY CONSTRUCTION
EASEMENT (484 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 40

2398 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35D

TAX LOT: 00200

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 0957 PAGE 0463

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

**HOLIDAY PLAZA
LIMITED PARTNERSHIP**

2264 McGILCHRIST ST. SE #210
SALEM, OR 97302

RESOLUTION NO. 2019-64

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2420 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2420 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 41

08/13/2018

MCMURRIN COMMERCIAL PROPERTIES, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to McMurrin Commercial Properties, LLC, recorded December 06, 2016, on Reel 3889, Page 52, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
45+70.00		46+56.00	36.00 in a straight line to 33.00
46+56.00		47+38.00	33.00 in a straight line to 31.00
47+38.00		48+05.00	31.00 in a straight line to 34.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 571 square feet, more or less.

08/13/2018

MCMURRIN COMMERCIAL PROPERTIES, LLC

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to McMurrin Commercial Properties, LLC, recorded December 06, 2016, on Reel 3889, Page 52, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
45+70.00		46+56.00	41.00 in a straight line to 38.00
46+56.00		47+38.00	38.00 in a straight line to 36.00
47+38.00		48+05.00	36.00 in a straight line to 39.00

Except therefrom Tract 1.

This tract of land contains 1,098 square feet, more or less.

08/13/2018

MCMURRIN COMMERCIAL PROPERTIES, LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Bargain and Sale Deed to McMurrin Commercial Properties, LLC, recorded December 06, 2016, on Reel 3889, Page 52, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
45+00.00		46+16.00	48.00 in a straight line to 44.00
46+16.00		46+56.00	49.00 in a straight line to 48.00
46+56.00		47+38.00	41.00 in a straight line to 41.00
47+38.00		48+05.00	41.00 in a straight line to 44.00

EXCEPT therefrom Tract 1.

This tract of land contains 2,312 square feet, more or less. 1,098 square feet of this tract lies within Tract 2.

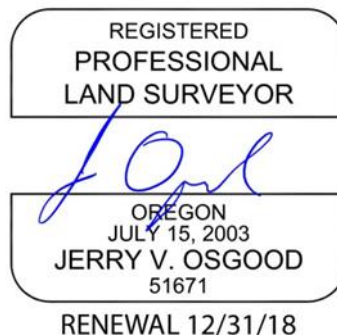
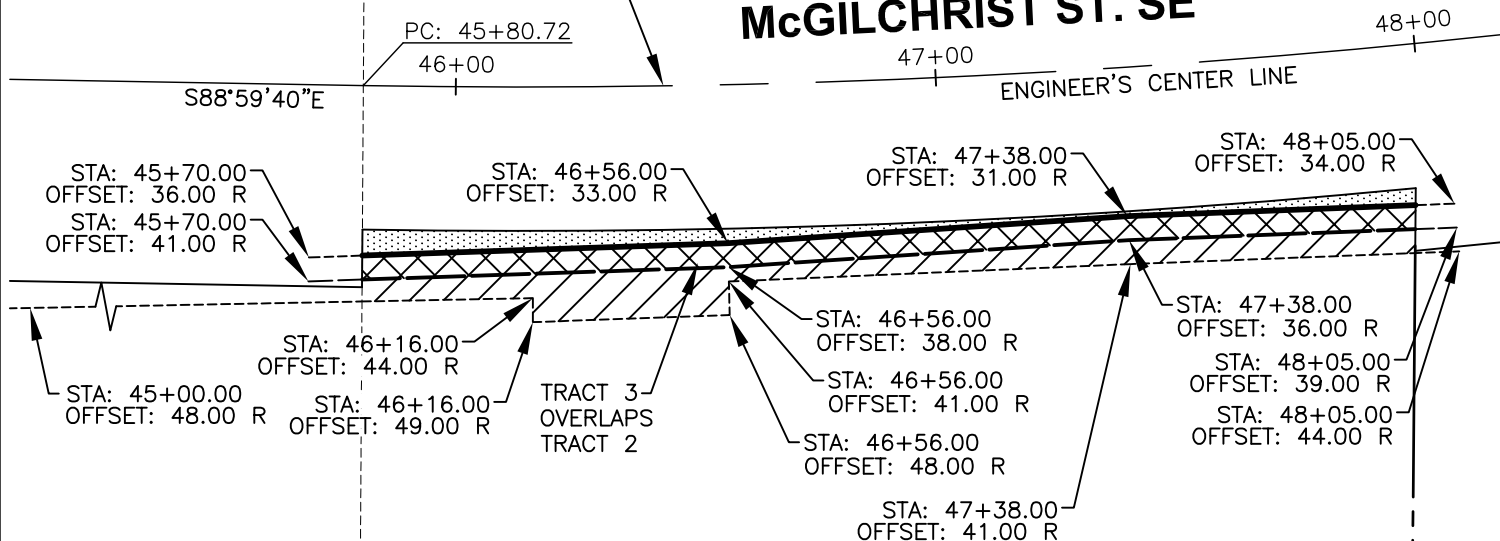


EXHIBIT 'B'

R=1,909.86'
 $\Delta=07^{\circ}30'00''$
 L=250.00'
 CB=N87°15'20"E
 CH=249.82'

McGILCHRIST ST. SE

ENGINEER'S CENTER LINE



41

McMURRIN COMMERCIAL
 PROPERTIES, LLC
 R. 3889, PG. 0052

MILLER'S MILL CREEK RURAL
 HOME TRACTS

LOT 11



808 SW 3rd Ave., Ste. 300
 Portland, OR 97204
 Phone: (503) 287-6825
 www.otak.com



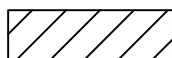
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

J. Osgood
 OREGON
 JULY 15, 2003
 JERRY V. OSGOOD
 51671

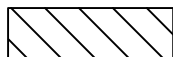
RENEWAL 12/31/18



RIGHT OF WAY
 TRACT 1 (571 SQ. FT.)



TEMPORARY CONSTRUCTION
 EASEMENT TRACT 3 (2,312 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
 UTILITIES TRACT 2 (1,098 SQ. FT.)

0 40' 80'



McGILCHRIST ST. SE

(12TH STREET SE TO
 25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 41

2420 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DA

TAX LOT: 1300

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 3889 PAGE 0052

CITY OF SALEM
 DEPARTMENT OF
 PUBLIC WORKS

ACQUISITION MAP

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
 NAME/
 ADDRESS

McMURRIN COMMERCIAL
 PROPERTIES, LLC

525 BONNIE CT. NW
 SALEM, OR 97304

RESOLUTION NO. 2019-65

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2430 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2430 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 42

07/06/2018

VISTA PROPERTY INVESTMENTS, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments, LLC, recorded September 05, 2008, on Reel 2990, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
48+68.14		51+16.47	37.70 in a straight line to 53.50

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 464 square feet, more or less.

07/06/2018

VISTA PROPERTY INVESTMENTS, LLC

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments, LLC, recorded September 05, 2008, on Reel 2990, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
48+30.72		51+16.47	37.85 in a straight line to 58.50

Except therefrom Tract 1.

This tract of land contains 601 square feet, more or less.

07/06/2018

VISTA PROPERTY INVESTMENTS, LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

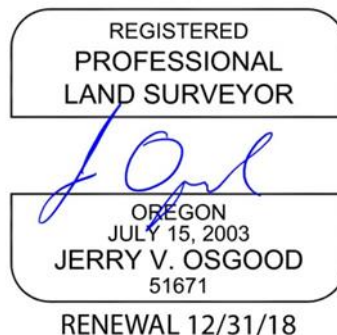
A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Vista Property Investments, LLC, recorded September 05, 2008, on Reel 2990, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

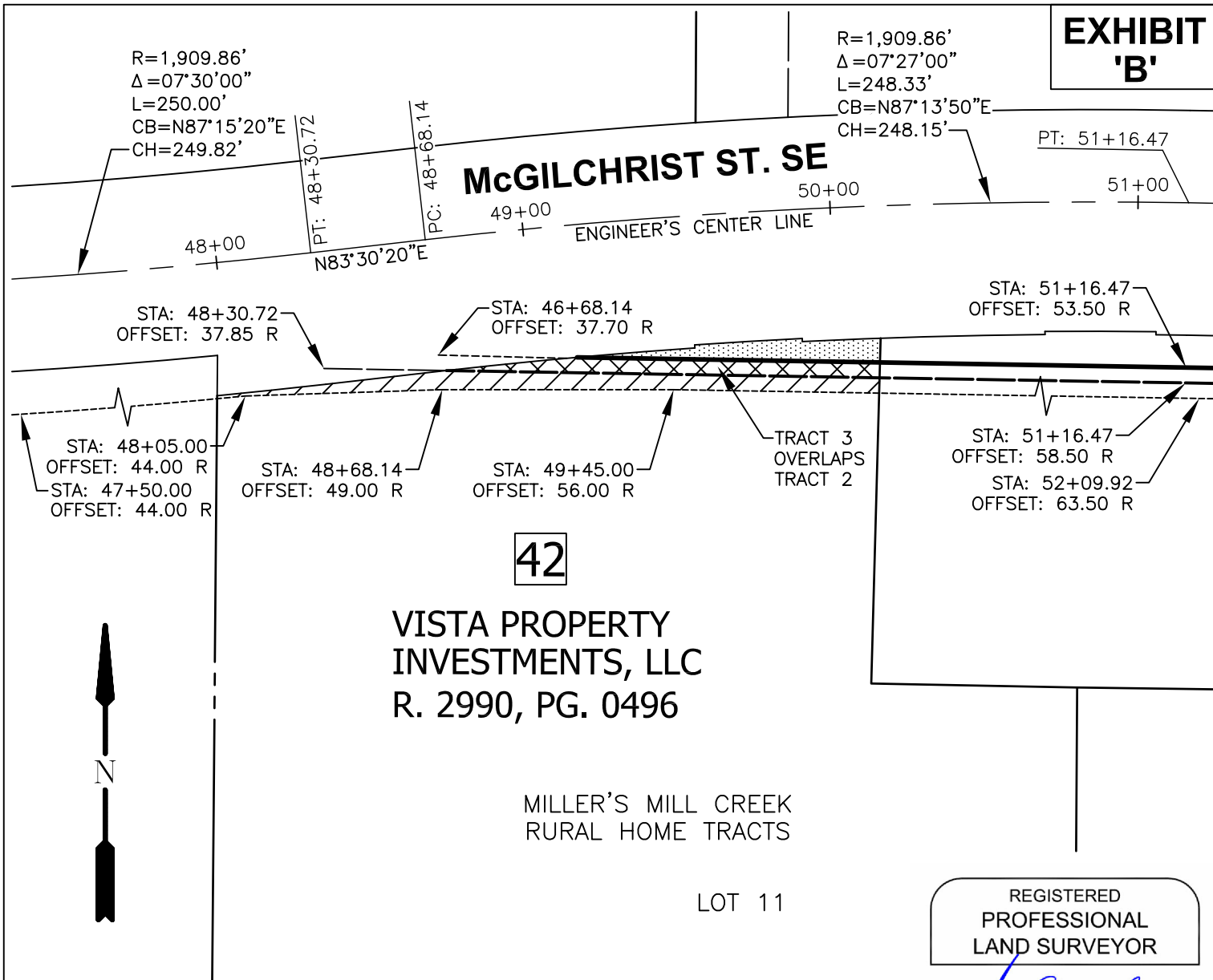
Station	to	Station	Width on Southerly Side of Center Line
47+50.00		48+05.00	44.00 along a curve
48+05.00		48+68.14	44.00 in a straight line to 49.00
48+68.14		49+45.00	49.00 in a straight line to 56.00
49+45.00		52+09.92	56.00 in a straight line to 63.50

