

MEMORANDUM

TO: Mayor and City Council

FROM: Ryan Sisson, Civil Engineer

SUBJECT: REQUEST FOR COUNCIL TO AUTHORIZE THE CITY MANAGER TO SIGN EASEMENTS BENEFITTING OREGON DEPARTMENT OF TRANSPORTATION AT HWY99 & WOODSON PLACE FOR THE URBAN UPGRADES PROJECT

DATE: December 8, 2021

Background

The Oregon Department of Transportation intends to reconstruct Highway 99 extending from Woodson Bridge to the Cottage Grove Connector overpass in 2022 and 2023, under the project name Urban Upgrades. As part of the project, the intersection of Woodson Place and Hwy99 will include new traffic signals, sidewalks and accessible ramps. During the design phase, ODOT and its consulting team notified City Engineering Staff that a portion of the City's private property will be needed at the southwest corner of this intersection in order to construct all the proposed improvements.

This memo describes two grants of access by the City benefitting ODOT for one permanent and one temporary easement. Both are located adjacent to each other on the northeast corner of the land that includes the Benny Hubbell Park (Assessor's map 20-03-28-24 and tax lot 01400).


The permanent easement will grant permission to ODOT to construct permanent facilities such as a traffic signal pole, concrete sidewalk and an accessible ramp. The temporary easement a temporary easement for a work area for construction purposes. The temporary easement will terminate three (3) years from grant of easement or completion of ODOT's construction project.

Recommendation

That the City Council authorize the City Manager to sign the permanent and temporary easements with the Oregon Department of Transportation to be located on Assessor's map 20-03-28-24 and tax lot 01400.

Cost

None.


Richard Meyers, City Manager


Ryan Sisson, Civil Engineer

Attachments

DONATION PERMANENT EASEMENT

CITY OF COTTAGE GROVE, a municipal organization of the State of Oregon, Grantor, for no monetary consideration, does grant to the STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION, Grantee, its successors and assigns, a permanent easement to construct, reconstruct, repair, and maintain a public highway and its appurtenances and facilities, and also to construct and maintain water, gas, electric and communication service lines, fixtures and facilities, and appurtenances therefore, upon, over, under and across the property described as **Parcel 1 on Exhibit "A" dated OCTOBER 25, 2021**, attached hereto and by this reference made a part hereof.

Grantor also grants to Grantee, its successors and assigns, a temporary easement for a work area for construction purposes over and across the property described as **Parcel 2 on Exhibit "A" dated OCTOBER 25, 2021**, attached hereto and by this reference made a part hereof.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof or upon completion of the State of Oregon Department of Transportation's construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described Parcel 2, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

AFTER RECORDING RETURN TO:
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
4040 FAIRVIEW INDUSTRIAL DRIVE SE MS#2
SALEM OR 97302-1142

Map and Tax Lot #: 20-03-28-24 01400

Property Address:

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the State of Oregon Department of Transportation, unless and until accepted and approved by the recording of this document.

Dated this _____ day of _____, 20____.

APPROVED AS TO FORM:

CITY OF Cottage Grove, a municipal corporation of the State of Oregon

By _____

By _____
Mayor

By _____
Auditor

STATE OF OREGON, County of _____

Dated _____, 20____. Personally appeared _____ and

_____, who, being sworn, stated that they are the Mayor and Auditor of the City of

Cottage Grove, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its

Ordinance No. _____, passed by the Council of said City on the ____ day of _____, 20____.

Notary Public for Oregon
My Commission expires _____

Accepted on behalf of the Oregon Department of Transportation

PARCEL 1 – PERMANENT EASEMENT FOR HIGHWAY RIGHT OF WAY PURPOSES

A parcel of land lying in the SE 1/4 of the NW 1/4 of Section 28, Township 20 South, Range 3 West, W.M., Lane County, Oregon and being a portion of that property described in that Warranty Deed to the City of Cottage Grove recorded October 22, 1963 on Reel 229D as Instrument 30059, Lane County Official Records; the said parcel being that portion of said property lying Southeasterly of the following described line;

Beginning at a point opposite and 80.78 feet Northwesterly of Engineer's Station 750+95.00 on the center line of the Goshen – Divide Highway (Hwy 226); thence Southwesterly in a straight line to a point opposite and 80.15 feet Northwesterly of Engineer's Station 751+06.78 on said center line; thence Southeasterly in a straight line to a point opposite and 38.00 feet Northwesterly of Engineer's Station 751+06.78 on said center line; thence Southwesterly along a 610.96 foot radius curve to the left (the long chord bears South 25°14'34" West, 78.02) 78.07 feet to a point opposite and 38.00 feet Northwesterly of Engineer's Station 751+80.00 on said center line.

