

LANE TRANSIT DISTRICT

RESOLUTION

A RESOLUTION DECLARING THE PUBLIC NECESSITY TO ACQUIRE PROPERTY FOR THE CONSTRUCTION OF THE EUGENE TRANSIT STATION

The Lane Transit District (LTD) Board of Directors resolves as follows:

WHEREAS, LTD has determined that the current bus transit station in downtown Eugene is inadequate to meet the current and anticipated needs of LTD and its passengers; and

WHEREAS, LTD has conducted an extensive site selection process, including preparation of an Environmental Impact Statement, and public notice and hearing, to determine the most appropriate site for the construction of a new transit station; and

WHEREAS, the McDonald Theater site in downtown Eugene was identified in the Final Environmental Impact Statement, dated January 17, 1995, for this project as the preferred alternative, and was selected by LTD as the most appropriate location for the new transit station; and

WHEREAS, certain property necessary for the construction of the new transit station is in private ownership; and

WHEREAS, pursuant to 49 CFR §24.2(g), LTD has determined that tenants who must move from the property LTD acquires for the construction of the new transit station are displaced as a direct result of this project; and

WHEREAS, the new transit station is planned and will be located in a manner which is most compatible with the greatest public good and the least private injury; and

WHEREAS, LTD has the power of eminent domain and is authorized by law to acquire and condemn private property for public use;

NOW, THEREFORE, IT IS HEREBY RESOLVED, that LTD shall notify the owners of certain real property located near the McDonald Theater in downtown Eugene, and which property is described in the attached Exhibit "A," that LTD intends to acquire that property for public use; and

FURTHER RESOLVED, that LTD may assist with the relocation of tenants displaced as a direct result of LTD's acquisition of the real property described in Exhibit A; and

ph **FURTHER RESOLVED**, that LTD may acquire by agreement with the owner(s) ~~of~~ any real property described in Exhibit A; and

FURTHER RESOLVED, that if no agreement with the owner(s) can be made for the acquisition of all or any part of the real property described in Exhibit A, then LTD may initiate an action pursuant to ORS Chapter 35 to condemn the property, or any part thereof, in the Lane County Circuit Court for the State of Oregon.

DATED: June 21, 1995.

Patricia Hochen

Board President

EXHIBIT A

January 14, 1994

**LEGAL DESCRIPTION
OF
LANE COUNTY TRANSIT DISTRICT SITE**

SITUATED in the southeast 1/4 of the northeast 1/4 of Section 31, Township 17 South, Range 3 West of the Willamette Meridian in the City of Eugene, Lane County, State of Oregon and described as follows:

BEING all of Lots 2,3,5,6,7, and 8 along with portions of Lots 1 and 4 and portions of 14.00-foot wide alleyways as said lots and alleyways lie within Block 16, MULLIGAN'S DONATION TO LANE COUNTY as platted and recorded in Book "A", Page 122, Lane County Oregon Deed Records, the outside perimeter of said lots and portions being more particularly described as follows:

BEGINNING on the south margin of 10th Avenue (a 66.00-foot wide right-of-way) at the northwest corner of Lot 1 as shown on aforesaid plat and as also shown on the survey by the City of Eugene filed August 8, 1986 at County Surveyor's File No. 27547 in the office of the Lane County Surveyor, State of Oregon;

THENCE South 88°06'41" East 29.77 feet along said south margin to its intersection with the northerly prolongation of the existing face of the west building line of the McDonald Theatre;

THENCE South 01°37'34" West 160.92 feet along said prolongation and building face to its intersection with the south line of said Lot 4;

THENCE South 88°12'47" East 130.92 feet along last said line to the southeast corner of said Lot 4 being a point on the west margin of Willamette Street (a 66.00-foot wide right-of-way);

THENCE South 01°51'48" West 174.68 feet along said west margin to the southeast corner of said Lot 8 being a point on the north margin of 11th Avenue (a 66.00-foot wide right-of-way);

THENCE North 88°18'53" West 336.90 feet along said north margin to the southwest corner of said Lot 7 being a point on the east margin of Olive Street (a 66.00-foot wide right-of-way);

THENCE North 01°53'38" East 336.56 feet along said east margin to the northwest corner of said Lot 2 being a point on the south margin of 10th Avenue (a 66.00-foot wide right-of-way);

THENCE South 88°06'41" East 175.36 feet along said south margin returning to the POINT OF BEGINNING and CONTAINING 92049 square feet (2.11 Acres) more or less.

TOGETHER with a portion of aforesaid Olive Avenue as said portion lies contiguous to and westerly of the west line of said Block 16 and is more particularly described as follows:

BEGINNING at a point lying on said west line of Block 16 and being distant along said line North $01^{\circ}53'38''$ East 14.00 feet from the southwest corner of aforesaid Lot 7;

THENCE, leaving said line, northerly along a curve to the right with a radius center that bears North $69^{\circ}32'01''$ East 420.00 feet and a chord of North $01^{\circ}53'38''$ East 319.56 feet, through a central angle of $44^{\circ}43'14''$ an arc length of 327.82 feet returning to a point on aforesaid west line of Block 16;

THENCE South $01^{\circ}53'38''$ West 319.56 along said line returning to the POINT OF BEGINNING and CONTAINING 6780 square feet (0.16 Acres) more or less.

