



Legislation Details (With Text)

File #:	18-530	Version:	1	Name:	Resolution 18-38, Meyers Road Condemnation
Type:	Resolution	Status:		Status:	Consent Agenda
File created:	10/30/2018	In control:		In control:	City Commission
On agenda:	11/7/2018	Final action:		Final action:	
Title:	Resolution No. 18-38, Authorizing Acquisition of Property and Property Interests Through Eminent Domain Related to the Construction of the Meyers Road Extension Project				
Sponsors:	John Lewis				
Indexes:					
Code sections:					
Attachments:	1. Staff Report, 2. Resolution No. 18-38, 3. Exhibit 1 Project Map, 4. Exhibit 2 Property Summary, 5. Exhibit 3 Berge Emmert Property, 6. Exhibit 4 Saunders Property, 7. Exhibit 5 Keith Property, 8. Exhibit 6 ZEK Property, 9. Exhibit 7 LOJA Property				

Date	Ver.	Action By	Action	Result
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Resolution No. 18-38, Authorizing Acquisition of Property and Property Interests Through Eminent Domain Related to the Construction of the Meyers Road Extension Project

RECOMMENDED ACTION (Motion):

Staff recommends the approval of Resolution No. 18-38, authorizing acquisition of property and property interests through eminent domain related to the construction of the Meyers Road Extension Project (CI 17-001).

BACKGROUND:

Oregon state law (ORS 35.235) mandates that parties authorized by law to acquire property through condemnation first adopt a resolution stating the necessity and the purpose for which the property is required.

The Meyers Road Extension, located between High School Avenue & Hwy 213, is identified in the 2013 Transportation System Plan as project D46 - Meyers Road West Extension. In February 2015, preparation of the Meyers Road Extension Concept Plan commenced and was funded through a cooperative agreement between the City of Oregon City, the Oregon City School District and Clackamas Community College. This process completed an alternatives analysis looking at existing conditions between High School Avenue & Hwy 213 to develop the preferred alignment and necessary improvements for the extension of Meyers Road. This extension of Meyers Road will help to serve many purposes including:

- Relieving congestion on Glen Oak Road; and
- Providing a new access through the area to foster future development of land parcels adjacent to the road; and
- Providing access for the Oregon City School District Transportation and Maintenance Facility, a future park at the corner of High School Avenue, and an additional access (from the south) to Clackamas Community College.

In July 2016 City Commission approved Resolution No. 16-15 declaring the necessity and intent to appropriate real property and authorizing the institution of condemnation proceedings if necessary for the Meyers Road Extension Project. At that time, staff provided a general alignment of the project. Sufficient design work has been completed to more fully identify the needs of the project. In order to construct the project, the City needs to acquire right-of-way and easements from various property owners, as listed in Attachment 1. Please note, however, that the area is subject to change, to be more or less, with design refinement to be approved by the Public Works Director.

In order to construct the Meyers Road Extension Project, the City needs to acquire approximately 91,066 square feet (SF) of right-of-way, approximately 38,831 SF of Slope & Public Utility easements, and approximately 1,669 SF of temporary construction easements. All property interests are shown in Exhibit 1, Project Map, listed in Exhibit 2 Property Summary and legally described in Exhibits 3 through 7 to Resolution No. 18-38. As noted above, these legal descriptions are believed to involve the least amount of property necessary for the construction of the project. Although these legal descriptions are considered to be reasonably accurate at this stage of design, modifications may need to occur depending on final design details and site conditions. The Public Works Director will verify and approve the final legal descriptions for all areas to be taken through Eminent Domain.

BUDGET IMPACT:

Amount: To Be Determined

FY(s): 2018-2019

Funding Source: Transportation System Development Charges