The center line of Goshen – Divide Highway (Hwy 226) is described as follows:

Beginning at a Point of Curvature at Engineer's center line Station 724+00.16 (The back tangent bears South 28°53'14" West), said station being North 70°09'09" East, 8,805.26 feet from the southwest corner of the JH McFarland D.L.C. No 58; Thence on a 716.10 foot radius curve right (the long chord bears South 41°46'43" West 319.53 feet) 322.24 feet to a Point of Tangency at Engineer's center line Station 727+22.40; Thence South 54°40'25" West, 2,129.30 feet to a point of curvature at Engineer's center line Station 748+51.70; Thence on a 572.96 foot radius curve left, (the long chord bears South 27°07'31" West, 525.33 feet) 545.73 feet to a point of tangency at Engineer's center line Station 753+97.43 (the forward tangent bears South 00°19'41" West).

Bearings are based upon the Oregon Coordinate Reference System, Eugene Zone, NAD83 (2011) epoch 2010.00.

This description contains 657 Square Feet, more or less.

PARCEL 2 – TEMPORARY EASEMENT – WORK AREA (3 years or duration of Project, whichever is sooner.)

A parcel of land lying in the SE 1/4 of the NW 1/4 of Section 28, Township 20 South, Range 3 West, W.M., Lane County, Oregon and being a portion of that property described in that Warranty Deed to the City of Cottage Grove recorded October 22, 1963 on Reel 229D as Instrument 30059, Lane County Official Records; the said parcel being that portion of said property lying Southeasterly of the following described line:

Beginning at a point opposite and 86.36 feet Northwesterly of Engineer's Station 750+95.00 on the center line of the Goshen – Divide Highway (Hwy 226); thence Southerly in a straight line to a point opposite and 80.23 feet Northwesterly of Engineer's Station 751+16.61 on said center line; thence Southeasterly in a straight line to a point opposite and 48.00 feet Northwesterly of Engineer's Station 751+16.61 on said center line; thence Southwesterly along a 620.96 foot radius curve to the left (the long chord bears South 24°45'04" West, 68.66) 68.70 feet to a point opposite and 48.00 feet Northwesterly of Engineer's Station 751+80.00 on said center line.

The center line of Goshen – Divide Highway (Hwy 226) is described in Parcel 1.

EXCEPT therefrom Parcel 1.

This description contains 1,042 Square Feet, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

