

**CITY OF COOS BAY**  
**Agenda Staff Report**

MEETING DATE	AGENDA ITEM NUMBER
June 17, 2014	

TO: Mayor Shoji and City Councilors

FROM: Randy Dixon, Operations Administrator

THROUGH: Jim Hossley, Public Works Director  
Rodger Craddock, City Manager *see* *91*

ISSUE: Easement Acquisition for the Empire Boulevard Newmark Street – Wisconsin Avenue Multi-Modal Transportation Improvement Project

**BACKGROUND:**

The City applied for a grant through the Oregon Department of Transportation, Transportation Enhancement (TE) program and was awarded the grant in 2012. When the City applied for the grant we did not include any right-of-way or easement acquisition because the project was planned to all be constructed within the existing right-of-way. Since award of the project, ODOT has informed the City of new Federal Highway Administration (FHWA) driveway elevation requirements that affect environmental and right-of-way access. The City is now required to obtain four (4) easements from private property owners to meet the new FHWA requirements. Two (2) locations are permanent easements and two (2) are temporary work easements. The easement descriptions and locations prepared by ODOT are attached to this staff report. Each easement document (File 18111-001, File 18111-002, File 18111-003, and File 18111-004) includes an "Exhibit A & B". Exhibit A of each file is the easement legal description and Exhibit "B" of each file is a site map showing the easement location. In order for the project to move forward, ODOT will need to negotiate with each property owner to obtain the needed easement. ODOT requests that the City acknowledge and authorize them to negotiate the easement acquisitions on behalf of the City.

**BUDGET IMPLICATIONS:**

Easement negotiations by ODOT will not impact the project budget. The City obtained a TE Grant for \$2,100,000.00 and the URA approved a match of \$599,034.00. The City obtained a Bike Pedestrian Grant for \$1,387,200.00 and the URA approved a match of \$160,000. The combined project budget including the URA match is \$4,246,234.00.

**ADVANTAGES:**

ODOT is leading the design of this project and has staff dedicated to property and easement negotiations.

**DISADVANTAGES:**

None

**RELATED CITY GOAL:**

Infrastructure and Services: To maintain and improve the City's physical infrastructure and provide quality services for current and future citizens.

**ACTION REQUESTED:**

Adopt resolution 14-13 acknowledging and authorizing the Oregon Department of Transportation to negotiate easement acquisition for the four (4) locations needed for the Empire Boulevard Newmark Street – Wisconsin Avenue Multi-Modal Transportation Improvement Project, IGA #28469.

**ATTACHMENTS:**

Resolution 14-13

Easement descriptions & maps (4)

**City of Coos Bay**

**Resolution 14-13**

**A RESOLUTION AUTHORIZING OREGON DEPARTMENT OF TRANSPORTATION TO PROCEED WITH EASEMENT NEGOTIACTIONS AND ACQUISITION ON BEHALF OF THE CITY OF COOS BAY.**

**WHEREAS**, the Federal Highway Administration (FHWA) has new requirements for street and multi-modal transportation improvement projects funded by FHWA, and

**WHEREAS**, the City of Coos Bay's Empire Boulevard multi-modal transportation improvement project is funded by FHWA, and

**WHEREAS**, the new FHWA requirements necessitate the City of Coos Bay acquire easements from owners of four (4) different property locations, and

**WHEREAS**, the Oregon Department of Transportation (ODOT) requests the City of Coos Bay authorize them, on behalf of the City, to negotiate and acquire easements for the Empire Boulevard multi-modal transportation improvement project (See attached File 18111-001, File 18111-002, File 18111-003, and File 18111-004).

**NOW THEREFORE, BE IT RESOLVED**, that the City of Coos Bay, Oregon declares that the prepared findings, the Files and their accompanying Exhibit "A" and "B" attached hereto, support the decision to authorize the Oregon Department of Transportation negotiation and acquisition of easements on the City's behalf in support of the Empire Boulevard Newmark Street – Wisconsin Avenue Multi-Modal Transportation Improvement Project, IGA #28469.

The foregoing resolution was duly adopted by the City Council of the City of Coos Bay, Coos County, Oregon this 17th day of June 2014.