EXCEPT therefrom Tract 1.

This tract of land contains 1,583 square feet, more or less. 601 square feet of this tract lies within Tract 2.



**EXHIBIT
'B'**

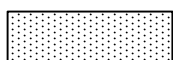


808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

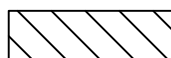
REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

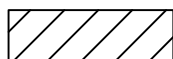
RENEWAL 12/31/18



RIGHT OF WAY
TRACT 1 (464 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 2 (601 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,583 SQ. FT.)

0 50' 100'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 42

2430 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DA

TAX LOT: 1200

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 2990 PAGE 0496

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

**VISTA PROPERTY
INVESTMENTS, LLC**

P.O. BOX 4657
SALEM, OR 97302

RESOLUTION NO. 2019-66

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2443-2455 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2443-2455 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 43

05/25/2018

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to Salem IND LLC, recorded March 13, 2006, on Reel 2618 Page 434, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
46+98.00		48+30.72	48.00 in a straight line to 44.00
48+30.72		50+50.00	44.00 in a straight line to 30.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 3,037 square feet, more or less.

05/25/2018

TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to Salem IND LLC, recorded March 13, 2006, on Reel 2618 Page 434, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
46+98.00		47+51.00	51.00 in a straight line to 50.50
47+51.00		48+30.72	50.50 in a straight line to 47.00
48+30.72		49+00.00	47.00 in a straight line to 40.00
49+00.00		49+57.00	40.00 in a straight line to 39.00
49+57.00		51+42.00	39.00 in a straight line to 37.00

EXCEPT therefrom Tract 1.

This tract of land contains 837 square feet, more or less.

05/25/2018

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to Salem IND LLC, recorded March 13, 2006, on Reel 2618 Page 434, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
46+98.00		47+51.00	60.00 in a straight line to 57.00
47+51.00		48+30.72	50.50 in a straight line to 47.00
48+30.72		49+00.00	47.00 in a straight line to 40.00
49+00.00		49+57.00	47.00 in a straight line to 43.00
49+57.00		49+90.00	49.00 in a straight line to 47.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,495 square feet, more or less. 837 square feet of this tract lies within Tract 2.



REGISTERED
PROFESSIONAL
LAND SURVEYOR



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

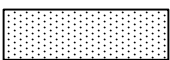
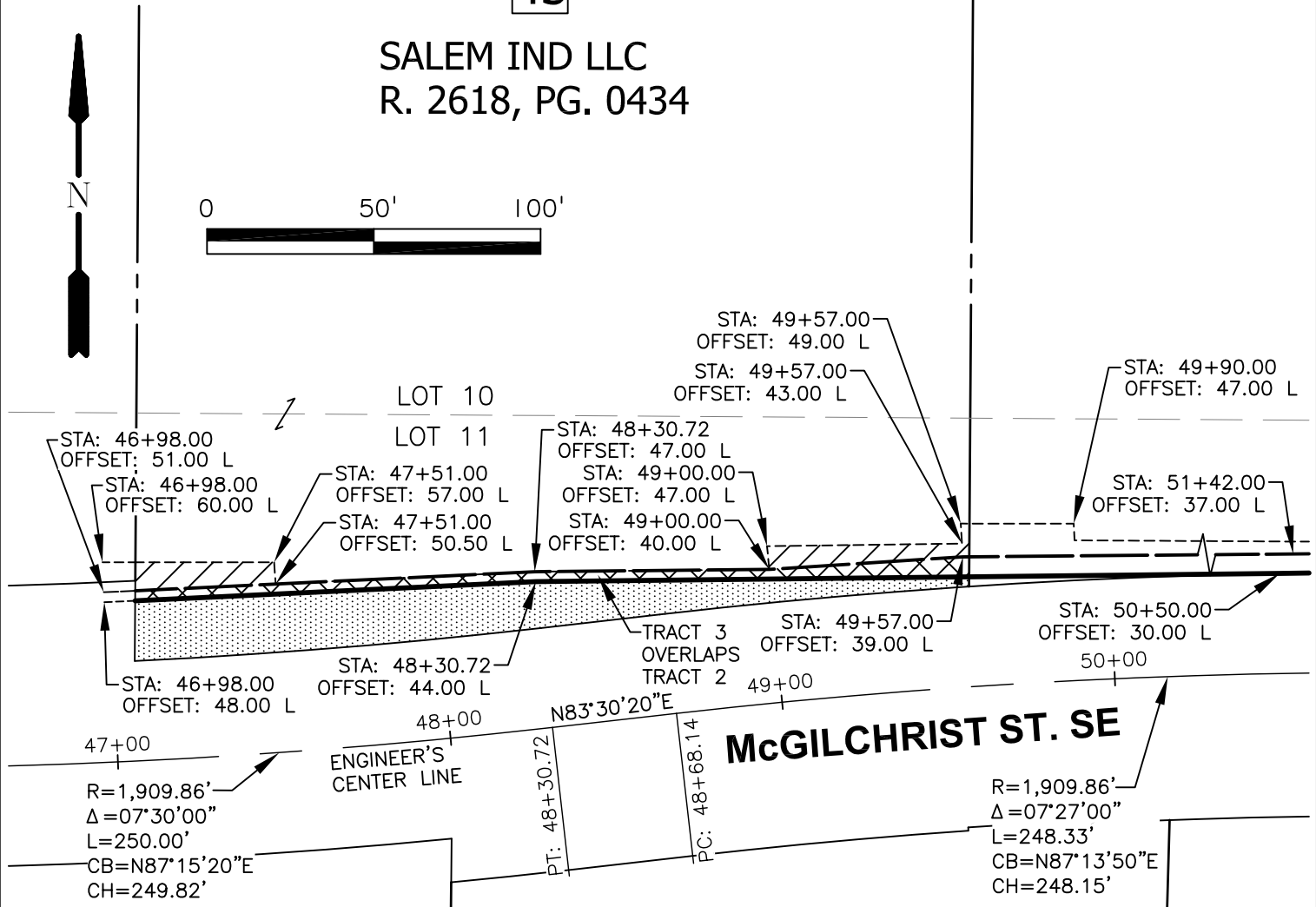
J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

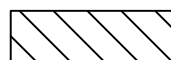
MILLER'S MILL CREEK
RURAL HOME TRACTS

43

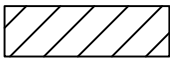
**SALEM IND LLC
R. 2618, PG. 0434**



**RIGHT OF WAY
TRACT 1 (3,037 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES
TRACT 2 (837 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,495 SQ. FT.)**

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 43

2443-2455 McGILCHRIST ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 0300

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2618 PAGE 0434

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

SALEM IND LLC
8320 NE HWY 99
VANCOUVER, WA 98665

RESOLUTION NO. 2019-67

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35DA0100 (R82577).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at Taxlot 073W35DA0100 (R82577), 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 44

05/25/2018

ID# 44
25TH STREET LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to 25th Street LLC, recorded September 15, 2004, on Reel 2375, Page 358, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

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

Station	to	Station	Width on Westerly Side of Center Line
16+38.00		19+25.00	46.00 in a straight line to 40.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 27 square feet, more or less.

05/25/2018

ID# 44
25TH STREET LLC**TRACT 2 – PERMANENT EASEMENT FOR STORM WATER FACILITIES**

A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to 25th Street LLC, recorded September 15, 2004, on Reel 2375, Page 358, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
19+77.00		20+43.00	33.00 in a straight line to 65.00
20+43.00		21+20.00	105.00
21+20.00		21+71.00	150.00
21+71.00		22+50.00	70.00

This tract of land contains 12,582 square feet, more or less.

