

A RESOLUTION FOR THE ACQUISITION )  
OF REAL PROPERTY BY CONDEMNATION )

RESOLUTION NO. 25  
for 1988

WHEREAS, by virtue of the laws of the State of Oregon and the City of Lebanon, the City of Lebanon is duly authorized and empowered to locate, acquire, construct, alter, enlarge, renew, replace, operate, and/or maintain the Walker Road & Kees Street Improvements as the City Council deems it necessary and proper for the safe passage of vehicular, and pedestrian, traffic in the city; and

WHEREAS, by virtue of the laws of the State of Oregon and the City of Lebanon, the City of Lebanon may acquire by purchase, gift, devise, condemnation proceedings or otherwise, such real and personal property, interests therein, easements and rights of way, either within or without the limits of the city as the City Council deems necessary or appropriate to exercise its power; and

WHEREAS, for the purpose of providing safety for vehicular, and pedestrian traffic, it is necessary to construct the Walker Road Improvements as described in the final plans and specifications, included herein by reference.

WHEREAS, the Lebanon City Council has ordered that the Walker Road & Kees Street Improvements be constructed; now, therefore,

BE IT RESOLVED by the City of Lebanon as follows:

Section 1. The City of Lebanon does hereby find and declare that there is needed and required for the location, construction, operation, maintenance, and repair of the Walker Road & Kees Street Improvements described herein, that certain real property more particularly set forth and described in attached Exhibits A and B, incorporated herein by reference.

Section 2. The real property and interest therein described in Exhibits A and B, and required for the location, construction, operation, maintenance and repair of the said Walker Road & Kees Street Improvements, is being taken as necessary in the public interests. The improvements thereto will be constructed, operated, maintained and repaired in such a manner that will be most compatible with the greatest public benefit and the least private injury or damage.

Section 3. The City Administrator or his designate and the City Attorney be, and they hereby are, authorized and directed to attempt to agree with the owners and other persons with interest in the real property described in Exhibits A and B as to the compensation (if applicable) to be paid for the appropriation of the property and, in the event that no satisfactory agreement can be reached, then the City Attorney is hereby authorized and directed to commence and prosecute to final determination such proceedings as may be necessary to acquire the real property and interest therein described in attached Exhibits A and B, and that upon the filing of such proceeding, possession of the real property and interest therein may be taken immediately.

Section 4. Upon the trial of any suit or action instituted to acquire the real property or any interests therein, the attorney or attorneys acting for and on behalf of the City of Lebanon are hereby authorized to make such stipulation, agreement or admission as in their judgment may be for the best interests of the City of Lebanon.

Section 5. In order to protect the health, safety and welfare of the public, an emergency exists and it is necessary that no undue delay be encountered in obtaining access to and possession of the real property and interest therein described in Exhibits A and B in order to accomplish the purposes set forth herein, this Resolution shall be in force and effect from and after its passage and approval.

Passed by a vote of 5 for and 0 against and approved by the Mayor this 27th day of July, 1988.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Administrator

EXHIBIT "A"

A parcel of land located in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 12 South, Range 2 West, of the Willamette Meridian, Linn County, Oregon. Said parcel of land being a part of that certain tract of land conveyed to James R. Krummel and Roxana E. Krummel and recorded August 4, 1978 in Vol. 208, Page 546, Record of Deeds, Linn County, Oregon. Said parcel of land being more particularly described as follows:

Beginning at the Southeast corner of said KRUMMEL TRACT, said point also being the Southeast corner of Lot 6, Block 1, of "HARMONY SUBDIVISION", said point also being the true point of beginning of the parcel of land herein described;

Thence West, along the South boundary of said Lot 6, a distance of 72.99 feet to the Southwest corner of said Krummel parcel;

Thence North  $00^{\circ}00'30''$  West, along the West boundary of said KRUMMEL TRACT, a distance of 10.00 feet to a point;

Thence East, parallel to said South boundary, a distance of 72.99 feet to a point on the East boundary of said Lot 6;

