



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

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File #: 23-440

Version: 1

Date: 12/4/2023

Item #: 3.2a.

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**TO:** Mayor and City Council  
**THROUGH:** Keith Stahley, City Manager  
**FROM:** Brian D. Martin, PE, Public Works Director

### **SUBJECT:**

Dedication of Reserve Strip Tract "A" Of Battle Creek Heights No. 2 as Public Right-Of-Way

Ward(s): Ward 4

Councilor(s): Deanna Gwyn

Neighborhood(s): South Gateway

Result Area(s): Safe, Reliable and Efficient Infrastructure

### **SUMMARY:**

Landon Street SE is being extended south as part of the Reserve at Battlecreek subdivision, approved by Planning Case No. SUB-ADJ21-04. It is necessary to dedicate the reserve strip as public right-of-way to allow access to the proposed Landon Street SE extension.

### **ISSUE:**

Shall City Council adopt Resolution No. 2023-37 to dedicate the reserve strip identified as Tract "A" of Battle Creek Heights No. 2 as public right-of-way?

### **RECOMMENDATION:**

Adopt Resolution No. 2023-37 to dedicate the reserve strip identified as Tract "A" of Battle Creek Heights No. 2 as public right-of-way.

### **FACTS AND FINDINGS:**

It was a common City practice to reserve a one-foot strip of land at the termination of or along the side of a street when developing a property. These strips were not dedicated as public right-of-way and are owned by the City until the adjacent land receives the appropriate planning approval to

develop the property.

1. A one-foot reserve strip described as Tract "A", Battle Creek Heights No. 2, Volume 45, Page 3, Marion County Book of Town Plats, was conveyed to the City of Salem with a Warranty Deed, Reel 2258, Page 411, Marion County Deed Records. The reserve strip is depicted on Exhibit A of Resolution No. 2023-37.
2. The reserve strip lies at the south terminus of Landon Street SE.
3. The land is owned by the City of Salem.
4. Landon Street SE is being extended south as part of the Reserve at Battlecreek subdivision, approved by Planning Case No. SUB-ADJ21-04.

## **BACKGROUND:**

Public rights-of-way are generally strips of land given to the public for specific uses such as roadways, bridges structures, and public utilities. They are available for use by the public at large and are administered by jurisdictions such as a City, County, or State. Most streets in Salem are public rights-of-way and are controlled by the City. Some streets such as Wallace Road NW and portions of Mission Street SE are also public rights-of-way; however, they are mostly controlled by the Oregon Department of Transportation. There are also private streets in the City such as Creekside Drive SE which are not public rights-of-way.

Allen Dannen, PE  
City Engineer

## Attachments:

1. Resolution No. 2023-37
2. Location Map (Exhibit A)