



NORTH CLACKAMAS
PARKS & RECREATION DISTRICT

Administration

Kia Selley, Director
North Clackamas Parks and Recreation District
3811 SE Concord Road
Milwaukie, OR 97267

November 7, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Acting as North Clackamas Parks and Recreation District Board of Directors

Approval of a Permanent Easement with Oak Lodge Water Services Authority for pipe installation across the Trolley Trail. Total Agreement Value is \$1,100. Funding is through Oak Lodge Water Services Authority. No County General Funds are involved.

Previous Board Action/Review	November 7, 2024 - Board of Directors Executive Session		
Performance Clackamas	<ul style="list-style-type: none"> • Build public trust through good government • Grow a vibrant economy • Build a strong infrastructure • Ensure safe, healthy and secure communities 		
Counsel Review	Yes	Procurement Review	No
Contact Person	Alex Gilbertson	Contact Phone	971-430-0388

EXECUTIVE SUMMARY: Oak Lodge Water Services Authority (OLWSA) will install a new sanitary sewer pipe across a section of the NCPRD-owned Trolley Trail in spring 2025. This will replace an existing pipe that is no longer efficient to maintain. To complete this work and to maintain the new pipe, OLWSA has requested a permanent utility easement across the Trolley Trail.

The easement requested is approximately 991 square feet and will be located between SE Roethe Road and SE Boardman Avenue (see attached 2024 OLWSD Proposed Easement Location Map).

Total just compensation offered to North Clackamas Parks and Recreation District for the easement is \$1,100.

RECOMMENDATION: Staff recommends approval of the permanent easement with Oak Lodge Water Services Authority across a section of the NCPRD-owned Trolley Trail.

ATTACHMENTS:

- 2024 OLWSD Proposed Permanent Utility Easement
- 2024 OLWSD Appraised Offer Letter
- 2024 OLWSD Proposed Easement Location Map

Respectfully submitted,

Kia Selley, RLA
Director, North Clackamas Parks and Recreation District

For Filing Use Only

Grantor: North Clackamas Parks & Recreation District	State of Oregon
Address:	
150 Beaver Creek Rd	
Oregon City, OR 97045	
Grantee: Oak Lodge Water Service District	
13750 SE Renton Ave	
Milwaukie, OR 97222	
After Recording Return to:	
Oak Lodge Water Service District	
13750 SE Renton Ave	
Milwaukie, OR 97222	
Until a change is requested, all taxes shall be sent to:	
No Change	

PERMANENT PUBLIC UTILITY EASEMENT

For value received, North Clackamas Parks & Recreation District (Grantor), hereby grants, bargains, sells and conveys to Oak Lodge Water Service District, its heirs, successors and assigns, (Grantee), a permanent easement for the construction, reconstruction, upgrade, replacement, repair, maintenance, and inspection of public utilities, and related appurtenances, in, under, upon, and across Grantor’s real property located in Clackamas County, State of Oregon.

See attached legal description described in Exhibit A and depicted in Exhibit B, incorporated by reference

The true and actual consideration for this conveyance is Zero and No/100 Dollars (\$ 0.00).

Grantor reserves the right to use the surface of the land for walkways, landscaping, parking, and other uses undertaken by the Grantor that are not inconsistent and do not interfere with the use of the subject Easement area by the Grantee. No building or utility shall be placed upon, under, or within the property subject to this easement during its term without the written permission of the Grantee.

Grantee shall have the right to enter upon and utilize the Easement Area for the purposes described in this document provided that reasonable notice is provided to Grantor prior to entry. Grantee may not remove trees, shrubs, brush, paving or other materials within the Easement Area without permission from Grantor to accomplish these purposes. Permission to complete these tasks will not be unreasonably withheld.

Grantor, Grantor’s heirs, successors, assigns or representatives, shall not construct or maintain any building or other structures upon the above described Easement Area without prior written approval from the Oak Lodge Water Service District.

Grantor:

NORTH CLACKAMAS PARKS
AND RECREATION DISTRICT

Tootie Smith, Chair

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on this ____ day of _____, 2024, by Tootie Smith, as Chair of the Board of Directors of the North Clackamas Parks and Recreation District, on behalf of the District Organized and Operated under ORS Chapter 451.

Notary Public for Oregon
My Commission Expires: _____

APPROVED AND ACCEPTED BY:

OAK LODGE WATER SERVICES AUTHORITY

Brad Albert, General Manager

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on this ____ day of _____, 2024, by Brad Albert as General Manager of the Oak Lodge Water Services Authority, on behalf of the Authority Organized and Operated under ORS Chapter 450.