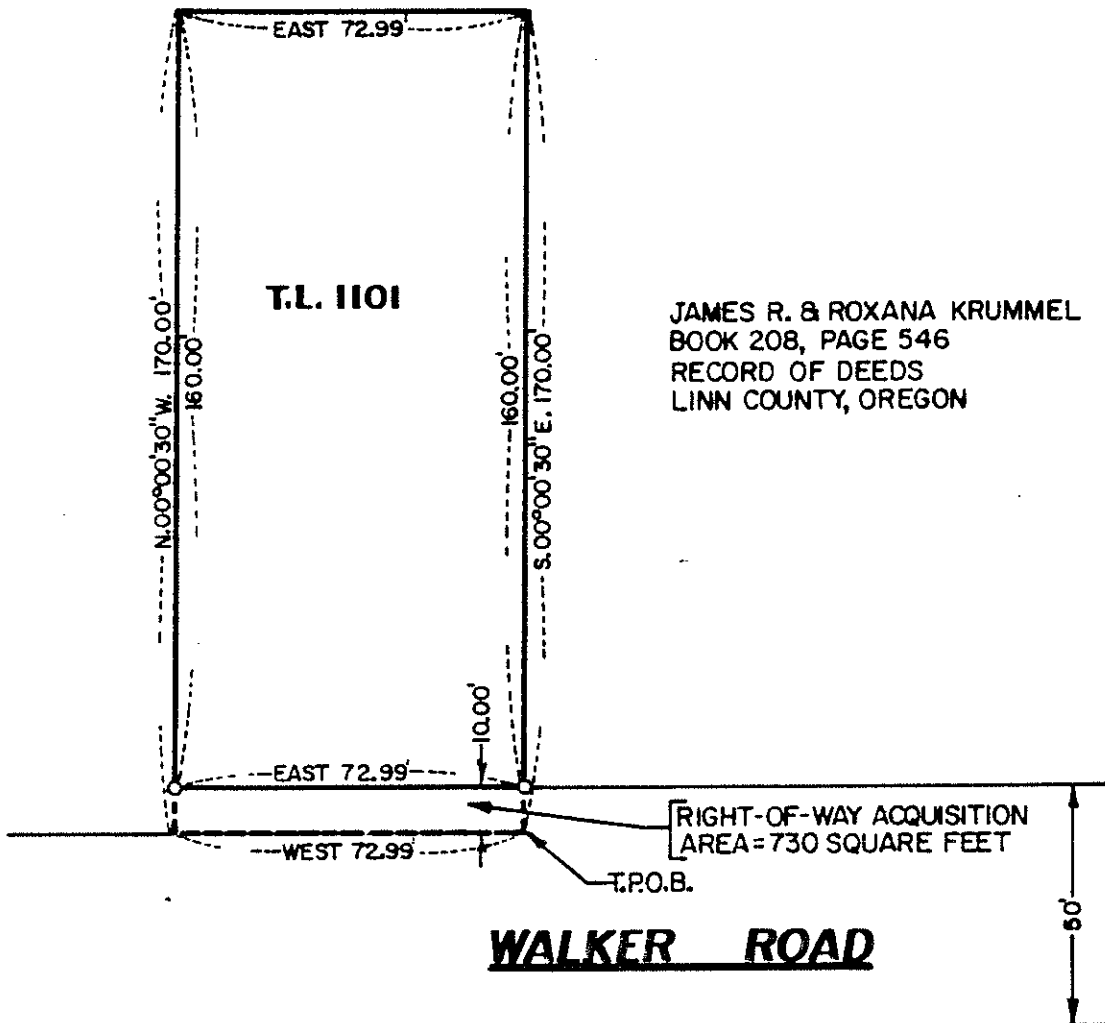
Thence south  $00^{\circ}00'30''$  East, along said East boundary, a distance of 10.00 feet to the true point of beginning of the parcel of land herein described.

Said parcel of land contains an area of 730 square feet.

# LOCATION MAP

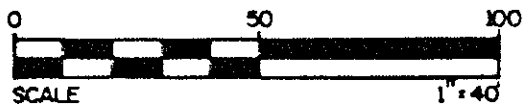
## RIGHT-OF-WAY ACQUISITION

### EXHIBIT NO. A



**ACORN STREET**

**CITY OF LEBANON  
STREET IMPROVEMENTS**



	<p><b>ZAROSINSKI - TATONE ENGINEERS, INC.</b></p> <p><small>3737 S.E. 6TH AVENUE, PORTLAND, OREGON 97202</small></p> <p><small>PHONE (503) 232-6700</small></p>
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EXHIBIT B

A parcel of land located in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 12 South, Range 2 West, of the Willamette Meridian, Linn County, Oregon. Said parcel of land being a part of that certain tract of land conveyed to Richard H. Ramsey and recorded June 3, 1971 in Vol. 16, Page 893, Record of Deeds, Linn County, Oregon. Said parcel of land being more particularly described as follows:

Beginning at the Northeast corner of said RAMSEY TRACT, said point also being the intersection of the South boundary of Walker Road with the West boundary of Acorn Street, said point also being the true point of beginning of the parcel of land herein described;

Thence South  $00^{\circ}31'00''$  West, along the East boundary of said RAMSEY TRACT, a distance of 85.00 feet, to the Southeast corner of said RAMSEY TRACT;

Thence South  $89^{\circ}58'00''$  West, along the South boundary of said RAMSEY TRACT, a distance of 5.00 feet to a point;