05/25/2018

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

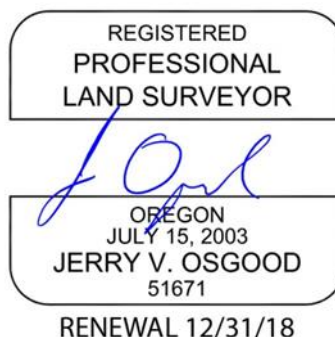
A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Warranty Deed to 25th Street LLC, recorded September 15, 2004, on Reel 2375, Page 358, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
18+29.00		18+80.00	55.00
18+80.00		18+94.00	46.00

EXCEPT therefrom Tract 1.

This tract of land contains 152 square feet, more or less.



44

25TH STREET LLC
R. 2375, PG. 0358
PARCEL I

MILLER'S MILL CREEK RURAL
HOME TRACTS

LOT 10

STA: 19+25.00
OFFSET: 40.00 L

STA: 18+94.00
OFFSET: 46.00 L

STA: 18+80.00
OFFSET: 46.00 L

STA: 18+80.00
OFFSET: 55.00 L

TRACT 1

25TH ST. SE

19+00

N00°19'31"E

ENGINEER'S CENTER LINE

18+00



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jerry V. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18



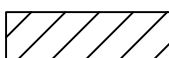
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

STA: 18+29.00
OFFSET: 55.00 L

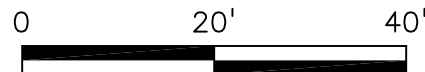
STA: 16+38.00
OFFSET: 46.00 L



RIGHT OF WAY
TRACT 1 (27 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (152 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

44

NO SITE ADDRESS

TAX MAP: 073W35DA
TAX LOT: 0100

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2375 PAGE 0358

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

25TH STREET LLC

85139 RIDGETOP RD.
EUGENE, OR 97405

25TH ST. SE

22+00
N00°19'31"E
21+00
ENGINEER'S CENTER LINE
20+00

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18



44

25TH STREET LLC
R. 2375, PG. 0358
PARCEL I

MILLER'S MILL CREEK RURAL
HOME TRACTS

LOT 10

STA: 22+50.00
OFFSET: 70.00 L

STA: 21+71.00
OFFSET: 70.00 L

STA: 21+71.00
OFFSET: 150.00 L

STA: 21+20.00
OFFSET: 150.00 L

STA: 21+20.00
OFFSET: 105.00 L

STA: 20+43.00
OFFSET: 105.00 L

STA: 20+43.00
OFFSET: 65.00 L

STA: 19+77.00
OFFSET: 33.00 L



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



PERMANENT EASEMENT - STORM
WATER FACILITIES
TRACT 2 (12,582 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

44

NO SITE ADDRESS

TAX MAP: 073W35DA
TAX LOT: 0100

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 2375 PAGE 0358

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

25TH STREET LLC

85139 RIDGETOP RD.
EUGENE, OR 97405

RESOLUTION NO. 2019-68

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2315 25TH STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2315 25th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 45

05/25/2018

S. KENT IRVING PROFIT SHARING PLAN

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Quitclaim Deed to Julie K. Irving, Trustee, S. Kent Irving Profit Sharing Plan, recorded April 02, 2013, on Reel 3488, Page 389, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

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

Station	to	Station	Width on Westerly Side of Center Line
16+38.00		19+25.00	46.00 in a straight line to 40.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 437 square feet, more or less.

05/25/2018

S. KENT IRVING PROFIT SHARING PLAN

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Quitclaim Deed to Julie K. Irving, Trustee, S. Kent Irving Profit Sharing Plan, recorded April 02, 2013, on Reel 3488, Page 389, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
16+38.00		18+29.00	51.00 in a straight line to 47.00
18+29.00		18+80.00	47.00 in a straight line to 46.00

EXCEPT therefrom Tract 1.

This tract of land contains 800 square feet, more or less.

05/25/2018

S. KENT IRVING PROFIT SHARING PLAN

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

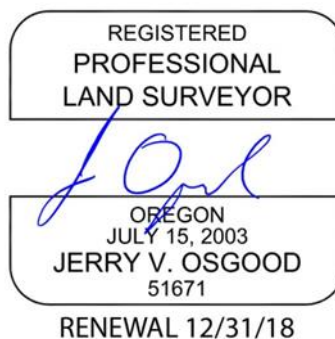
A tract of land lying in Lot 10, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property designated as Parcel I and described in that Statutory Quitclaim Deed to Julie K. Irving, Trustee, S. Kent Irving Profit Sharing Plan, recorded April 02, 2013, on Reel 3488, Page 389, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
16+66.00		17+18.00	59.00
17+18.00		18+29.00	49.32 in a straight line to 47.00
18+29.00		18+80.00	55.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,219 square feet, more or less. 800 square feet of this tract lies within Tract 2.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

**EXHIBIT
'B'**



45

JULIE K. IRVING, TRUSTEE
S. KENT IRVING PROFIT
SHARING PLAN
R. 3488, PG. 0389
PARCEL I

MILLER'S MILL CREEK RURAL
HOME TRACTS

LOT 10



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

STA: 19+25.00
OFFSET: 40.00 L

STA: 18+80.00
OFFSET: 46.00 L

STA: 18+80.00
OFFSET: 55.00 L

STA: 18+29.00
OFFSET: 55.00 L

STA: 18+29.00
OFFSET: 47.00 L

TRACT 3 OVERLAPS
TRACT 2

STA: 17+18.00
OFFSET: 49.32 L

STA: 17+18.00
OFFSET: 59.00 L

STA: 16+66.00
OFFSET: 59.00 L

STA: 16+38.00
OFFSET: 46.00 L

STA: 16+38.00
OFFSET: 51.00 L

19+00

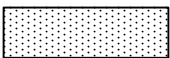
N00°19'31"E

18+00

ENGINEER'S CENTER LINE

17+00

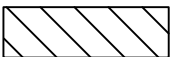
25TH ST. SE



RIGHT OF WAY
TRACT 1 (437 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (1,219 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 2 (800 SQ. FT.)

0 40' 80'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

45

2315 25TH ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 0400

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3488 PAGE 0389

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 05-25-2018

OWNER
NAME/
ADDRESS

**S. KENT IRVING PROFIT
SHARING PLAN**

3285 DEER LAKE CT. SE
SALEM, OR 97317

RESOLUTION NO. 2019-69

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2425-2475 25TH STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2425-2475 25th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 46

07/16/2019

DIVINE HOLDINGS, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Northerly Side of Center Line
48+30.72		50+50.00	44.00 in a straight line to 30.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 100 square feet, more or less.

07/16/2019

ID# 46
DIVINE HOLDINGS, LLC**TRACT 2 – RIGHT OF WAY ACQUISITION**

A tract of land lying in Lots 10 and 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

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

Station	to	Station	Width on Westerly Side of Center Line
15+22.00		15+69.00	108.00 in a straight line to 55.00
15+69.00		15+96.00	55.00 in a straight line to 46.00
15+96.00		16+38.00	46.00
16+38.00		19+25.00	46.00 in a straight line to 40.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 2,331 square feet, more or less.

07/16/2019

ID# 46
DIVINE HOLDINGS, LLC**TRACT 3 – PERMANENT EASEMENT FOR STORM WATER FACILITIES**

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
49+00.00		49+57.00	40.00 in a straight line to 39.00
49+57.00		51+42.00	39.00 in a straight line to 37.00

EXCEPT therefrom Tract 1.

This tract of land contains 1,117 square feet, more or less.

07/16/2019

ID# 46
DIVINE HOLDINGS, LLC**TRACT 4 – PERMANENT EASEMENT FOR PUBLIC UTILITIES**

A tract of land lying in Lots 10 and 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 2.

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

Station	to	Station	Width on Westerly Side of Center Line
15+81.00		16+38.00	51.00
16+38.00		18+29.00	51.00 in a straight line to 47.00

EXCEPT therefrom Tract 2.

This tract of land contains 629 square feet, more or less.

07/16/2019

ID# 46
DIVINE HOLDINGS, LLC**TRACT 5 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Northerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Northerly Side of Center Line
49+57.00		49+90.00	49.00 in a straight line to 47.00
49+90.00		51+93.00	42.00 in a straight line to 40.00

EXCEPT therefrom Tract 1.

This tract of land contains 2,470 square feet, more or less. 1,117 square feet of this tract lies within Tract 3.

07/16/2019

DIVINE HOLDINGS, LLC

TRACT 6 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lots 10 and 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Divine Holdings, LLC, recorded February 15, 2019, on Reel 4167 Page 323, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 2.

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

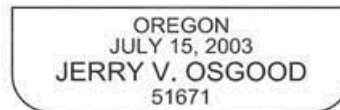
Station	to	Station	Width on Westerly Side of Center Line
15+22.00		15+96.00	108.00
15+96.00		16+38.00	51.00
16+38.00		16+66.00	51.00 in a straight line to 50.41
16+66.00		17+18.00	59.00

EXCEPT therefrom Tract 2.

This tract of land contains 3,782 square feet, more or less. 629 square feet of this tract lies within Tract 4.



