



Legislation Details (With Text)

<b>File #:</b>	19-334	<b>Version:</b>	1	<b>Name:</b>	Peter Skene Public Sanitary Sewer and Water Easement Peter Skeen Public Sanitary Sewer & Water Easement
<b>Type:</b>	Contract	<b>Status:</b>			Consent Agenda
<b>File created:</b>	5/23/2019	<b>In control:</b>			City Commission
<b>On agenda:</b>	6/5/2019	<b>Final action:</b>			
<b>Title:</b>	Permanent Public Utility (Water and Sewer) and Access Easement for Utilities Associated with the Peter Skene Way Sanitary Sewer Project (CI 17-004)				
<b>Sponsors:</b>	John Lewis				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Staff Report, 2. Permanent Public Utility and Access Easements, 3. Location Map, 4. Letter of Understanding				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Permanent Public Utility (Water and Sewer) and Access Easement for Utilities Associated with the Peter Skene Way Sanitary Sewer Project (CI 17-004)

**RECOMMENDED ACTION (Motion):**

Staff recommends that the City Commission adopt a motion accepting the attached Permanent Public Sanitary Sewer and Water Easement for the Ambuehl’s property, also known as Tax Map 22E32CD, Tax Lot #01400, and authorize the Mayor and City Recorder to execute them.

**BACKGROUND:**

Marvin Ambuehl and Ana Ambuehl Wagstaff are the property owners of approximately 6.9 acres of undeveloped property located at the intersection of Peter Skene Way and Whitman Way, known as Tax Map 2-2E-32CD, Tax Lot 01400. This property contains a number of public sewer and water lines as well as an unimproved access road. The City of Oregon City operates and maintains these public sewer and water lines over permanent public utility easements. In February 2017, a landslide occurred in a steep natural ravine on the site. This slide area contained a 40-foot-long segment of the existing 8-inch sewer pipe, which was displaced by the slide, resulting in an open pipe spilling sewage into the canyon. The ultimate and final repair included a new sewer line on a new sewer alignment installed using a trenchless directional drill. An easement surrounding the new pipe segment was requested and the City prepared a legal description for the easement. The City learned that, in some cases, other easements on the site do not match the location of the utilities and that the City does not have a recorded easement for the existing utility maintenance road.

The property owners and the City have agreed to execute an agreement and the utility easements for the utility lines and the maintenance road necessary for the City to continue to maintain these lines in their current location. The City has agreed to compensate the property owners in the amount of twenty thousand dollars (\$20,000) for allowing the City to access the site to conduct survey work to

locate the existing utility lines. In accordance with the 2018 Right of Entry and Purchase Agreement the City has already paid five thousand (\$5,000) dollars and the balance (\$15,000) is due upon execution of the easement.

The City's engineering consultant, AKS Engineering & Forestry, LLC, has completed the survey work of the proposed permanent utility easements surrounding the new pipe segment. The proposed permanent utility easement is approximately 1.02 acres in total area. The new permanent utility and access easement agreement must be executed by both property owners.

**BUDGET IMPACT:**

Amount:	\$15,000.00
FY(s):	2018-2019
Funding Source:	Sewer Fund