

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER AND RESOLUTION
NO: 15-03-03-06

IN THE MATTER OF AUTHORIZING A
RESOLUTION PURSUANT TO ORS 35.610
CONCERNING ACQUISITION OF RIGHT OF
WAY NECESSARY FOR OFFICE COVERED
BRIDGE, CASH CREEK (MARCOLA ROAD)
BRIDGE REPLACEMENT AND GREEN HILL
ROAD SIGNALIZATION PROJECTS

WHEREAS, in connection with the construction of the Office Covered Bridge, Cash Creek (Marcola Road) Bridge Replacement and Green Hill Road Signalization Projects, it is necessary to acquire right of way from private property owners as described on "Exhibit A" attached and incorporated by reference; and

WHEREAS, the Oregon Department of Transportation has provided funding for construction of the above projects and provides oversight for local agency right of way acquisition activities; and

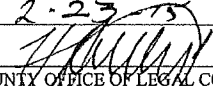
WHEREAS, the Oregon Department of Transportation requires local authorities to authorize a Resolution of Necessity and Condemnation Authority for each of their funded projects; and

WHEREAS, ORS Chapter 35 provides a procedure for acquisition of property for public projects when a voluntary agreement for the acquisition of the property cannot be reached, provided that the governing body passes a resolution declaring that the appropriation of such land is reasonably necessary to protect the full use and enjoyment by the public of the road, street or highway.

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

1. That under authority granted in ORS Chapter 35, there exists a necessity to acquire and immediately occupy real property for the Office Covered Bridge, Cash Creek (Marcola Road) Bridge Replacement and Green Hill Road Signalization Projects to serve the needs of Lane County for the general use and benefit of Lane County.
2. That if Lane County is unable by negotiations to reach an agreement for the acquisition of the necessary real property rights, the Office of Legal Counsel of Lane County is hereby authorized to commence and prosecute in the Circuit Court of Lane County in the name of Lane County, any necessary proceedings for the condemnation and immediate possession of necessary real property rights and for the assessment of damages for the taking thereof.

ADOPTED this 3rd day of March, 2015.

APPROVED AS TO FORM
Date 2-23-15

LANE COUNTY OFFICE OF LEGAL COUNSEL


Jay Bozjevich, Chair
Lane County Board of Commissioners