\_\_\_\_\_  
Crystal Shoji, Mayor

ATTEST:

\_\_\_\_\_  
Susanne Baker, City Recorder

**Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Lot 8, Block 66, Town of Empire City, Coos County, Oregon and being a portion of that property described in that Warranty Deed to Adolf J. Mink, recorded November 4, 1988 in the Book of Records of Coos County, Microfilm Reel No. 88-11-0269; said parcel being that portion of said property lying Southerly of a line at right angles to the Empire Boulevard "E" center line at Engineer's Station "E" 31+95.00 and included in a strip of land 55.00 feet in width lying on the Easterly side of said center line, which centerline is described as follows:

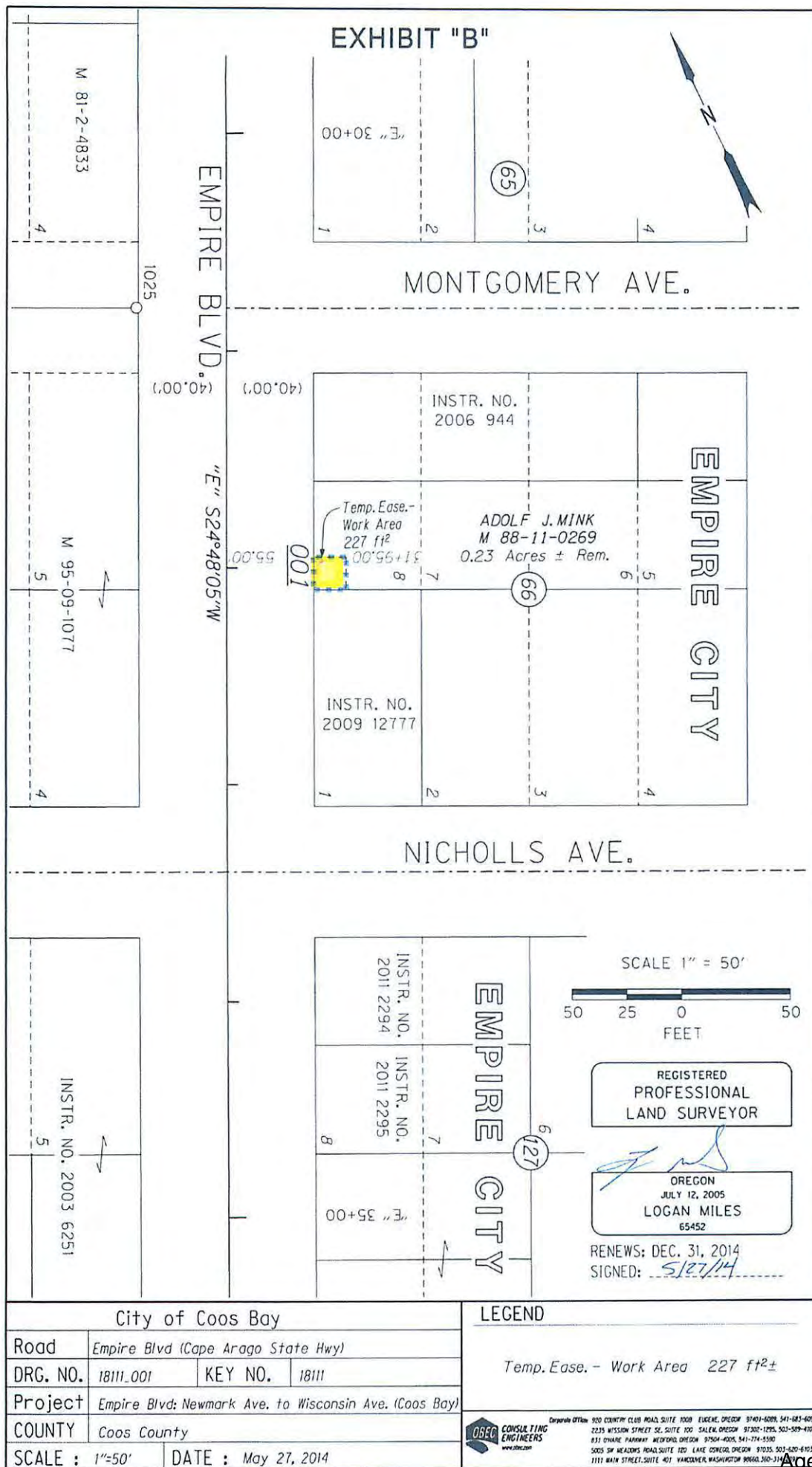
Beginning at Engineer's center line Station "E" 10+00.00 P.O.T., said station being North 06°59'03" East 5,075.95 feet from a found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.; thence South 24°48'05" West 3,640.08 feet to Engineer's center line Station "E" 46+40.08 P.O.T., said station being North 27°41'00" West 1,958.07 feet from said found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.

