



## Staff Report

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**File #:** 21-240

**Version:** 1

**Date:** 6/14/2021

**Item #:** 3.2b.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Dan Atchison, City Attorney

### **SUBJECT:**

Dedication of City Property as Public Right-of-Way on Lansing Avenue NE and Silverton Road NE.

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Lansing

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

### **ISSUE:**

Shall City Council adopt Resolution No. 2021-24 dedicating property received by the City of Salem along the east side of Lansing Avenue NE and the south side of Silverton Road NE?

### **RECOMMENDATION:**

Adopt Resolution No. 2021-24 dedicating property received by the City of Salem along east side of Lansing Avenue NE and south side of Silverton Road NE.

### **SUMMARY:**

On May 24, 2021, City Council adopted Resolution No. 2021-17 purporting to dedicate the property as public right-of-way. However, the information in Resolution No. 2021-17 contained incorrect information regarding the property due to a drafting error. Resolution No. 2021-24 rescinds the earlier resolution and re-dedicates the property.

It is a City practice to acquire property or additional right-of-way by warranty deed in fee simple ownership. All or a portion of the acquired property is then dedicated as public right-of-way with a resolution adopted by City Council.

The City received property through the recording of a Warranty Deed, Reel 4313, Page 81, at Marion County. The property received along the east side of Lansing Avenue NE and the south side of

Silverton Road NE was a requirement for street improvements as a part of approved land use decision, DR-CU-SPR-DAP 17-05.

All of the property received and described in Exhibit A (attachment 2), is ready to be dedicated as public right-of-way with the adoption of Resolution No. 2021-24 by City Council.

### **FACTS AND FINDINGS:**

1. The notice of final land use decision, DR-CU-SPR-DAP 17-05 required street improvements along Lansing Avenue NE and Silverton Road NE.
2. The City received property on the east side of Lansing Avenue NE and the south side of Silverton Road NE to support the proposed street improvements.
3. The property was conveyed to the City by Warranty Deed, Reel 4313, Page 81.
4. The property is ready to be dedicated as public right-of-way.

### **BACKGROUND:**

Brian D. Martin, PE  
City Engineer

#### **Attachments:**

1. Resolution No. 2021-24
2. Exhibit A