

## Legislation Details (With Text)

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**File #:** 23-96      **Version:** 1

**Type:** Action Item      **Status:** Passed

**In control:** City Council

**On agenda:** 3/13/2023      **Final action:** 3/13/2023

**Title:** Extinguishment of railroad easement within the 2nd Street NW Improvement Project area.

Ward(s): 1  
Councilor(s): Stapleton  
Neighborhood(s): West Salem  
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Project Location Map, 2. Agreement

Date	Ver.	Action By	Action	Result
3/13/2023	1	City Council	approved	Pass

**TO:** Mayor and City Council

**THROUGH:** Keith Stahley, City Manager

**FROM:** Kristin Retherford, Urban Development Director

**SUBJECT:**

Extinguishment of railroad easement within the 2<sup>nd</sup> Street NW Improvement Project area.

Ward(s): 1  
Councilor(s): Stapleton  
Neighborhood(s): West Salem  
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

**SUMMARY:**

The 2nd Street NW Improvement Project (Project), located between Gerth Avenue NW and Wallace Road NW, will construct new curbs, sidewalks, lighting, stormwater facilities, and water and sewer system upgrades (Attachment 1). Union Pacific Railroad Company (UPRR) holds an easement interest over a portion of the Project area which needs to be extinguished to clear title as well as remove a sub-tenant's interest to locate a billboard in the Project area. In order to avoid a delay in the project, the City Manager has already executed the agreement. City Council is being asked to ratify the City Manager's execution of the agreement.

**ISSUE:**

Shall City Council ratify the City Manager's execution of the attached agreement with UPRR to extinguish the easement?

**RECOMMENDATION:**

Ratify the City Manager's execution of the attached agreement with UPRR to extinguish the easement.

**FACTS AND FINDINGS:**

Staff and UPRR have tentatively agreed to terms on a proposed agreement (Agreement) (Attachment 2). Key terms of the Agreement are below.

Consideration:	Release of RR Easement	\$159,619.34
	Signboard Withdrawal	<u>\$43,000.00</u>
	Total	\$202,619.34

Closing: within 30 days of Execution Date

**BACKGROUND:**

Construction of the project is scheduled for 2023. Funding for the Project and the Agreement will come from West Salem Urban Renewal Area funds.

Clint Dameron  
Real Property Services Manager

Attachments:

1. Project Location Map
2. Agreement