Bearings are based on County Survey No. 50B52, filed July 5, 2011, Coos County, Oregon.

This parcel of land contains 227 square feet, more or less, outside the existing right of way.







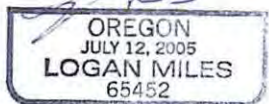
**Temporary Easement for Work Area (3 years or duration of Project, whichever is sooner)**

A parcel of land lying in Lot 19, Block 99, First Addition to Empire, Coos County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Anna Katrine Hanan, recorded July 24, 1997 in the Book of Records of Coos County, Microfilm Reel No. 97-07-0895; said parcel being that portion of said property lying Northerly of a line at right angles to the Empire Boulevard "E" center line at Engineer's Station "E" 43+20.00 and included in a strip of land 55.00 feet in width lying on the Westerly side of said center line, which centerline is described as follows:

Beginning at Engineer's center line Station "E" 10+00.00 P.O.T., said station being North 06°59'03" East 5,075.95 feet from a found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.; thence South 24°48'05" West 3,640.08 feet to Engineer's center line Station "E" 46+40.08 P.O.T., said station being North 27°41'00" West 1,958.07 feet from said found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.

Bearings are based on County Survey No. 50B52, filed July 5, 2011, Coos County, Oregon.

This parcel of land contains 599 square feet, more or less, outside the existing right of way.



RENEWAL: DEC. 31, 2014

Signed: 5/27/14



[illegible]

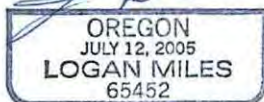
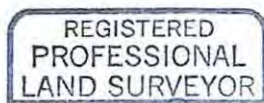
**Permanent Easement for Slopes and Drainage Facilities**

A parcel of land lying in the Perry B. Marple Donation Land Claim Number 39 in Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Mehar Din Sidhu and Rosa Reyes, recorded March 15, 2013 in the Book of Records of Coos County, as Instrument No. 2013-2383; said parcel being that portion of said property lying between lines at right angles to the Empire Boulevard (Cape Arago State Highway) "C" center line at Engineer's Stations "C" 37+89.00 and "C" 39+00.00 and included in a strip of land 40.00 feet in width lying on the Easterly side of said center line, which centerline is described as follows:

Beginning at Engineer's center line Station "C" 33+00.77 P.O.T., said station being North 20°27'44" West 2,205.94 feet from a found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.; thence South 18°18'35" West 1,290.83 feet to Engineer's center line Station "C" 45+91.60 P.S., said station being North 54°26'15" West 1,446.49 feet from said found 2-1/2 inch brass cap marking the Southeast corner of Section 19, Township 25 South, Range 13 West, W.M.

Bearings are based on County Survey No. 50B52, filed July 5, 2011, Coos County, Oregon.

