



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

March 2, 2023

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of the Resolution Declaring the Public Necessity and Purpose for Acquisition of Rights of Way, Easements and Fee Property, and Authorizing Good Faith Negotiations and Condemnation Actions for the SE Johnson Creek Blvd: 79th PI – 82nd Ave Project. Project value is \$2,856,705. Funding through Community Road Fund, Development Agency, Federal Funds and HB 2017. No County General Funds are involved.

Previous Board Action/Review	02/14/23: Discussion item at issues 03/18/21: BCC approval of Supplemental Project Agreement No. 34401 with ODOT 06/21/18: BCC authorization to apply for All Roads Transportation Safety Program Funding		
Performance Clackamas	This item aligns with “Ensure safe, healthy and secure communities” by adding a traffic signal, raised median curb, curb ramps, and sidewalks thereby ensuring safer vehicle and pedestrian travel.		
Counsel Review	Yes	Procurement Review	No
Contact Person	Carol Hager	Contact Phone	503-742-4674

EXECUTIVE SUMMARY:

Clackamas County obtained an All Roads Transportation Safety (ARTS) grant from the Oregon Department of Transportation (ODOT) to implement safety improvements on SE Johnson Creek Boulevard from 79th Place to 82nd Avenue. A total of 43 crashes were reported at this location from 2011 through 2015 and the location is one of the highest-ranked Safety Priority Index System sites in Clackamas County. The safety improvements include adding sidewalks, ADA Ramps, and a signal at the intersection of SE Johnson Creek Boulevard and 79th Place. It also

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includes constructing a raised median curb in the roadway from 79th Place east that will restrict traffic turning right-in or right-out from SE Johnson Creek Boulevard to Fred Meyer.

In order to construct the improvements as designed, permanent and temporary easements and fee acquisitions will be required. The project is expected to impact 6 properties abutting the project alignment. The Board has authority to exercise the power of eminent domain under ORS Chapter 203 and ORS Chapter 35 to acquire the needed rights of way, easements, and fee property by purchase or condemnation proceedings. In accordance with the procedure set forth in ORS Chapter 35, a Resolution of Necessity is required before offers are made for rights of way, easements, and fee property.

The project design team has collected and analyzed data to select an alternative that will advance the design of the project. The alternative has been planned and located in a place that is in alignment with the public good. The design has progressed through DTD's project development procedures. The final legal descriptions required for acquisition of the needed rights of way and easements from 6 properties affected by the project are being developed.

DTD shall negotiate in good faith and accordance with all applicable laws, rules, and regulations in an attempt to reach agreement for the amount of Just Compensation owed to each impacted property owners. To fairly determine the amount of Just Compensation, staff will utilize the expertise of authorized real estate appraisers and other experts.

The resolution directs DTD staff to proceed with good faith negotiations for the acquisition of the needed property rights and to utilize the expertise of authorized real estate appraisers and other experts to assist in the acquisition process. The resolution further requires the Director of DTD to notify the Board if there is need to exercise the power of eminent domain. Only after this process is complete does it authorize the Office of County Counsel to file a Condemnation Action.

RECOMMENDATION: Staff respectfully recommends that the Board of County Commissioners approve the Resolution of Necessity and Purpose authorizing the acquisition of necessary easements, by good faith negotiation if possible, or condemnation, if necessary.

Respectfully submitted,

Dan Johnson

Dan Johnson
Director of Transportation & Development

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring the Necessity and Purpose for Acquisition of Rights of Way, Easements, and Fee Property, and Authorizing Good Faith Negotiations and Condemnation Actions for the SE Johnson Creek Blvd: 79th PI – 82nd Ave Project



Resolution No. _____

Page 1 of 2

This matter comes before the Board of County Commissioners of Clackamas County, Oregon (the “Board”) at its regularly scheduled meeting on March 2, 2023 and,

It appearing to the Board that the SE Johnson Creek Blvd: 79th PI – 82nd Ave Project (“the Project”) will add a traffic signal, raised median curb, curb ramps and sidewalks; is consistent with the powers and purposes of County government; and is necessary for public use and the continued growth, safety and welfare of the community; and,

It further appearing that the Board has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public.

It further appearing to the Board that the Project has been planned in accordance with appropriate standards for the improvement of transportation infrastructure such that property damage is minimized, transportation promoted, and travel safeguarded; and

It further appearing to the Board that the Project has been planned and located in a manner which is most compatible with the greatest public good and causes the least private injury; and,

It further appearing to the Board that rights of way, and easements within the boundaries described in the legal descriptions and maps attached as Exhibit A and B for files 1-6 (the “Exhibits”) are a necessary part of the Project; and,

