

## LANE TRANSIT DISTRICT

### RESOLUTION

A RESOLUTION DECLARING THE PUBLIC NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY ON SENECA ROAD NEAR WEST 11TH AVENUE FOR THE CONSTRUCTION OF A PARK AND RIDE FACILITY

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

WHEREAS, LTD has determined that there is a public need for one or more Park and Ride facilities on and near West 11th Avenue, in Eugene, to satisfy current and anticipated needs of LTD's passengers; and

WHEREAS, LTD has conducted an extensive review of various properties to identify sites appropriate for this purpose; and

WHEREAS, LTD has identified certain real property on the west side of Seneca Road near its intersection with West 11th Avenue, referred to herein as the "McKay property," and which is more particularly described in the attached Exhibit "A," as an appropriate location for the construction of a Park and Ride facility in the West 11th Avenue transit corridor; and

WHEREAS, the Park and Ride facility on the McKay property 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 ORS Chapter 35 and ORS 267.200(2) to acquire by condemnation real property or any interest therein for the purpose of providing a mass transit system, including Park and Ride facilities, in the district;

#### **NOW, THEREFORE, IT IS HEREBY:**

**RESOLVED**, that there is a public need for a Park and Ride facility near the intersection of West 11th Avenue and Seneca Road, in Eugene, Oregon, to facilitate the use of the mass transit system and to satisfy current and anticipated demands of LTD's passengers; and

**FURTHER RESOLVED**, that certain real property on the west side of Seneca Road and its intersection with West 11th Avenue, referred to herein as the McKay property and more particularly described in the attached Exhibit "A," is necessary for this Park and Ride facility; and

**FURTHER RESOLVED**, that LTD shall notify the owner(s) of the McKay property that there is a public need for a Park and Ride facility at that location, and that LTD seeks to acquire the property by agreement with the owner(s); and

**FURTHER RESOLVED**, that if no agreement with the owner(s) can be made for the acquisition of the McKay property, then pursuant to ORS Chapter 35, LTD may initiate a condemnation action in the Circuit Court for the State of Oregon for Lane County to acquire the McKay property.

DATED: February 19, 1997.

  
Board President

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