Thence North  $00^{\circ}31'00''$  East, parallel to said East boundary of said RAMSEY TRACT, a distance of 74.90 feet to a point of curve;

Thence along a 10.00 foot radius curve to the left, through a central angle of  $90^{\circ}33'00''$ , an arc distance of 15.80 feet (the long chord bears North  $44^{\circ}45'30''$  West a distance of 14.21 feet) to a point on the North boundary of said RAMSEY TRACT;

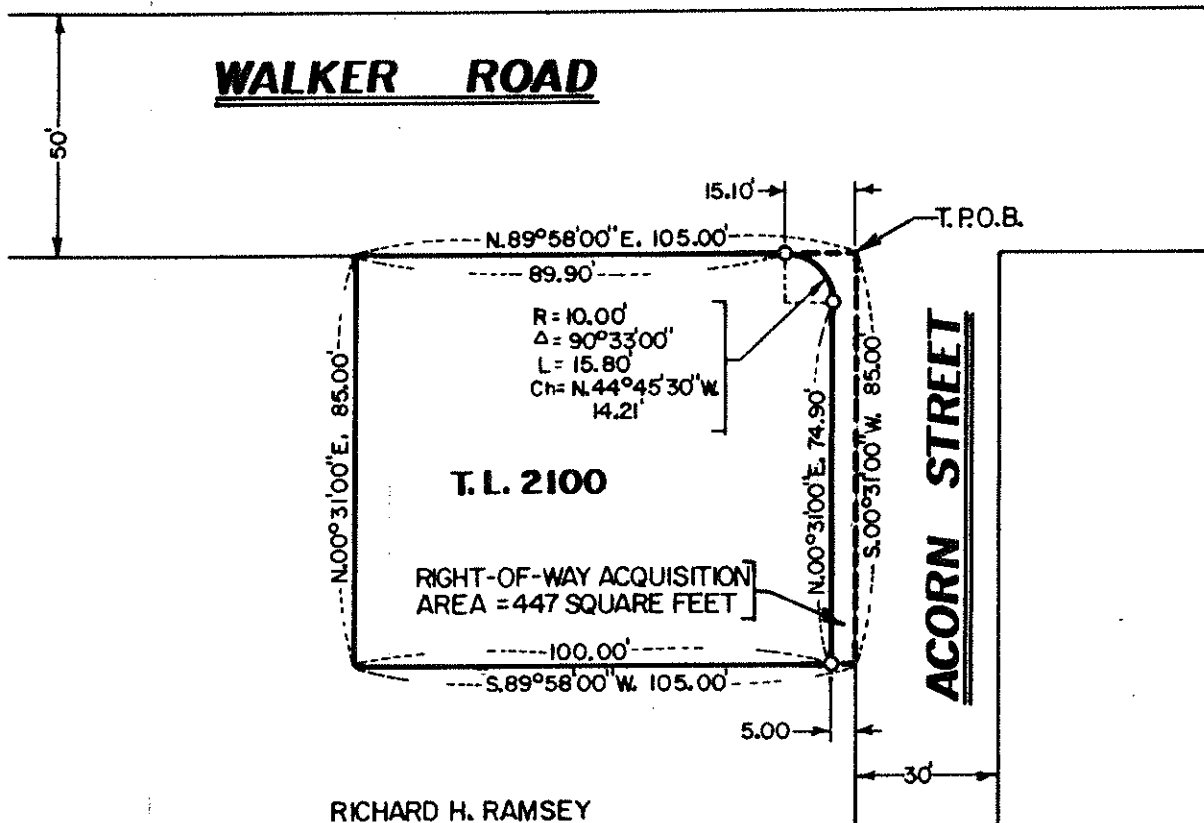
Thence North  $89^{\circ}58'00''$  East a distance of 15.10 feet to the true point of beginning of the parcel of land herein described.

Said parcel of land contains an area of 447 square feet.

# LOCATION MAP

## RIGHT-OF-WAY ACQUISITION

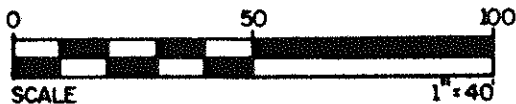
### EXHIBIT NO. B




RICHARD H. RAMSEY  
 BOOK 16, PAGE 893  
 RECORD OF DEEDS  
 LINN COUNTY, OREGON

## CITY OF LEBANON

### STREET IMPROVEMENTS



	<b>ZAROSINSKI - TATONE ENGINEERS, INC.</b>
<small>3737 S.E. 6TH AVENUE, PORTLAND, OREGON 97202</small>	
<small>PHONE: (503) 233-8795</small>	