DIGITALLY SIGNED
2019.07.16 16:09:32-07'00'



RENEWES: 12/31/20

REGISTERED
PROFESSIONAL
LAND SURVEYOR



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

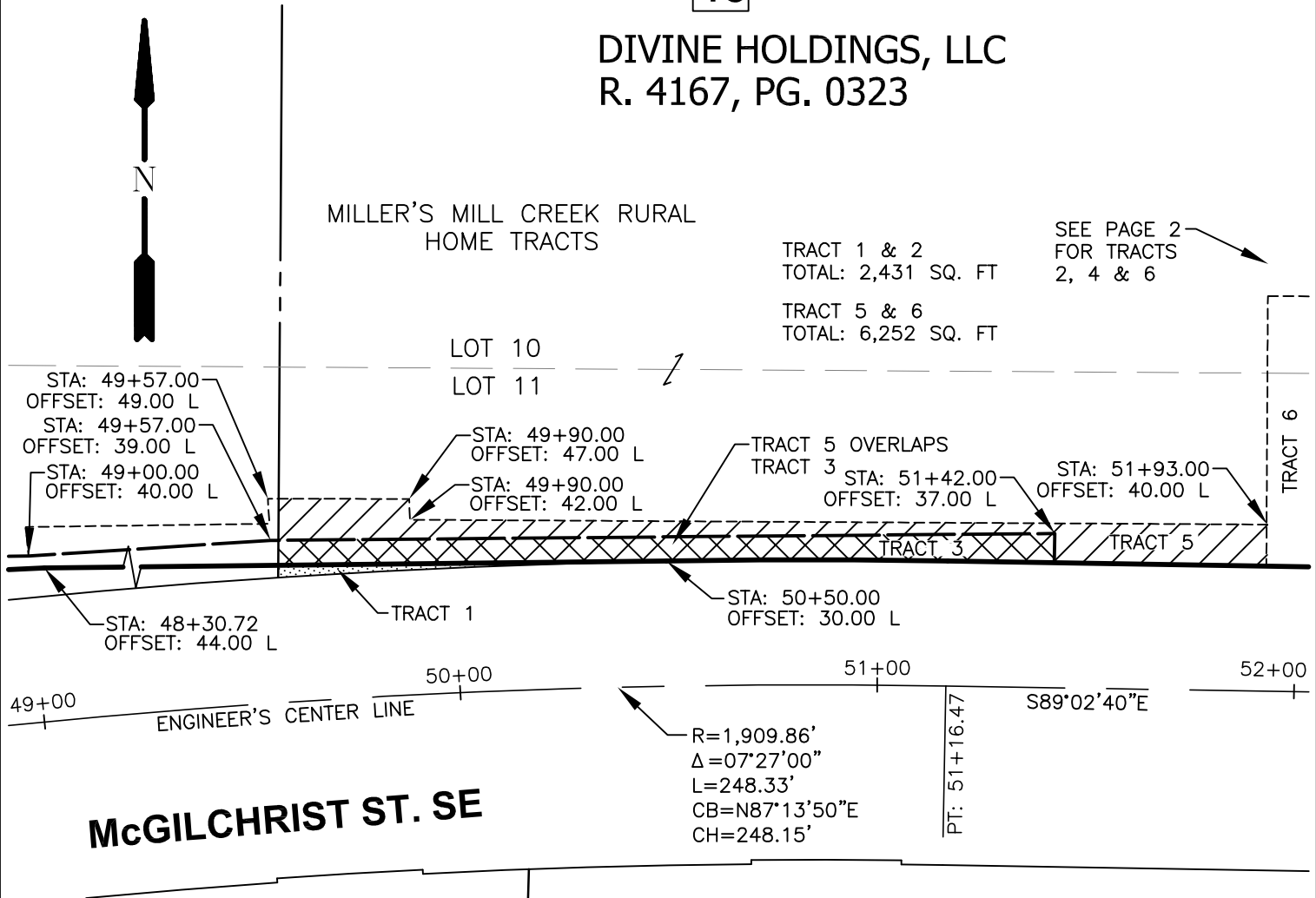
PAGE 1

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

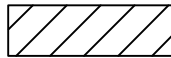
RENEWS: 12/31/20

46

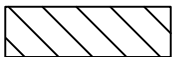
**DIVINE HOLDINGS, LLC
R. 4167, PG. 0323**



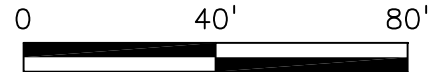
**RIGHT OF WAY
TRACT 1 (100 SQ. FT.)**



**TEMPORARY CONSTRUCTION
EASEMENT TRACT 5 (2,470 SQ. FT.)**



**PERMANENT EASEMENT - STORM
WATER FACILITIES TRACT 3 (1,117 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

46

2425-2475 25TH ST. SE

SALEM, OR 97302

TAX MAP: 073W35DA

TAX LOT: 0500

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 4167 PAGE 0323

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-16-2019

OWNER
NAME/
ADDRESS

DIVINE HOLDINGS, LLC

4676 COMMERCIAL ST. SE
SALEM, OR 97301

REGISTERED
PROFESSIONAL
LAND SURVEYOR



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

**EXHIBIT
'B'**

PAGE 2

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

RENEWES: 12/31/20



46

**DIVINE HOLDINGS, LLC
R. 4167, PG. 0323**

MILLER'S MILL CREEK RURAL
HOME TRACTS

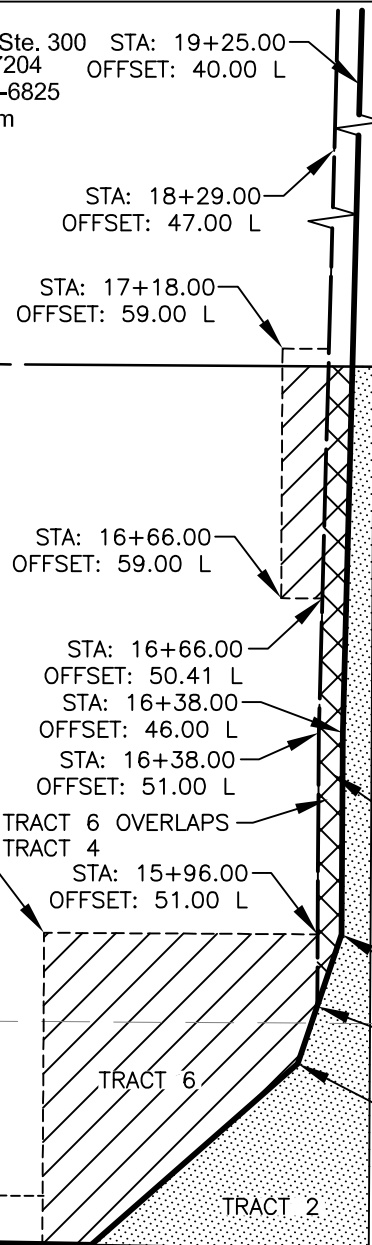
TRACT 1 & 2
TOTAL: 2,431 SQ. FT
TRACT 5 & 6
TOTAL: 6,252 SQ. FT

LOT 10
LOT 11

SEE PAGE 1
FOR TRACTS
1, 3 & 5

McGILCHRIST ST. SE

STA: 15+22.00
OFFSET: 108.00 L
PT: 51+16.47
S89°02'40"E
51+00
52+00



25TH ST. SE

ENGINEER'S CENTER LINE

16+00

15+00

14+00

13+00

12+00

11+00

10+00

9+00

8+00

7+00

6+00

5+00

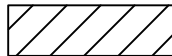
4+00

3+00

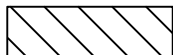
2+00



RIGHT OF WAY
TRACT 2 (2,331 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 6 (3,782 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 4 (629 SQ. FT.)

0 40' 80'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 46

2425-2475 25TH ST. SE

SALEM, OR 97302

TAX MAP: 073W35DA

TAX LOT: 0500

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

REEL 4167 PAGE 0323

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-16-2019

OWNER
NAME/
ADDRESS

DIVINE HOLDINGS, LLC
4676 COMMERCIAL ST. SE
SALEM, OR 97301

RESOLUTION NO. 2019-70

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2440 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2440 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 47

07/06/2018

ECBC INVESTMENTS, LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
48+68.14		52+01.00	37.70 in a straight line to 53.50
52+01.00		52+75.00	53.50 in a straight line to 100.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 3,319 square feet, more or less.

07/06/2018

TRACT 2 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 13+00.00 and 14+20.00 and included in a strip of land 46.00 feet in width, lying on the Westerly side of said center line, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

EXCEPT therefrom Tract 1.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 338 square feet, more or less.

TRACT 3 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
48+30.72		51+26.00	37.85 in a straight line to 58.50
51+26.00		52+06.00	61.00
52+06.00		52+75.00	61.00 in a straight line to 105.00

Except therefrom Tracts 1 and 2.

This tract of land contains 1,367 square feet, more or less.

07/06/2018

ECBC INVESTMENTS, LLC

TRACT 4 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 13+00.00 and 14+10.73 and included in a strip of land 51.00 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 2.

Except therefrom Tracts 1 and 2.

This tract of land contains 329 square feet, more or less.

TRACT 5 – PERMANENT EASEMENT FOR STORM WATER FACILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 51+26.00 and 52+12.94 and included in a strip of land 61.00 feet in width, lying on the Southerly side of said center line, which center line is described in Tract 1.

Except therefrom Tract 1.

This tract of land contains 607 square feet, more or less. This tract lies entirely within Tract 3.

07/06/2018

ECBC INVESTMENTS, LLC

TRACT 6 – PERMANENT EASEMENT FOR ACCESS

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
50+00.00		52+03.00	70.00 in a straight line to 73.50
52+03.00		52+75.00	124.00

Except therefrom Tracts 1 and 2.

This tract of land contains 6,513 square feet, more or less. 1,367 square feet of this tract lies within Tract 3, and 163 square feet of this tract lies within Tract 4.

07/06/2018

ECBC INVESTMENTS, LLC

TRACT 7 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
49+45.00		52+09.92	56.00 in a straight line to 63.50
52+09.92		52+75.00	63.50 in a straight line to 105.00

Except therefrom Tracts 1 and 2.

This tract of land contains 2,115 square feet, more or less. 1,367 square feet of this tract lies within Tract 3, and lies entirely within Tract 6.

