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Index #16-04-04

Rocky D. Keith and Lavona D. Keith  
Ross D. Keith and Dusti L. Keith  
15066 Glen Oaks Road  
Oregon City, OR 97045

Subject: Myers Road Right of Way Acquisition (PS 16-009)  
Re: Tax Assessor's I.D. [32E09C-00300]  
**Letter of Agreement**

Dear property owners,

We have been discussing the offer made by the City of Oregon City to you on January 5, 2019 to purchase:

- A strip of land containing 13,128 square feet in a strip of varying width tapering from 95-feet-wide along the northerly property line of the property is intended for construction of the roadway which would be conveyed to the City by a Deed of Dedication.
- An area located on the southerly side of the roadway for slopes and placement of utilities that contains 5,264 square feet which would be conveyed to the City by a Permanent slope and Utility Easement
- Mature Christmas Trees and existing depreciated fencing which will taken by the project.

Compensation offered was \$81,600.00. This was based on a land value of \$5.00/sf for the area for construction of the roadway [Deed of Dedication]. The offer for the area required for placement of utilities [Permanent Slope and Utility Easement] was based on 30% of the fee value of the area. The value of the trees was Included in the Permanent Slope and Utility Easement compensation.

In order to reach agreement and to avoid litigation, the City of Oregon City agrees as follows, subject to acceptance by City management. In exchange for granting the Deed of Dedication and the Permanent Slope and Utility Easement to the City, to:

1. Compensate you in the amount of \$73,680 for the 13,128 square feet of land needed for street purposes. This amount includes compensation for the trees to be taken by the project.

2. To compensate you in the amount of \$10,528 for the area needed for placement of utilities. This is based on 40% of the fee value of the land [ $5,264 \times \$5.00 = 26,320 \times 40\%$  \$10,528] and includes the value of the trees.
3. To have the contractor replace the existing farm fencing on the property with fencing of equal or better condition. At a minimum the fencing will be constructed with 4-foot high woven wire tightly strung with solid posts and supports in the alignment of the existing fencing.
4. To remove construction debris and any ruts or potholes and to shape the land in the Permanent Utility Easement area to an even contour and to re-seed the sloped area with a permanent seeding of native roadside seed mix designed to retard erosion.

The required documents are enclosed with this letter. I am an agent with the firm of Right of Way Associates, Inc. which has been hired by The City of Oregon City to assist with the project. I am acting as an exclusive agent for the City in negotiations to acquire the right of way at your property.

Sincerely,

A handwritten signature in cursive script that reads "R. David Feinauer".

R. David Feinauer, Agent

Enclosures: Deed of Dedication, Slope and Utility Easement and W-9 Form

c: Dayna Webb, P.E.