



## Staff Report

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**File #:** 23-441

**Version:** 1

**Date:** 12/4/2023

**Item #:** 3.2b.

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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 Block "B" of Battlecreek Estates No. 4 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:**

Talloc Avenue SE is being extended south as part of the Talloc Estates subdivision, approved by Planning Case No. SUB20-02. It is necessary to dedicate the reserve strip as public right-of-way to allow access to the proposed Talloc Avenue SE extension.

### **ISSUE:**

Shall City Council adopt Resolution No. 2023-38 to dedicate the reserve strip identified as Block "B" of Battlecreek Estates No. 4 as public right-of-way?

### **RECOMMENDATION:**

Adopt Resolution No. 2023-38 to dedicate the reserve strip identified as Block "B" of Battlecreek Estates No. 4 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 a street 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 Block "B", Battlecreek Estates No. 4, Volume 33, Page 33, Marion County Book of Town Plats, was conveyed to the City of Salem with a Warranty Deed, Reel 122, Page 976, Marion County Deed Records. The reserve strip is depicted on Exhibit A of Resolution No. 2023-38.
2. The reserve strip lies at the south terminus of Talloc Avenue SE.
3. The land is owned by the City of Salem.
4. Talloc Avenue SE is being extended south as part of the Talloc Estates subdivision, approved by Planning Case No. SUB20-02.
5. Dedicating the reserve strip as public right-of-way will allow the public to access to the Talloc Estates subdivision.

#### **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. 2023-38
2. Location Map (Exhibit A)