07/06/2018

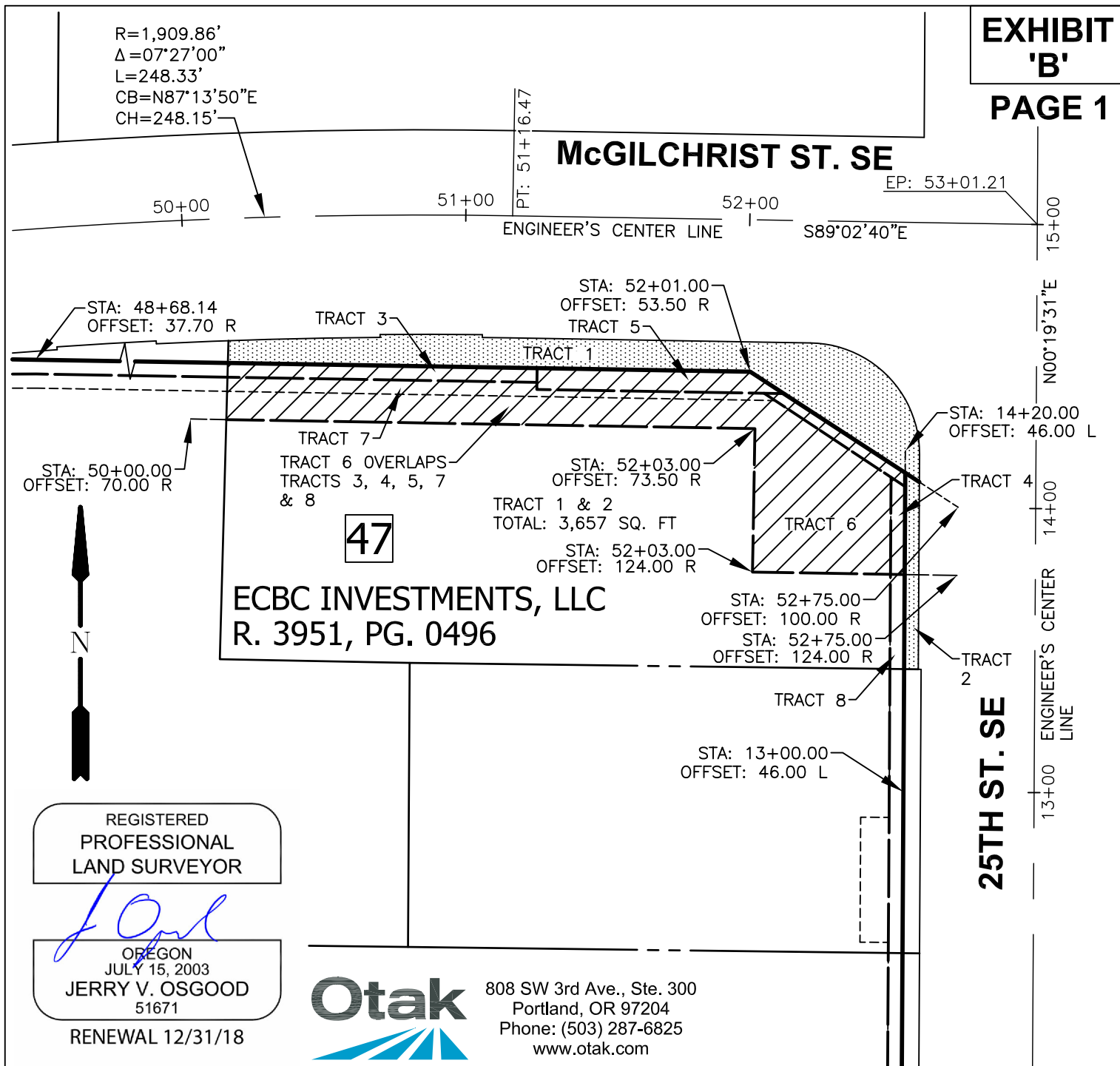
TRACT 8 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to ECBC Investments, LLC, recorded June 05, 2017, on Reel 3951, Page 496, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 13+00.00 and 14+10.73 and included in a strip of land 51.00 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 2.

Except therefrom Tracts 1 and 2.

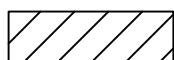
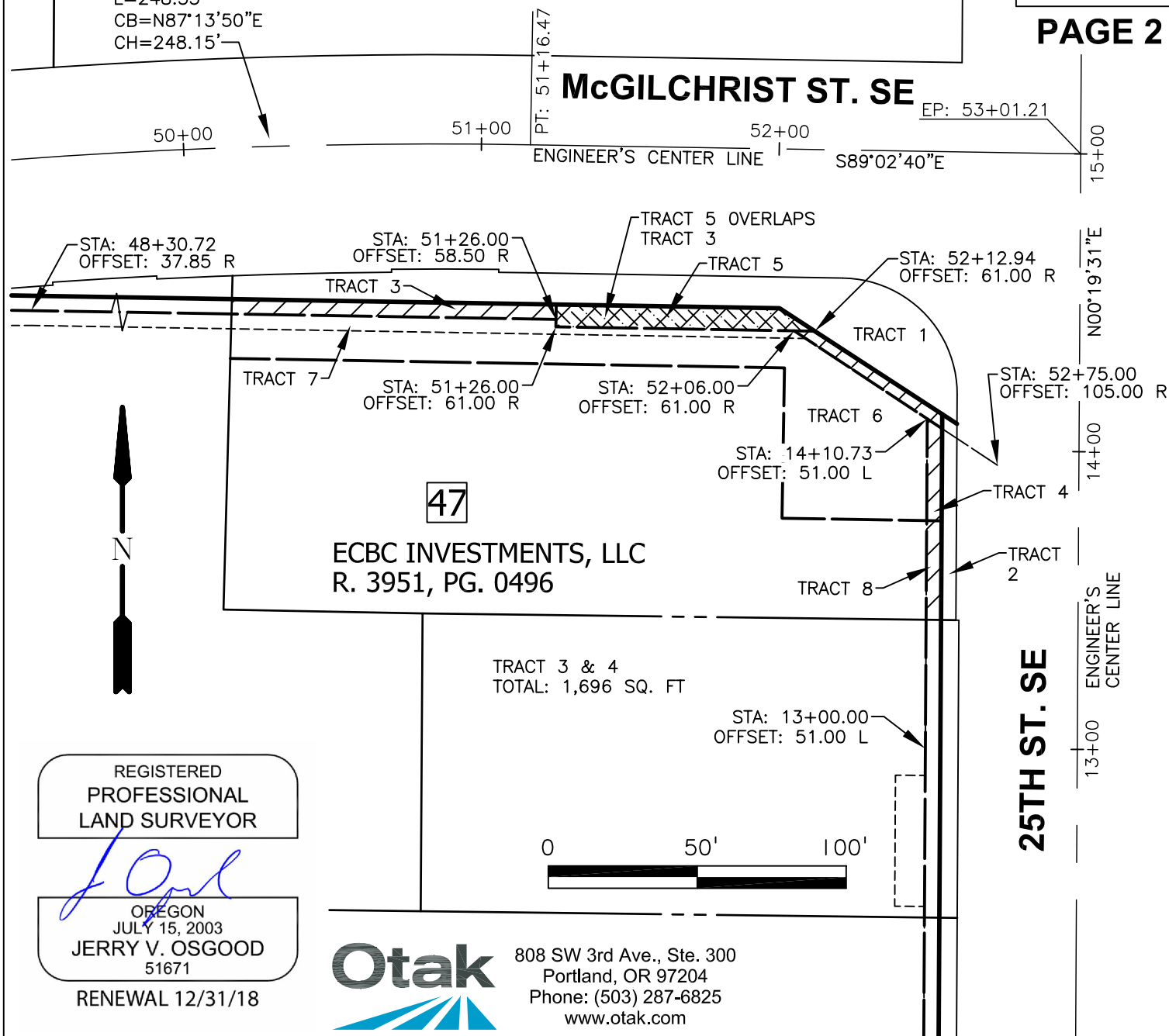
This tract of land contains 329 square feet, more or less. This tract lies entirely within Tract 4.





McGILCHRIST ST. SE (12TH STREET SE TO 25TH STREET SE) CORRIDOR IMPROVEMENTS		SITE PROPERTY ID # 47 2440 McGILCHRIST ST. SE SALEM, OR 97302 TAX MAP: 073W35DA TAX LOT: 0800 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 3951 PAGE 0496	CITY OF SALEM DEPARTMENT OF PUBLIC WORKS ACQUISITION MAP P.N. 687002 BY: MDR DATE: 07-06-2018
OWNER NAME/ ADDRESS ECBC INVESTMENTS, LLC 4045 ILLAHE HILL RD. S SALEM, OR 97302			

R=1,909.86'
 $\Delta=07^{\circ}27'00''$
 L=248.33'
 CB=N87°13'50"E
 CH=248.15'



PERMANENT EASEMENT - PUBLIC
 UTILITIES TRACT 3 (1,367 SQ. FT.)
 TRACT 4 (329 SQ. FT.)



PERMANENT EASEMENT - STORM
 WATER FACILITIES
 TRACT 5 (607 SQ. FT.)