It further appearing that the Board has authority under ORS Chapter 203 and ORS Chapter 35 to acquire rights of way, easements, and fee property by good faith negotiation, agreement, and purchase or by exercise of the power of eminent domain with condemnation proceedings; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that this Board declares it necessary and in the public interest that the County Department of Transportation and Development (“the Department”), in connection with this Project, begin the acquisition process, in accordance with all applicable laws, rules, and regulations governing such process, for the necessary rights of way, easements, and fee property, either through good faith negotiation, agreement, and purchase, or, if necessary, by commencement of condemnation proceedings.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring the Necessity and Purpose for Acquisition of Rights of Way, Easements, and Fee Property, and Authorizing Good Faith Negotiations and Condemnation Actions for the SE Johnson Creek Blvd: 79th PI – 82nd Ave Project



Resolution No. _____

Page 2 of 2

IT IS FURTHER RESOLVED THAT:

1) The Department be authorized to, in good faith, attempt to negotiate agreements of just compensation with owners of affected property identified in the Exhibits. In so doing, the Department is authorized to retain real estate appraisers, negotiators, and other such experts deemed necessary to assist staff with the acquisition process; and,

2). If the Director of the Department (the "Director") determines that changes to the design of the Project, unanticipated field conditions, or the need to accommodate uneconomic remnants makes it necessary or desirable to modify the rights of way, easements, and fee property required for the Project, the Director shall promptly bring before the Board, and the Board shall promptly consider a resolution amending the Exhibits; and,

3). It is the intention of the Board that the required rights of way, easements, and fee property be obtained through good faith negotiation. The Board acknowledges that the exercise of the power of eminent domain may be necessary. The Director of the Department shall inform the Board when the Director deems eminent domain necessary. Thereafter, the Office of County Counsel is authorized to file complaints of condemnation with the circuit court of the County and take such other steps as it determines necessary for the immediate possession of required rights of way, easements, and fee property and the successful litigation of the condemnation action, including the retention of real estate appraisers, experts, and other consultants deemed necessary to the successful conclusion of that litigation.

Dated this _____ day of _____, 2023.

Tootie Smith, Chair

Recording Secretary



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
December 27, 2022

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AA 1900
File No. 01

TRACT 1- RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as Tract A in that deed recorded July 3, 1991 as Deed Document No. 97-049848, Clackamas County Deed Records, said tract of land lying Southerly of the following described line:

Beginning at a point 82.20 feet left of existing SE Johnson Creek Boulevard Centerline Station J 7+60.00;

Thence Southeasterly, in a straight line, to a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 8+02.00.

EXCEPTING therefrom any portion of said tract lying within the existing right-of-way of SE 79th Place.

The tract of land to which this description applies contains 520 square feet, more or less.

See Exhibit B attached hereto

TRACT 2- RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as Tract A in that deed recorded July, 3 1991 as Deed Document No. 97-049848, Clackamas County Deed Records, said tract of land lying Southerly of the following described line:

Beginning at a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+18.00;

Thence Northeasterly, in a straight line, to a point 53.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+30.00.

Thence Easterly, in a straight line, to a point 53.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 10+21.85.

Thence Southeasterly, in a straight line, to a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 10+41.00.

The tract of land to which this description applies contains 859 square feet, more or less.

See Exhibit B attached hereto

TRACT 3- TEMPORARY CONSTRUCTION EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as Tract A in that deed recorded July, 3 1991 as Deed Document No. 97-049848, Clackamas County Deed Records, said tract of land lying Southerly of the following described line:

Beginning at a point 92.50 feet left of existing SE Johnson Creek Boulevard Centerline Station J 7+60.00;

Thence Southeasterly, in a straight line, to a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 8+12.00.

EXCEPTING therefrom Tract 1.

The tract of land to which this description applies contains 370 square feet, more or less.

See Exhibit B attached hereto

TRACT 4- TEMPORARY CONSTRUCTION EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as Tract A in that deed recorded July, 3 1991 as Deed Document No. 97-049848, Clackamas County Deed Records, said tract of land lying Southerly of the following described line:

Beginning at a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+08.00;

Thence Northeasterly, in a straight line, to a point 68.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+42.30.

Thence Northerly, in a straight line, to a point 133.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+42.30.

Thence Easterly, in a straight line, to a point 133.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+89.30.

Thence Southerly, in a straight line, to a point 73.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 9+89.30.

Thence Southeasterly, in a straight line, to a point 45.00 feet left of existing SE Johnson Creek Boulevard Centerline Station J 10+56.00.

EXCEPTING therefrom Tract 2.

The tract of land to which this description applies contains 4,605 square feet, more or less.

See Exhibit B attached hereto

The stationing used to describe these tracts is based on the existing centerline of SE Johnson Creek Boulevard (County Road 1215) per Survey Number 2019-041, Clackamas County and more particularly described as follows:

BEGINNING at existing centerline station J 1+50.00 of SE Johnson Creek Boulevard (County Road 1215) per SN 2019-041, said station being 1644.86 feet South and 1362.20 feet West of the Northeast One-quarter corner of Section 29, Township 1 South, Range 2 East, W.M.; thence South 89°51'51" East 630.42 feet to a point of intersection, existing centerline station J 7+80.42; thence South 88°45'27" East 519.78 feet to a point of intersection, existing centerline station J 13+00.20; thence South 89°51'50" East 199.80 feet to a point of intersection, existing centerline station J 15+00.00; and the **TERMINUS** of this centerline description.