Notary Public for Oregon
My Commission Expires: _____

EXHIBIT A

Sewer Easement

A portion of the Benoni B. Rogers Donation Land Claim No. 39, located in the Southwest One-Quarter of Section 18, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the northerly corner of Lot 18 of the plat "Boardmans Addition to Jennings Lodge", Plat No. 158, Clackamas County Plat Records; thence along the northwesterly line of said plat, South 62°36'47" West 541.51 feet to the most southerly corner Document Number 85-021545, Clackamas County Deed Records; thence along the southwesterly line of said deed, North 44°42'37" West 24.77 feet to the Point of Beginning; thence leaving said southwesterly line, South 81°27'20" West 49.55 feet to the northeasterly line of the plat "Replat of a Portion of Hillside Tracts", Plat No. 1105, Clackamas County Plat Records; thence along said northeasterly line, North 44°42'37" West 24.77 feet; thence leaving said northeasterly line, North 81°27'20" East 49.55 feet to the southwesterly line of said Document Number 85-021545; thence along said southwesterly line, South 44°42'37" East 24.77 feet to the Point of Beginning.

The above described tract of land contains 991 square feet, more or less.

Bearings for this description are based on State Plane Grid bearing, Oregon State Plane, North Zone 3601, NAD83(2011) Epoch: 2010.0000. Distances shown are International Foot ground values.