McGILCHRIST ST. SE

(12TH STREET SE TO
 25TH STREET SE)

CORRIDOR IMPROVEMENTS

ECBC INVESTMENTS, LLC

OWNER
 NAME/
 ADDRESS

4045 ILLAHE HILL RD. S
 SALEM, OR 97302

SITE

PROPERTY ID # 47

2440 McGILCHRIST ST. SE

SALEM, OR 97302

TAX MAP: 073W35DA

TAX LOT: 0800

SECTION 35 TOWNSHIP 7 SOUTH

RANGE 3 WEST WILL. MERDIAN

MARION COUNTY, OREGON

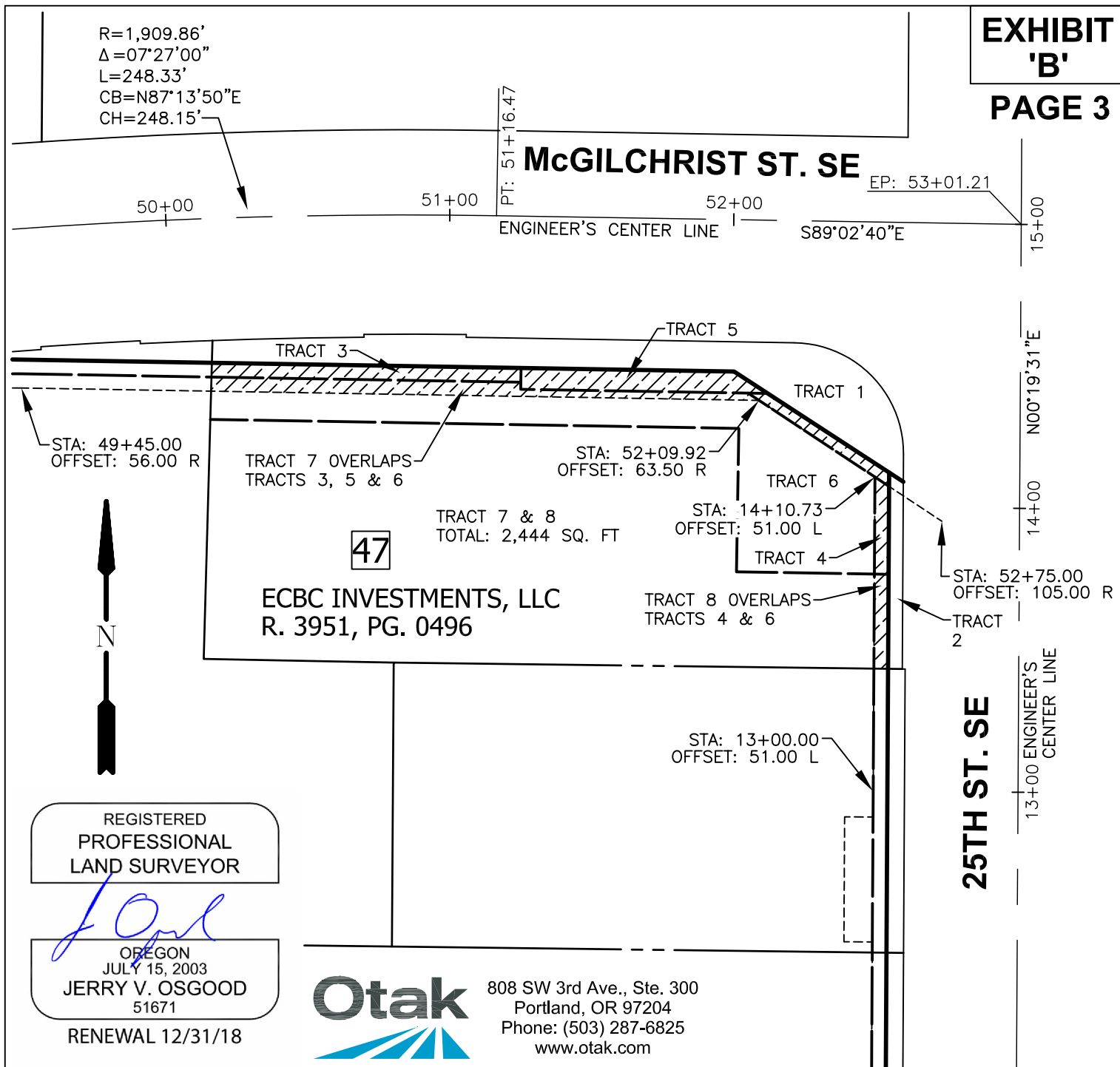
REEL 3951 PAGE 0496

CITY OF SALEM
 DEPARTMENT OF
 PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 07-06-2018



McGILCHRIST ST. SE (12TH STREET SE TO 25TH STREET SE) CORRIDOR IMPROVEMENTS		SITE PROPERTY ID # 47 2440 McGILCHRIST ST. SE SALEM, OR 97302 TAX MAP: 073W35DA TAX LOT: 0800 SECTION 35 TOWNSHIP 7 SOUTH RANGE 3 WEST WILL. MERDIAN MARION COUNTY, OREGON REEL 3951 PAGE 0496	CITY OF SALEM DEPARTMENT OF PUBLIC WORKS ACQUISITION MAP P.N. 687002 BY: MDR DATE: 07-06-2018
OWNER NAME/ ADDRESS ECBC INVESTMENTS, LLC 4045 ILLAHE HILL RD. S SALEM, OR 97302			

RESOLUTION NO. 2019-71

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2535 25TH STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2535 25th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 48

07/06/2018

DENNIS C. BLACKMAN AND SANDRA J. BLACKMAN

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Dennis C. Blackman and Sandra J. Blackman, recorded October 24, 2014, on Reel 3645, Page 304, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 12+25.00 and 13+50.00 and included in a strip of land 46.00 feet in width, lying on the Westerly side of said center line, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 600 square feet, more or less.

07/06/2018

DENNIS C. BLACKMAN AND SANDRA J. BLACKMAN

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Dennis C. Blackman and Sandra J. Blackman, recorded October 24, 2014, on Reel 3645, Page 304, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 12+25.00 and 13+50.00 and included in a strip of land 51.00 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 500 square feet, more or less.

07/06/2018

DENNIS C. BLACKMAN AND SANDRA J. BLACKMAN

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to Dennis C. Blackman and Sandra J. Blackman, recorded October 24, 2014, on Reel 3645, Page 304, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
12+25.00		12+47.00	51.00
12+47.00		12+91.00	61.00
12+91.00		13+50.00	51.00

EXCEPT therefrom Tract 1.

This tract of land contains 940 square feet, more or less. 500 square feet of this tract lies within Tract 2.



REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

EXHIBIT
'B'

48

DENNIS C. BLACKMAN &
SANDRA J. BLACKMAN
R. 3645, PG. 0304

25TH ST. SE

N00°19'31"E

13+00

ENGINEER'S CENTER LINE

12+00

STA: 13+50.00
OFFSET: 46.00 L

STA: 13+50.00
OFFSET: 51.00 L

TRACT 3
OVERLAPS
TRACT 2

STA: 12+91.00
OFFSET: 51.00 L

STA: 12+91.00
OFFSET: 61.00 L

STA: 12+47.00
OFFSET: 61.00 L

STA: 12+47.00
OFFSET: 51.00 L

STA: 12+25.00
OFFSET: 51.00 L

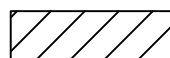
STA: 12+25.00
OFFSET: 46.00 L



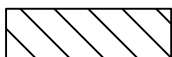
808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (600 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (940 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 2 (500 SQ. FT.)

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

48

2535 25TH ST. SE
SALEM, OR 97302

TAX MAP: 073W35DA
TAX LOT: 0900

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3645 PAGE 0304

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

ACQUISITION
MAP

P.N. 687002

BY: MDR DATE: 07-06-2018

OWNER
NAME/
ADDRESS

DENNIS C. BLACKMAN &
SANDRA J. BLACKMAN

P.O. BOX 20177
KEIZER, OR 97307

RESOLUTION NO. 2019-72

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2545 25TH STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 2545 25th Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 49

06/01/2018

PATTERSON HOLDING COMPANY LLC

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Warranty Deed to Patterson Holding Company LLC, recorded October 6, 2015, on Reel 3748, Page 331, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 10+72.00 and 12+47.00 and included in a strip of land 46.00 feet in width, lying on the Westerly side of said center line, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 816 square feet, more or less.

06/01/2018

PATTERSON HOLDING COMPANY LLC

TRACT 2 – PERMANENT EASEMENT FOR PUBLIC UTILITIES

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Warranty Deed to Patterson Holding Company LLC, recorded October 6, 2015, on Reel 3748, Page 331, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 10+72.00 and 12+47.00 and included in a strip of land 51.00 feet in width, lying on the Westerly side of said center line, which center line is described in Tract 1.

EXCEPT therefrom Tract 1.

This tract of land contains 680 square feet, more or less.

06/01/2018

PATTERSON HOLDING COMPANY LLC

TRACT 3 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Warranty Deed to Patterson Holding Company LLC, recorded October 6, 2015, on Reel 3748, Page 331, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Westerly side of the center line of 25th Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Westerly Side of Center Line
10+72.00		11+12.00	60.00
11+12.00		12+47.00	51.00

EXCEPT therefrom Tract 1.

This tract of land contains 723 square feet, more or less. 680 square feet of this tract lies within Tract 2.

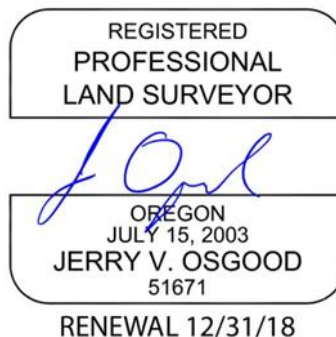


EXHIBIT 'B'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18

STA: 12+47.00
OFFSET: 46.00 L

STA: 12+47.00
OFFSET: 51.00 L

TRACT 3
OVERLAPS
TRACT 2

STA: 11+12.00
OFFSET: 51.00 L
STA: 11+12.00
OFFSET: 60.00 L

STA: 10+72.00
OFFSET: 51.00 L

STA: 10+72.00
OFFSET: 60.00 L

STA: 10+72.00
OFFSET: 46.00 L

EXISTING 25' ACCESS EASEMENT
R3748, P331



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

49

PATTERSON HOLDING
COMPANY LLC
R. 3748, PG. 0331

25TH ST. SE

N00°19'31"E

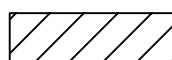
12+00

ENGINEER'S CENTER LINE

11+00



RIGHT OF WAY
TRACT 1 (816 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 3 (723 SQ. FT.)