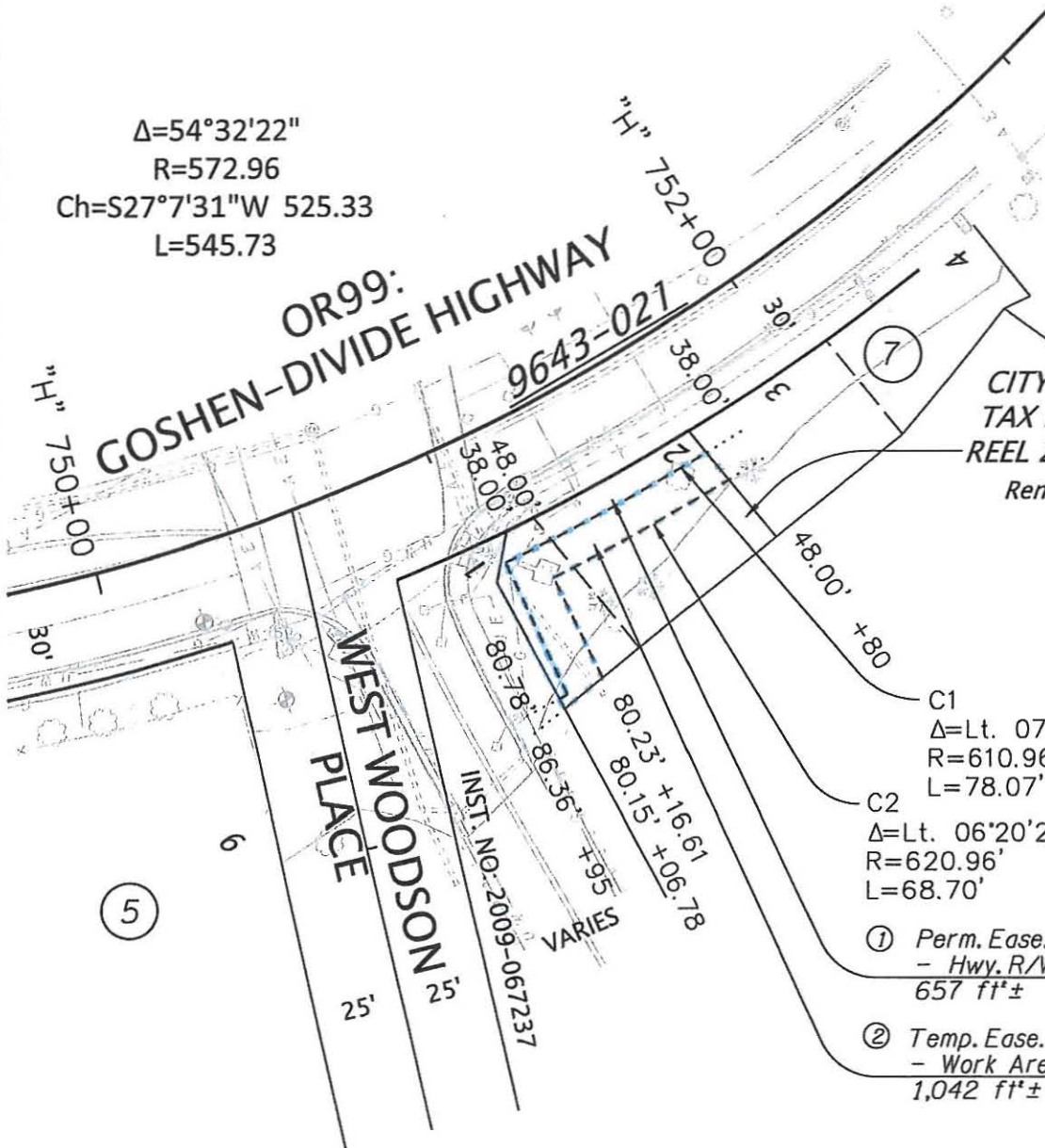


OREGON
JULY 12, 2005
ERIC D. LYNCH
56544

RENEWS 12-31-22

SEC. 28, T. 20S, R. 03W, W.M.

$\Delta=54^{\circ}32'22''$
 $R=572.96$
 $Ch=S27^{\circ}7'31''W\ 525.33$
 $L=545.73$



OWNER:
 CITY OF COTTAGE GROVE
 TAX LOT: 2003282401400
 REEL 229D, INST. NO: 30059
 Remainder 4,356 Sq. Ft.±

C1
 $\Delta=Lt.\ 07^{\circ}19'18''$
 $R=610.96'$
 $L=78.07'$

C2
 $\Delta=Lt.\ 06^{\circ}20'20''$
 $R=620.96'$
 $L=68.70'$

① *Perm. Ease.*
 - *Hwy. R/W Purp.*
 657 ft±

② *Temp. Ease.*
 - *Work Area*
 1,042 ft±

REPLAT OF
 MANITOU
 PARK

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



**RIGHT OF WAY
 ENGINEERING
 SKETCH MAP**

SECTION	OR99: URBAN UPGRADE (COTTAGE GROVE)		
HIGHWAY	GOSHEN-DIVIDE HIGHWAY	SCALE	1" = 50'
COUNTY	LANE COUNTY	FILE	9643021
DATE	OCTOBER, 2021	SEE DRAWING RW9643M	