



## RESOLUTION 2022-06

### A RESOLUTION AUTHORIZING EASEMENTS TO BE GRANTED TO THE STATE OF OREGON FOR CONSTRUCTION OF ADA RAMPS AT THE MONROE COMMUNITY LIBRARY

**WHEREAS;** the State of Oregon desires to build Americans with Disabilities Act (ADA) compliant curbs and ramps on Highway 99W (5<sup>th</sup> Street) in Monroe; and

**WHEREAS;** the State of Oregon wishes to compensate the City of Monroe for creating easements on portions of City property where the ADA ramps and curbs will be constructed at the Monroe Community Library, so that they may be more easily maintained by the Oregon Department of Transportation; and

**WHEREAS;** the City of Monroe desires safe streets and infrastructure for its citizens and visitors;

**NOW, THEREFORE;** the Monroe City Council hereby declares and determines the offer to compensate the City for the land as outlined in ATTACHED EXHIBIT A as fair compensation and authorizes Mayor Sheets to sign documentation accepting the offer as agreed.

Approved by City Council action April 25, 2022.

Dan Sheets, Mayor

Date

ATTEST

Steve Martinenko, City Recorder

# EXHIBIT A



# Oregon

Kate Brown, Governor

Department of Transportation  
Region 2 Right of Way  
455 Airport Road SE, Building A  
Salem, OR 97301-5397  
Phone: (503) 986-2601  
Fax: (503) 986-2622  
Toll Free: (888) 769-7342

April 12, 2022

The City of Monroe, a municipal  
corporation, State of Oregon  
PO Box 486  
Monroe, Oregon 97456

<b>File No.:</b>	9796-310
<b>Grantor:</b>	The City of Monroe, a municipal corporation, State of Oregon
<b>Section:</b>	OR99/OR99W/OR99E curb ramps
<b>Highway:</b>	
<b>County:</b>	Linn Benton
<b>FAP No.:</b>	SA00(419)e.d.4/30/24

The Oregon Department of Transportation (ODOT) plans to proceed with the OR99/OR99W/OR99E curb ramps project. As part of this project, we need to acquire a permanent easement for highway right of way purposes and a temporary easement for work area from your property. A determination of just compensation for the needed portion of your property has been made by a qualified appraiser based on market information. This compensation amount is outlined in the attached "Acquisition Summary Statement." This offer is accompanied by either the written appraisal or written explanation of the bases and method by which the valuation was made.

Oregon law provides a **minimum** 40 days from the date of this initial written offer for you, the owner, to consider accepting or rejecting it. You may choose to accept or reject the offer at any time prior to the expiration of the 40-day period. If no attempt has been made to resolve issues and the offer is neither accepted nor rejected at the end of the 40-day period, the offer will be considered rejected. The 40-day provision does not apply when an emergency has been declared by the road authority.

The enclosed Acquisition document(s) and "Terms of State's Offer" cover the terms of our proposed real property agreement. Please read these documents carefully and, if acceptable, sign where indicated. The Acquisition documents must be notarized. Return these signed documents to this office. After the Right of Way Manager accepts the Acquisition document(s) and related agreements, you will receive notification of that acceptance and payment will follow.

The State will pay recording costs, title insurance premiums, and all other normal costs of sale. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the compensation in order to provide sufficient title to the state. Taxes will be prorated as of the date of possession or transfer of title, whichever is earlier.

You have the right to donate the property if you wish. Should you desire to do so, please notify me, and I will see that you receive the necessary forms and instructions.

## RELOCATION BENEFITS

For an outline of any relocation benefits available to you, see the "Relocation Summary Statement" which is also attached.

ODOT has hired a consulting firm to assist in the right of way acquisition process. ODOT's agent, Renee Fisher, of Epic Land Solutions, Inc., will be working directly with you and is available at (503) 336-9535. Renee Fisher is also prepared to meet with you at your convenience and will be available to assist you and work with you throughout the process.

Thank you for your time and timely attention to this matter. We look forward to working closely with you through successful completion of the acquisition process.

Sincerely,

A handwritten signature in black ink, appearing to read "David Thiessen", written in a cursive style.

David Thiessen  
Region 2 Right of Way / Utility Manager

DT:RF

## ACQUISITION SUMMARY STATEMENT

April 12, 2022

<b>File No.:</b>	9796-310
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Valuation	Comment	Value
Land:	Permanent Easement: Highway Right of Way Purposes; Temporary Easement: Work Area	\$45
Improvements:	Lawn Landscaping, Irrigation	\$21
Other:	None	\$0
Damages:	Cut and Cap Irrigation	\$1,000
<b>TOTAL JUST COMPENSATION:</b>		<b>\$1,066</b>

Uneconomic Remainder:	None	\$0
Fencing Allowance:	None	\$0

LAND ACQUIRED:		
Parcel #	Rights to be Acquired	Area of Taking
Parcel 1	Permanent Easement: Highway Right of Way Purposes	5 Sq Ft
Parcel 2	Temporary Easement: Work Area	16 Sq Ft

### NOTICE TO VACATE:

The State will not require you to vacate the property being acquired earlier than 90 days following this letter or within 30 days after payment (less deposits) whichever is later. You will be given the specific date to vacate the area acquired, when payment is made to you.

### THE FOLLOWING SEPARATELY-HELD OWNERSHIP INTERESTS ARE NOT INCLUDED IN THE TOTAL JUST COMPENSATION:

APPRAISAL INFORMATION:	
Appraisal/Valuation By:	LPA Approved Staff
Date of Valuation:	February 24, 2022
Value:	\$1,066
Date Written:	March 31, 2022

SEC. 28, T. 14S, R. 5W, W.M.



30+00

PACIFIC HIGHWAY WEST

FRONT STREET (FIFTH STREET)

S11°07'39"E

1230

310  
48' 50" ±  
+55

① 5 ft<sup>2</sup> ± Perm. Ease. Hwy R/W

② Temp. Ease.  
Work Area  
16 ft<sup>2</sup> ±  
+72

City of Monroe  
Instr. No. 2013-513598  
1.33 Ac. Rem. ±

20' PERM. EASE. - SLOPES  
+00 +76

ASH ST. 60'

P.P. 2009-007  
PARCEL 1

**ACTIVE DRAWING**  
THIS DRAWING SHOWS THE PROPOSED  
R/W NEEDED TO BE ACQUIRED TO  
SUPPORT THE PROJECT DESIGN  
SUBJECT TO CHANGE

OREGON DEPARTMENT OF TRANSPORTATION		SECTION	OR99/OR99W//OR99E CURB RAMPS PROJECT	SCALE	1" = 50'
 <b>1 ALLIANCE</b> GEOMATICS SURVEYING & MAPPING	HIGHWAY	PACIFIC HIGHWAY WEST	DATE	DECEMBER, 2021	
	COUNTY	BENTON	FILE	9796310	
SKETCH MAP		PURPOSE	R/W ACQUISITION	SEE DRAWING RW9796M	