PERMANENT EASEMENT - PUBLIC
UTILITIES TRACT 2 (680 SQ. FT.)

0 30' 60'



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

49

2545 25TH ST. SE
SALEM, OR 97302

TAX MAP: 073W35D
TAX LOT: 0100

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3748 PAGE 0331

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 06-01-2018

OWNER
NAME/
ADDRESS

**PATTERSON HOLDING
COMPANY LLC**

597 STAGECOACH CT. SE
SALEM, OR 97302

RESOLUTION NO. 2019-73

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 2601 25TH STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as 2601 25th Street SE identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 50

06/01/2018

PN# 687002
ID# 50
HOLIDAY PLAZA III LLC

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in Lot 11, Miller's Mill Creek Rural Home Tracts, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Warranty Deed to Holiday Plaza III Limited Liability Company, recorded July 31, 1998, on Reel 1511, Page 451, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of 25th Street SE at Engineer's Stations 10+72.00 and 11+12.00 and included in a strip of land 60.00 feet in width, lying on the Westerly side of said center line, which center line is described as follows:

Beginning at 25th Street SE Engineer's center line Station 8+00.00, said station being 700.00 feet South 00° 19' 31" West of Engineer's Station 53+01.21 on the McGilchrist Street SE center line, which Station is identified as point number 352 on Survey Number 38656, Marion County Survey Records; thence North 00° 19' 31" East 1,500.00 feet to Engineer's center line Station 23+00.00.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 423 square feet, more or less.



**EXHIBIT
'B'**

STA: 11+12.00
OFFSET: 60.00 L

STA: 10+72.00
OFFSET: 60.00 L



50

**HOLIDAY PLAZA III, LLC
R. 1511, PG. 0451**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com

25TH ST. SE

11+00

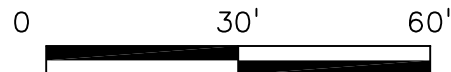
N00°19'31"E

10+00

ENGINEER'S CENTER LINE



**TEMPORARY CONSTRUCTION
EASEMENT (423 SQ. FT.)**



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID #

50

2601 25TH ST. SE
SALEM, OR 97302

TAX MAP: 073W35D
TAX LOT: 0101

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 1511 PAGE 0451

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 06-01-2018

OWNER
NAME/
ADDRESS

HOLIDAY PLAZA III, LLC
2264 McGILCHRIST ST. SE #210
SALEM, OR 97302

RESOLUTION NO. 2019-74

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS 24-FOOT STRIP WEST OF 1500-1518 MCGILCHRIST STREET SE.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at 24-foot strip west of 1500-1518 McGilchrist Street SE, identified in Exhibit A and depicted in Exhibit B, which are attached hereto and incorporated herein by reference (the Properties); and

Whereas, the public improvements for the Project are approved capital 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 51

07/31/2019

ID# 51
DNW, LLC**TRACT 1 – RIGHT OF WAY ACQUISITION**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to DNW, LLC, recorded December 31, 2008, on Reel 3021, Page 365, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
9+50.00		10+95.00	105.00 in a straight line to 52.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 713 square feet, more or less.

07/31/2019

ID# 51
DNW, LLC**TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT**

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to DNW, LLC, recorded December 31, 2008, on Reel 3021, Page 365, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
9+50.00		11+00.00	127.00 in a straight line to 72.00

EXCEPT therefrom Tract 1.

This tract of land contains 492 square feet, more or less.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

RENEWS: 12/31/20

McGILCHRIST ST. SE

10+00

S89°00'47"E

11+00

ENGINEER'S CENTER LINE

UNION PACIFIC RAILROAD ROW

STA: 9+50.00
OFFSET: 105.00 R

STA: 9+50.00
OFFSET: 127.00 R

STA: 10+95.00
OFFSET: 52.00 R

STA: 11+00.00
OFFSET: 72.00 R

**SALMON RUN
INDUSTRIAL
PARK**

LOT 1
(TAX LOT 4400)

"GAP" PROPERTY
NOT TAX LOTTED

24'±

51
DNW LLC
R. 3021, PG. 0365

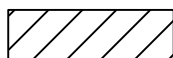
UNION PACIFIC RAILROAD
(TAX LOT 566)



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (713 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (492 SQ. FT.)

0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 51

NO SITE ADDRESS

TAX MAP: 073W35CB
TAX LOT: NA

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

REEL 3021 PAGE 0365

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-31-2019

OWNER
NAME/
ADDRESS

DNW, LLC

P.O. BOX 12828
SALEM, OR 97309

RESOLUTION NO. 2019-75

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35CB0599 (R74687).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at Taxlot 073W35CB0599 (R74687), 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 52

08/13/2018

UNION PACIFIC RAILROAD COMPANY

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Deed to Southern Pacific Company, recorded August 24, 1937, in Vol. 231, Page 118, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

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

Station	to	Station	Width on Southerly Side of Center Line
9+50.00		10+95.00	105.00 in a straight line to 52.00

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 923 square feet, more or less.

08/13/2018

UNION PACIFIC RAILROAD COMPANY

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Deed to Southern Pacific Company, recorded August 24, 1937, in Vol. 231, Page 118, of Marion County Records; said tract being that portion of said property included in a strip of land variable in width, lying on the Southerly side of the center line of McGilchrist Street SE, which center line is described in Tract 1.

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

Station	to	Station	Width on Southerly Side of Center Line
9+50.00		11+00.00	127.00 in a straight line to 72.00

EXCEPT therefrom Tract 1.

This tract of land contains 493 square feet, more or less.



**EXHIBIT
'B'**

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood
OREGON
JULY 15, 2003

JERRY V. OSGOOD
51671

RENEWAL 12/31/18

McGILCHRIST ST. SE

10+00

S89°00'47"E

11+00

ENGINEER'S CENTER LINE

UNION PACIFIC RAILROAD ROW

STA: 9+50.00
OFFSET: 105.00 R

STA: 10+95.00
OFFSET: 52.00 R

STA: 11+00.00
OFFSET: 72.00 R

STA: 9+50.00
OFFSET: 127.00 R

SALMON RUN
INDUSTRIAL
PARK

LOT 1

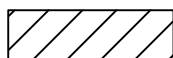
52
UNION PACIFIC
RAILROAD PG. 118
Vol. 231,



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (923 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (493 SQ. FT.)

0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 52

NO SITE ADDRESS

TAX MAP: 073W35CB
TAX LOT: 0599

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON

VOL. 231 PAGE 118

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
NAME/
ADDRESS

**UNION PACIFIC
RAILROAD**

RESOLUTION NO. 2019-76

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 MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS TAXLOT 073W35CB0200 (R27987).

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire real property or property rights over certain real property located at Taxlot 073W35CB0200 (R27987), 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 53

08/13/2018

UNION PACIFIC RAILROAD COMPANY

TRACT 1 – RIGHT OF WAY ACQUISITION

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Deed to Southern Pacific Company, recorded December 29, 1941, in Vol. 266, Page 518, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 9+80.00 and 10+64.00 and included in a strip of land 87.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

Beginning at Engineer's center line Station 7+90.49, said station identified as point number 351 on Survey Number 38656, Marion County Survey Records, and being located 794.35 feet South and 821.22 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence South 89° 00' 47" East 2,698.67 feet; thence South 88° 59' 40" East 1,091.56 feet; thence on a 1,909.86 foot radius curve left (the long chord of which bears North 87° 15' 20" East 249.82 feet) 250.00 feet; thence North 83° 30' 20" East 37.42 feet; thence on a 1,909.86 foot radius curve right (the long chord of which bears North 87° 13' 50" East 248.15 feet) 248.33 feet; thence South 89° 02' 40" East 184.75 feet to Engineer's center line Station 53+01.21, said Station identified as point number 352 on said Survey.

Bearings are based on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records.

This tract of land contains 1,373 square feet, more or less.

08/13/2018

UNION PACIFIC RAILROAD COMPANY

TRACT 2 – TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the James Davidson D.L.C. No. 48, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of that property described in that Deed to Southern Pacific Company, recorded December 29, 1941, in Vol 266, Page 518, of Marion County Records; said tract being that portion of said property lying between lines at right angles to the center line of McGilchrist Street SE at Engineer's Stations 9+80.00 and 10+64.00 and included in a strip of land 107.00 feet in width, lying on the Northerly side of said center line, which center line is described as follows:

EXCEPT therefrom Tract 1.

This tract of land contains 536 square feet, more or less.

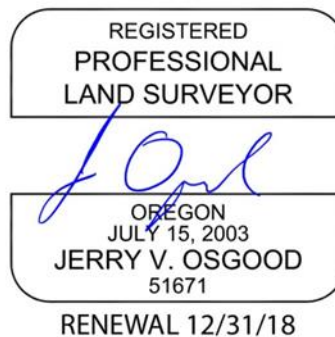


EXHIBIT 'B'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

J. Osgood

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671

RENEWAL 12/31/18



UNION PACIFIC
RAILROAD
Vol. 266, PG. 518

UNION PACIFIC

53

STA: 9+80.00
OFFSET: 107.00 L

STA: 9+80.00
OFFSET: 87.00 L

STA: 10+64.00
OFFSET: 107.00 L

STA: 10+64.00
OFFSET: 87.00 L

RAILROAD ROW

McGILCHRIST ST. SE

9+00
S89°00'47"E

10+00

ENGINEER'S CENTER LINE

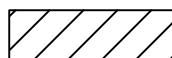
11+00



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



RIGHT OF WAY
TRACT 1 (1,373 SQ. FT.)



