

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION/ORDER NO: 23-04-04-05

IN THE MATTER OF A RESOLUTION
ESTABLISHING NECESSITY PURSUANT
TO ORS 35.610 AND ORDERING THE
ACQUISITION OF INTERESTS NECESSARY
FOR THE GILHAM ROAD SIDEWALK AND
SAFETY IMPROVEMENTS PROJECT,
KEY # 21385 (360289966).

WHEREAS Lane County may exercise the power of eminent domain pursuant to its Home Rule Charter, Chapter II, Section 5, Oregon Revised Statutes Volume 01, Chapter 35, and the Law of the State of Oregon generally, when the exercise of such power is deemed necessary by the Board of County Commissioners' governing body to accomplish public purposes for which Lane County has responsibility;

WHEREAS Lane County has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public;

WHEREAS the project known as the Gilham Road Sidewalk and Safety Improvement Project, Key # 21368 (360289966), adopted through the Lane County Capital Improvement Program for Fiscal Years 2020-21 through 2024-25, Order No 20-07-21-08, has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, travel safeguarded; and

WHEREAS to accomplish the project set forth above it is necessary to acquire permanent road right of way, drainage easements, and temporary right of entry/permit of entry for construction interests in the properties described in Exhibit A, attached to this resolution and, by this reference incorporated herein;

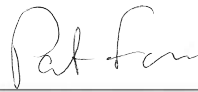
NOW, THEREFORE, the Board of County Commissioners of Lane County **RESOLVES and ORDERS** as follows:

1. The foregoing statements of authority and need are, in fact, the case. The project for which the property is required and is being acquired are necessary in the public interest, and the same have been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury;
2. The power of eminent domain is hereby exercised with respect to each of the interests in property described in Exhibit A. Each property is acquired subject to payment of just compensation and subject to procedural requirements of Oregon law;
3. The Lane County Public Works' Staff and the Lane County Counsel are authorized and requested to attempt to agree with the owner and other persons in interest as to the compensation to be paid for each acquisition, and, in the event that no satisfactory agreement can be reached, to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any

other issue appropriate to be determined by a court in connection with the acquisition. This authorization is not intended to expand the jurisdiction of any court to decide matters determined above or determinable by the Lane County Counsel.

4. Lane County expressly reserves its jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.

ADOPTED this 4th day of April, 2023.

A handwritten signature in cursive script, appearing to read "Pat Farr", is written above a horizontal line.

Pat Farr, Chair
Lane County Board of Commissioners

EXHIBIT A

LANE COUNTY DEPARTMENT OF PUBLIC WORKS RIGHT OF WAY PROPERTY IDENTIFICATION LIST

GILHAM ROAD SIDEWALK AND SAFETY IMPROVEMENT PROJECT, KEY # 21385 (360289966)

Permanent Right of Way Easement (PRE), Temporary Construction Easement (TCE), Drainage Easement (DE)

ROW Parcel #	Property Map/Tax Lot	Interest to Acquire	Owners' Name	Mailing Address
1547-01	1703083413800	PRE TCE	Dane A. & Kathryn R. Butler	3343 Wyndham Ct. Eugene, OR 97408
1547-02	1703083300100	PRE DE TCE	Daniel V. & Edward J. Edgar	55 Ayres Rd. Eugene, OR 97408
1547-03	1703083103401	TCE	Tim G. & Christine A. Campbell	PO Box 10066 Eugene, OR 97440
1547-04	1703083103300	TCE	Kasey Stephens	3499 Gilham Rd. Eugene, OR 97408
1547-05	1703083103200	TCE	Robert M. & Mary H. O'Brien	270 E Pope Ln. Castle Valley, UT 84532
1547-06	1703083211300	PRE TCE	Kenneth N. & Lona F. Feldman	3266 Lakemont Dr. Eugene, OR 97408
1547-07	1703083102600	TCE	Anthony & Julia Bloom	2250 Turnberry Ct. Eugene, OR 97401
1547-08	1703083210700	PRE TCE	Candy Walker	831 Snell St. Eugene OR, 97405
1547-09	1703083108200	PRE TCE	Westfall Trust	2120 Ashbury Dr. Eugene, OR 97408
1547-10	1703083210600	TCE	John R. & Kulig Megan J. Rhode	3604 Gilham Rd. Eugene, OR 97408
1547-11	1703083209900	TCE	Sydney Brooks Wright	3632 Gilham Rd. Eugene, OR 97408
1547-12	1703083209800	PRE TCE	Rodney Turner	2090 Don Juan Ave. Eugene, OR 97408

ATTACHMENT 1 OF EXHIBIT A
VICINITY MAP



SEC. 8 T.17S. R.3W. W.M.
Eugene, Lane County, Oregon