7/18/2023

REGISTERED
PROFESSIONAL
LAND SURVEYOR

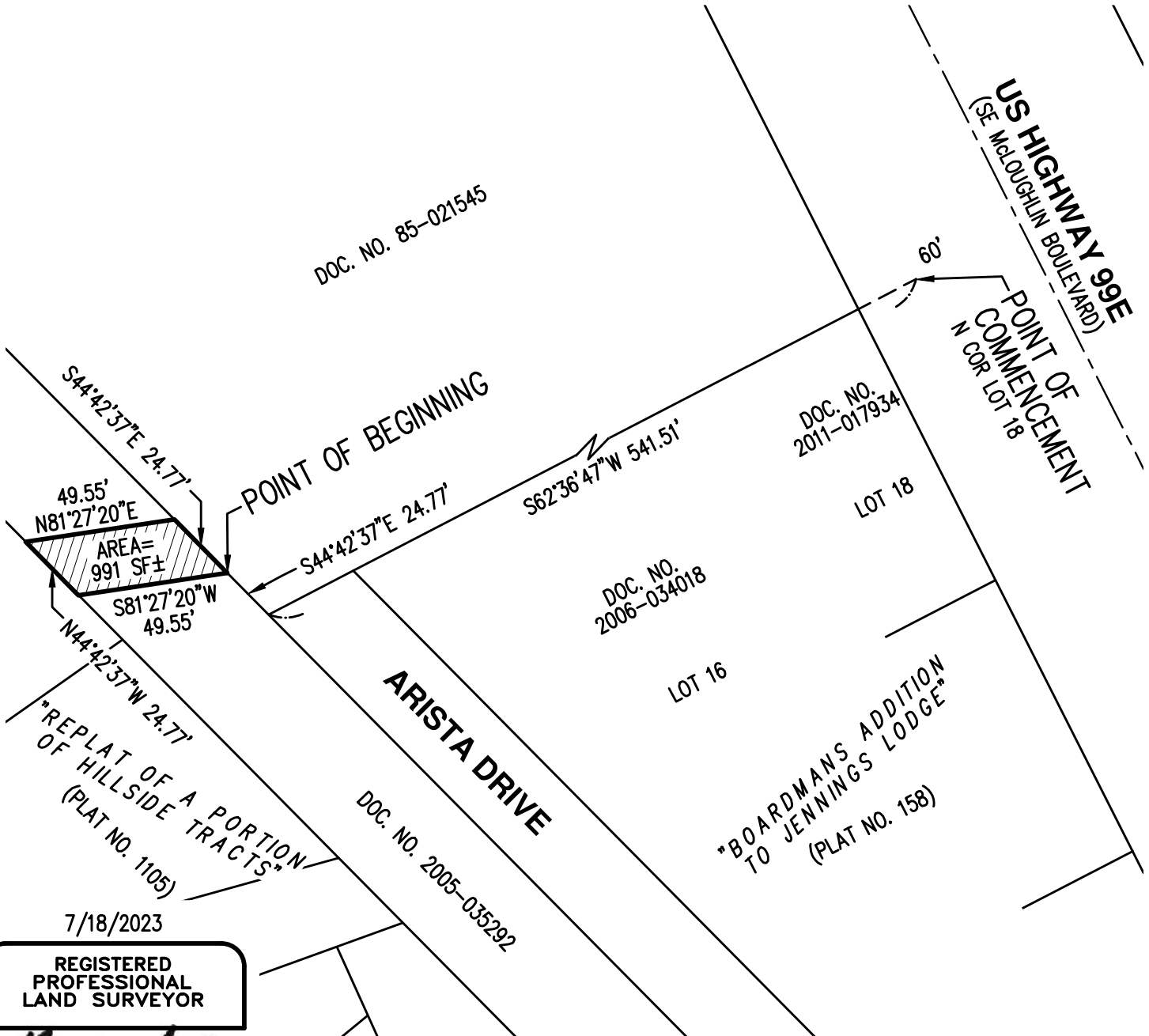


OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/24

EXHIBIT B

A PORTION OF THE BENONI B. ROGERS D.L.C. NO. 39,
 LOCATED IN THE SOUTHWEST 1/4 OF SECTION 18,
 TOWNSHIP 2 SOUTH, RANGE 2 EAST, WILLAMETTE MERIDIAN,
 CLACKAMAS COUNTY, OREGON



7/18/2023

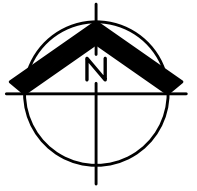
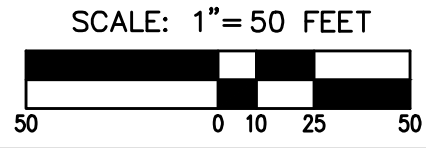
REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Nick White

OREGON
 JANUARY 9, 2007
 NICK WHITE
 70652LS

RENEWS: 6/30/24

PREPARED FOR
 OAK LODGE WATER SERVICE DISTRICT
 14611 SE RIVER ROAD
 MILWAUKIE, OR 97267



AKS ENGINEERING & FORESTRY, LLC
 12965 SW HERMAN RD, STE 100
 TUALATIN, OR 97062
 503.563.6151 WWW.AKS-ENG.COM



SEWER EASEMENT

TL 22E18CB 01004	
DRWN: WCB	CHKD: NSW
AKS JOB: 6799-11	EXHIBIT B



October 8, 2024

OFFER LETTER

North Clackamas Parks & Rec District
Trolley Trail 150 Beaver Creek Rd
Oregon City, OR 97045

File: 02
Project: Boardman Sewer Upgrade
Client: Oak Lodge Water Services Authority
Tax Lot: 22E18CB01004

Dear Owner:

The Oak Lodge Water Services Authority (OLWS) seeks to acquire property interests from you that are needed for the Boardman Sewer System Upgrade Improvement Project. These property interests are described in the Permanent Utility Easement document that accompanies this letter.

Oregon law provides a minimum of 40 days from the date of this initial written offer for you to consider accepting or rejecting it. Your decision to accept or reject may be made at any time prior to expiration of the 40-day period if you choose. If, following this 40-day period an agreement has not been reached, OLSW may need to proceed with legal action to acquire the property interests.

OLWS will pay recording costs, title insurance premiums and all other normal costs of sale for the acquisition.

Please read the enclosed documents carefully, and if acceptable, sign and notarize the acquisition documents. Our agents are Oregon notaries and are available to meet with you to assist with any questions you may have and to help with signing the documents. After the District accepts the acquisition documents, you will receive notification of that acceptance.

RELOCATION BENEFITS

For an outline of any relocation benefits that may be available to you, refer to the "Relocation Summary Statement" which is also enclosed.

Universal Field Services has been hired to assist in the acquisition process; if you have any questions or concerns, please call me at 503-399-8002, or on my cell at 503-910-1679. Thank you for your time and attention to this matter. I look forward to working closely with you through successful completion of the acquisition process.

Sincerely,

A handwritten signature in blue ink that reads "Jill Wyatt". The signature is written in a cursive style and is positioned above a horizontal line.

Jill Wyatt
Right of Way Agent
Universal Field Services

Enclosures: Relocation Summary; Sewer Easement; Agency Disclosure, W9

Date: October 8, 2024
Project: Boardman Sewer Upgrade
Owner: North Clackamas Parks & Rec District

ACQUISITION SUMMARY STATEMENT

*Land and **Improvements	\$ 1,100.01
Damages:	\$ 0.00
Others	\$ 0.00
TOTAL JUST COMPENSATION	\$ 1,100.00 Rounded

*LAND ACQUIRED

Parcel 1: Permanent Utility Easement of 991 +/- Square Feet

**IMPROVEMENTS IN ACQUISITION AREA:

N/A

NOTICE TO VACATE:

Notice to vacate will not be required. Possession is upon payment.

THE FOLLOWING SEPARATELY HELD OWNERSHIP INTERESTS ARE NOT INCLUDED IN THE TOTAL JUST COMPENSATION SHOWN ABOVE.

None

Oak Lodge Water Services District - Boardman Sewer Rehab Project

Context Map - Trolley Trail between SE Roethe Rd and SE Boardman Ave and SE McLoughlin Blvd.

October 16, 2024