TEMPORARY CONSTRUCTION
EASEMENT TRACT 2 (536 SQ. FT.)

0 30' 60'

McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 53

NO SITE ADDRESS

TAX MAP: 073W35CB
TAX LOT: 0200

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
VOL. 0266 PAGE 0518

CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 08-13-2018

OWNER
NAME/
ADDRESS

**UNION PACIFIC
RAILROAD**

RESOLUTION NO. 2019-77

A RESOLUTION DECLARING THE PUBLIC NEED, AND AUTHORIZING THE CITY ATTORNEY TO COMMENCE EMINENT DOMAIN, PROCEEDINGS TO ACQUIRE PROPERTY RIGHTS FOR THE MCGILCHRIST STREET SE IMPROVEMENT PROJECT, OVER PROPERTY COMMONLY KNOWN AS RAILROAD RIGHT-OF-WAY.

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 McGilchrist Street SE Corridor Improvement Project (Project), it is necessary for the City to acquire property rights over certain real property known as Railroad Right-of-Way, 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 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 _____, 2019.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: Gary Myzak
Project Number 687002
Property # 54

2-TCE/PE (no fee)
Address

07/16/2019

UNION PACIFIC RAILROAD COMPANY

PERMANENT EASEMENT FOR STREET PURPOSES

A tract of land lying in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of the Union Pacific Railroad Company (formerly Southern Pacific Transportation Company) right of way; said tract being that portion of said right of way described as follows:

Beginning at the intersection of the Westerly right of way line of said Railroad with McGilchrist Street SE Engineer's center line, which center line is shown on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records, said intersection approximately located 797.2 feet South and 987.0 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence Southeasterly along the arc of said right of way line a distance of 96.45 feet; thence Northeasterly along the main curve radial of said Railroad a distance of 60.00 feet to the Easterly right of way line of said Railroad; thence Northwesterly along the arc of said right of way line a distance of 166.65 feet; thence Southwesterly along the main curve radial of said Railroad a distance of 60.00 feet to the Westerly right of way line of said Railroad; thence Southeasterly along the arc of said right of way line a distance of 71.90 feet to the point of beginning.

This tract of land contains 10,050 square feet, more or less.



07/16/2019

UNION PACIFIC RAILROAD COMPANY

TEMPORARY CONSTRUCTION EASEMENT

A tract of land lying in the NW ¼ SW ¼ of Section 35, Township 7 South, Range 3 West, W.M., Marion County, Oregon, and being a portion of the Union Pacific Railroad Company (formerly Southern Pacific Transportation Company) right of way; said tract being that portion of said right of way described as follows:

Beginning at the intersection of the Westerly right of way line of said Railroad with McGilchrist Street SE Engineer's center line, which center line is shown on Survey No. 38656, recorded December 29, 2016, Marion County Survey Records, said intersection approximately located 797.2 feet South and 987.0 feet East of the Northeast corner of the Fabritus R. Smith D.L.C. No. 47, Township 7 South, Range 3 West, W.M.; thence Southeasterly along the arc of said right of way line a distance of 117.18 feet; thence Northeasterly along the main curve radial of said Railroad a distance of 60.00 feet to the Easterly right of way line of said Railroad; thence Northwesterly along the arc of said right of way line a distance of 208.16 feet; thence Southwesterly along the main curve radial of said Railroad a distance of 60.00 feet to the Westerly right of way line of said Railroad; thence Southeasterly along the arc of said right of way line a distance of 93.11 feet to the point of beginning.

EXCEPT therefrom that Permanent Easement for Street Purposes concurrently acquired for this project.

This tract of land contains 2,503 square feet, more or less.



797.2
0°00'00"E

54

McGILCHRIST ST. SE

ENGINEER'S CENTER LINE 11+00
S89°00'47"E

9+00
N00°00'00"E
987.0
POINT OF
BEGINNING

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED
2019.07.16 16:00:09-07'00'

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

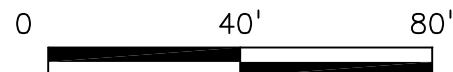
RENEWS: 12/31/20



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
Phone: (503) 287-6825
www.otak.com



PERMANENT EASEMENT FOR
STREET PURPOSES (10,050 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 54

NO SITE ADDRESS

TAX MAP: 073W35CB

TAX LOT: NA

SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERIDIAN
MARION COUNTY, OREGON

VOL. ---- PAGE ----

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

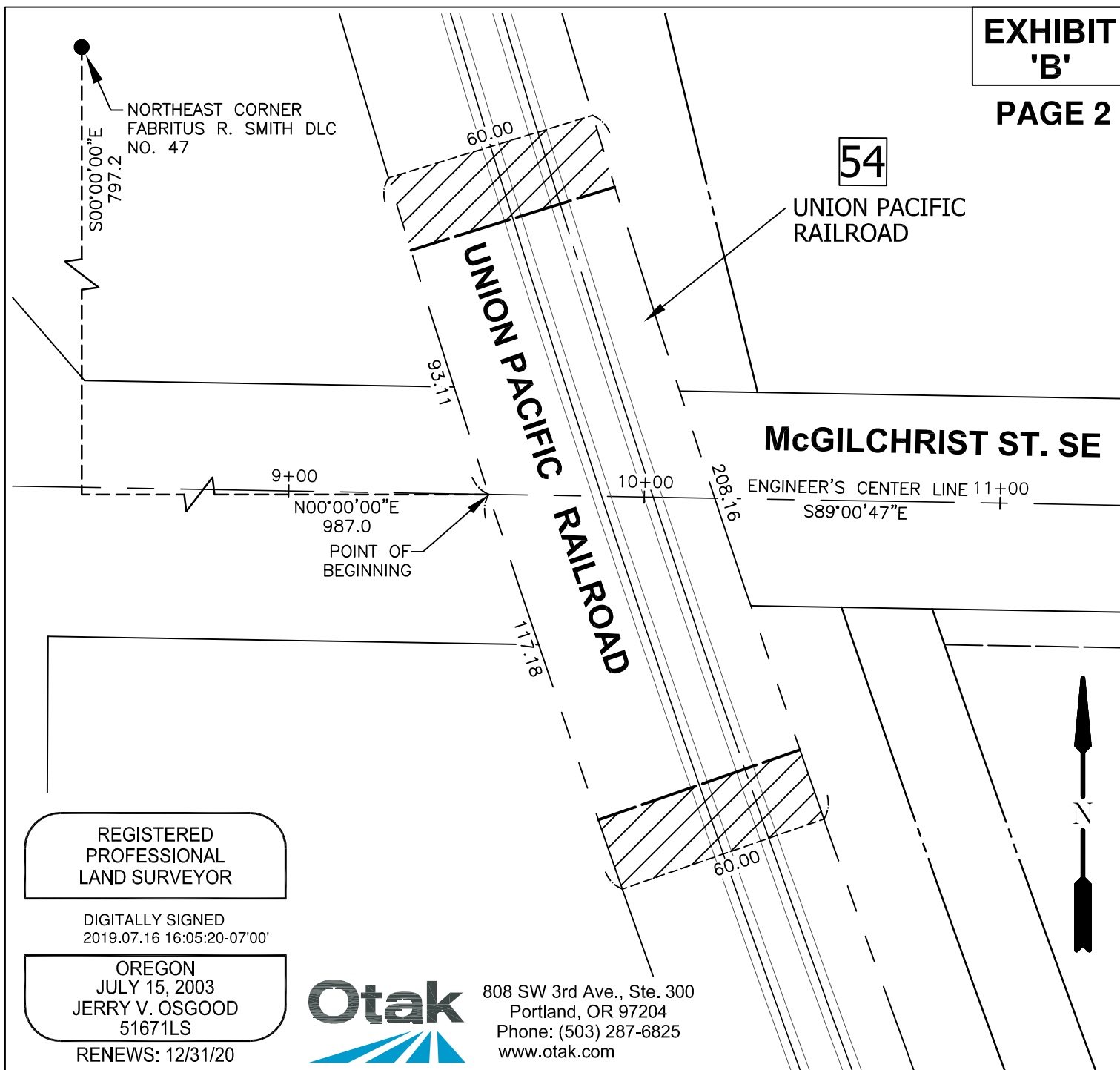
ACQUISITION MAP

P.N. 687002

BY: MDR	DATE: 07-16-2019
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OWNER
NAME/
ADDRESS

**UNION PACIFIC
RAILROAD**



REGISTERED
PROFESSIONAL
LAND SURVEYOR

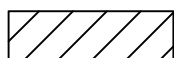
DIGITALLY SIGNED
2019.07.16 16:05:20-07'00'

OREGON
JULY 15, 2003
JERRY V. OSGOOD
51671LS

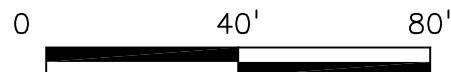
RENEWALS: 12/31/20



808 SW 3rd Ave., Ste. 300
Portland, OR 97204
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TEMPORARY CONSTRUCTION
EASEMENT (2,503 SQ. FT.)



McGILCHRIST ST. SE

(12TH STREET SE TO
25TH STREET SE)

CORRIDOR IMPROVEMENTS

SITE

PROPERTY ID # 54

NO SITE ADDRESS

TAX MAP: 073W35CB
TAX LOT: NA
SECTION 35 TOWNSHIP 7 SOUTH
RANGE 3 WEST WILL. MERDIAN
MARION COUNTY, OREGON
VOL. --- PAGE ---

**CITY OF SALEM
DEPARTMENT OF
PUBLIC WORKS**

**ACQUISITION
MAP**

P.N. 687002

BY: MDR DATE: 07-16-2019

OWNER
NAME/
ADDRESS

**UNION PACIFIC
RAILROAD**