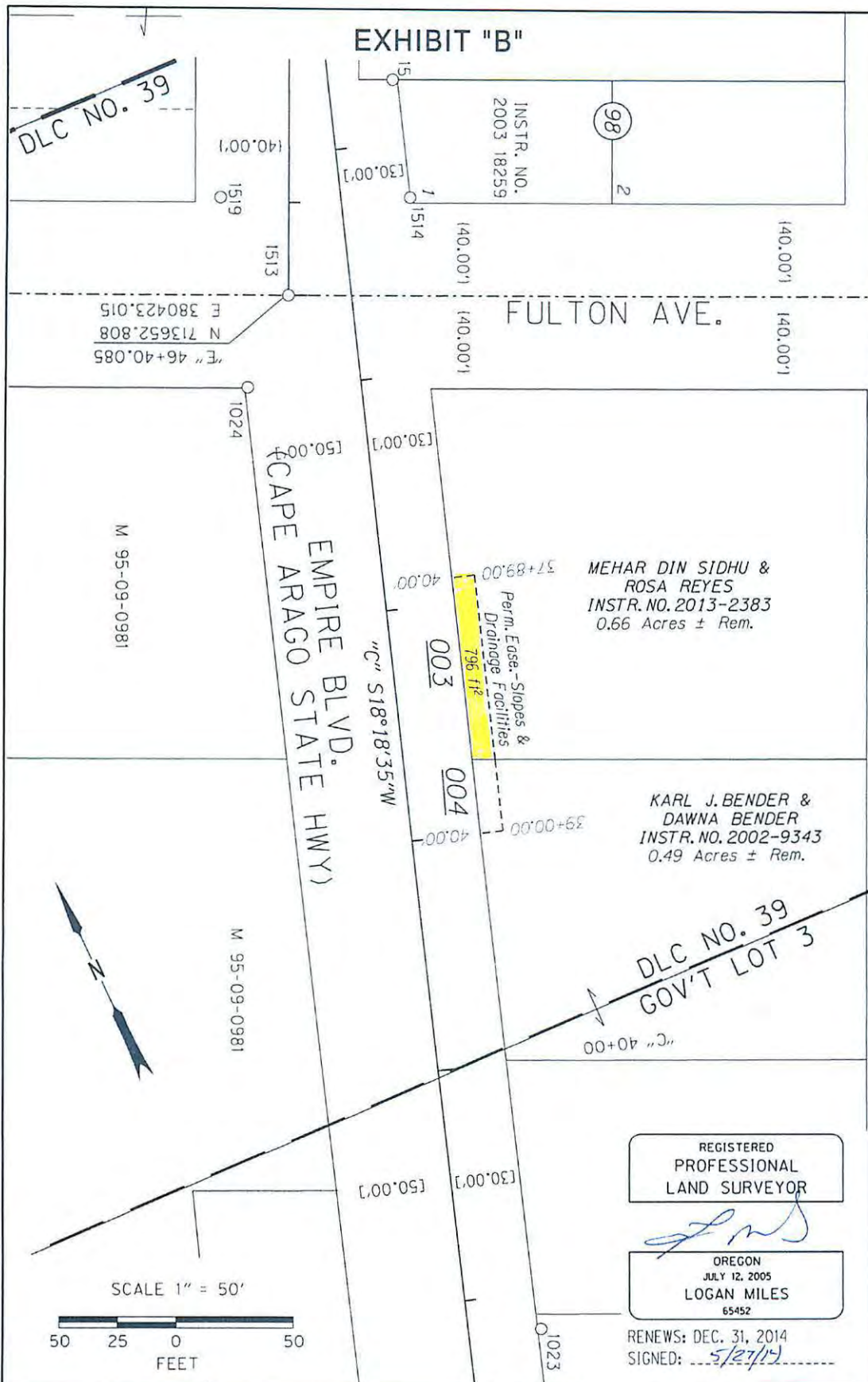
This parcel of land contains 796 square feet, more or less, outside the existing right of way.



RENEWAL: DEC. 31, 2014

Signed: 5/27/14





City of Coos Bay				<b>LEGEND</b>	
Road	Empire Blvd (Cape Arago State Hwy)			Perm. Ease. - Slopes &	796 ft²±
DRG. NO.	18111_003	KEY NO.	18111	Drainage Facilities	
Project	Empire Blvd; Newmark Ave. to Wisconsin Ave. (Coos Bay)				
COUNTY	Coos County				
SCALE : 1"=50'	DATE : May 27, 2014				

**OSEC CONSULTING ENGINEERS**  
 Corporate Office: 900 Country Club Road, Suite 2000, Eugene, Oregon 97401-6000, 541-683-6700  
 2235 Wisconsin Street SE, Suite 100, Salem, Oregon 97302-1000, 503-589-4100  
 831 Duane Parkway, Medford, Oregon 97504-4000, 541-754-6500  
 5005 SW Meadows Road, Suite 100, Lake Oswego, Oregon 97035, 503-620-4103  
 1111 Main Street, Suite 401, Vancouver, Washington 98660-3601, 206-533-1111

**Permanent Easement for Slopes and Drainage Facilities**

A parcel of land lying in the Perry B. Marple Donation Land Claim Number 39 in Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon and being a portion of that property described in that Statutory Warranty Deed to Karl J. Bender and Dawna Bender, recorded July 17, 2002 in the Book of Records of Coos County, as Instrument No. 2002-9343; said parcel being that portion of said property lying between lines at right angles to the Empire Boulevard (Cape Arago State Highway) "C" center line at Engineer's Stations "C" 37+89.00 and "C" 39+00.00 and included in a strip of land 40.00 feet in width lying on the Easterly side of said center line, which centerline is described as follows:

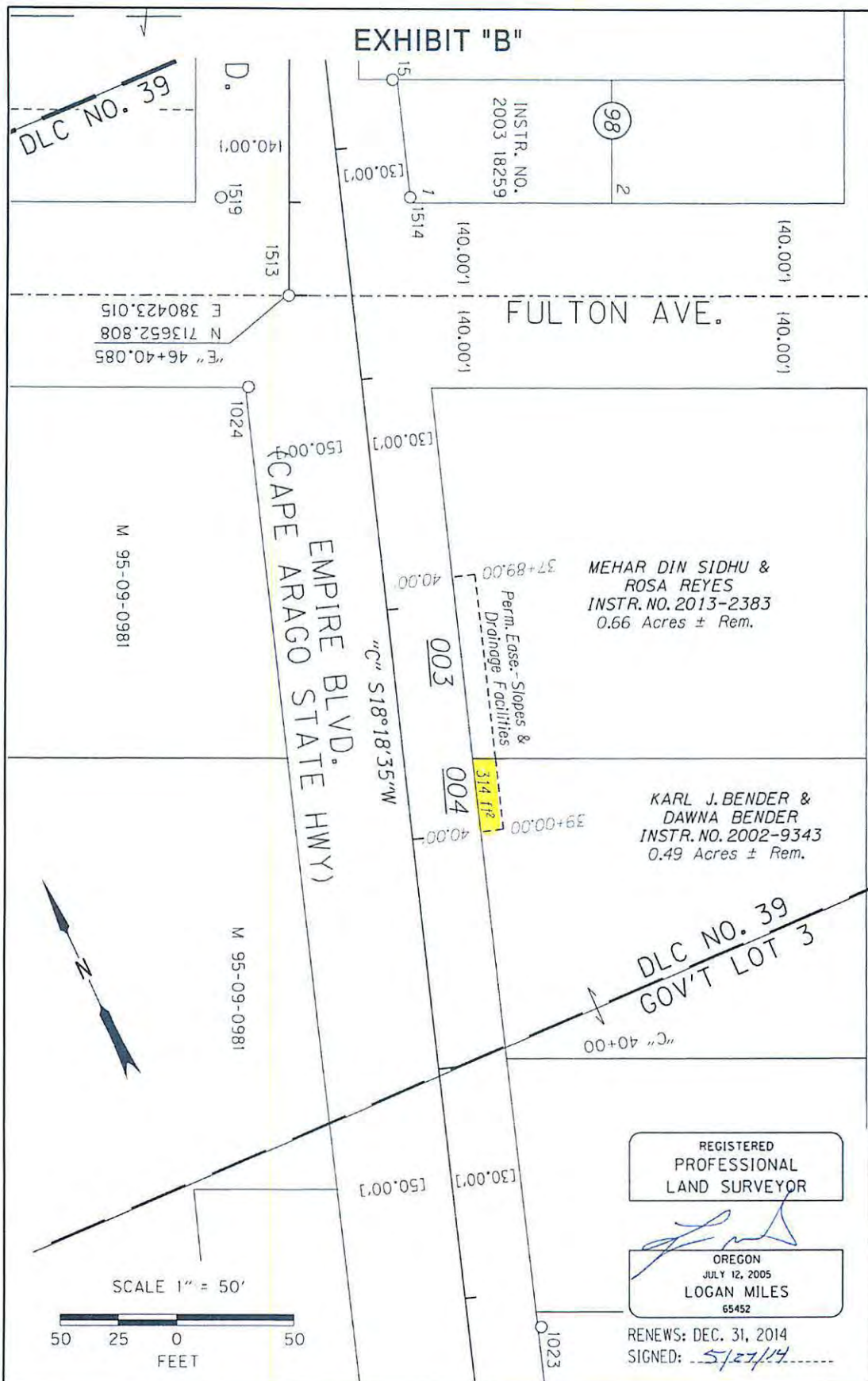
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Bearings are based on County Survey No. 50B52, filed July 5, 2011, Coos County, Oregon.

This parcel of land contains 314 square feet, more or less, outside the existing right of way.







City of Coos Bay			
Road	Empire Blvd (Cape Arago State Hwy)		
DRG. NO.	18111.004	KEY NO.	18111
Project	Empire Blvd; Newmark Ave. to Wisconsin Ave. (Coos Bay)		
COUNTY	Coos County		
SCALE :	1"=50'	DATE :	May 27, 2014

#### LEGEND

Perm. Ease. - Slopes & Drainage Facilities 314 ft²±



Corvallis Office: 300 COUNTY CLUB ROAD, SUITE 1000 EUGENE, OREGON 97401-4005, 541-483-6290  
2235 WISCONSIN STREET SE, SUITE 100 SALEM, OREGON 97302-1205, 503-589-4100  
831 OYAHUE PARKWAY MEDFORD, OREGON 97504-4005, 541-774-5380  
5000 SW MEADOWS ROAD, SUITE 100 LAKE OSWEGO, OREGON 97035, 503-620-4103  
1111 MAIN STREET, SUITE 401 VANCOUVER, WASHINGTON 98660, 206-314-8391