Basis of Bearings:

The Basis of Bearing is the Oregon Coordinate Reference System (OCRS), Portland Zone, Lambert Conformal Conic Projection, NAD 83 (2011) Epoch 2010.00, International Feet Units.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus Reedy

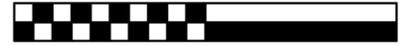
OREGON
JULY 21, 1998
MARCUS T. REEDY
02871 LS



EXHIBIT "B"

FILE NO. 1

NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.

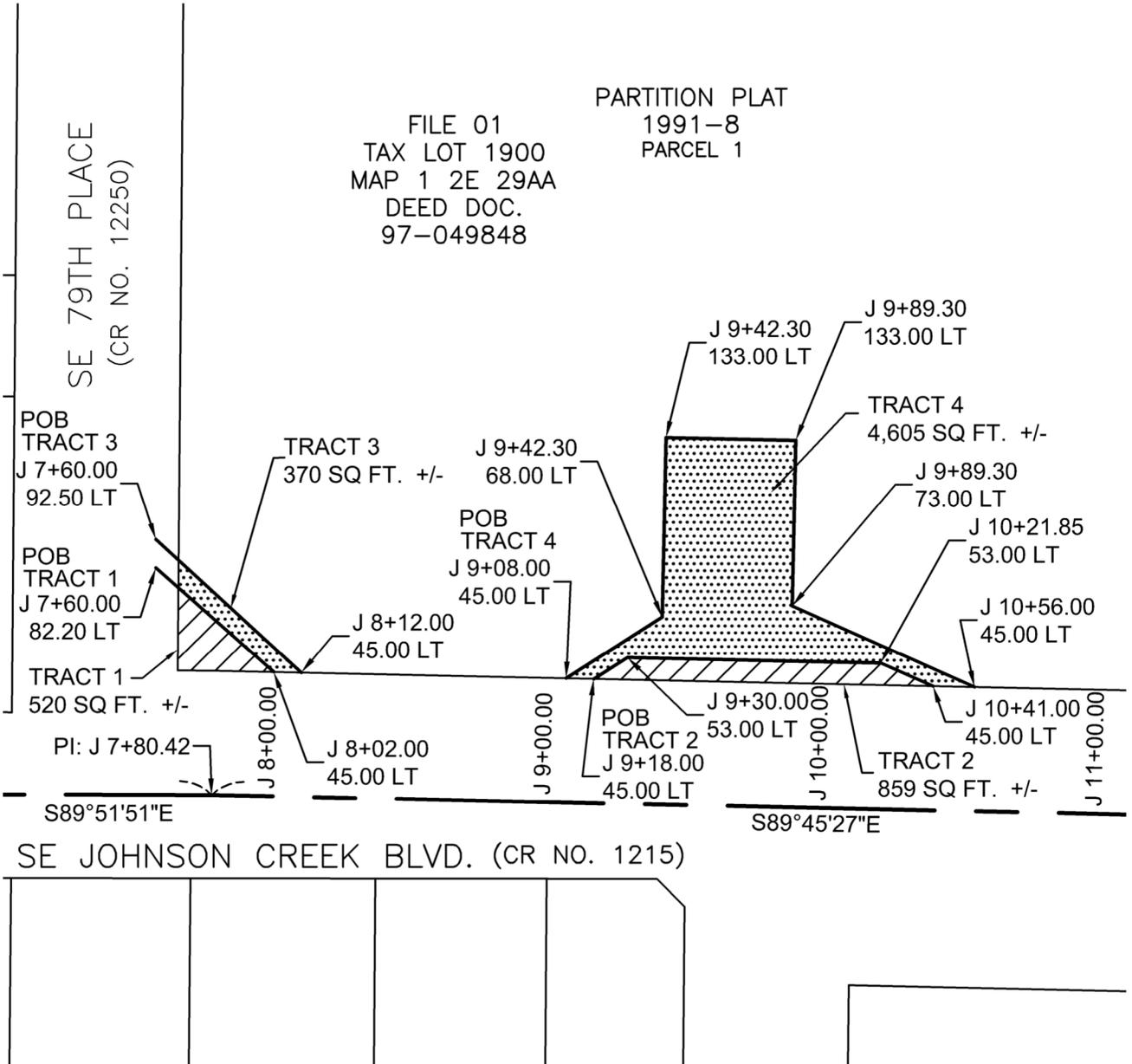


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SCALE IN FEET

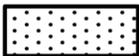
PARTITION PLAT

FILE 01
TAX LOT 1900
MAP 1 2E 29AA
DEED DOC.
97-049848

1991-8
PARCEL 1



RIGHT-OF-WAY



TEMPORARY CONSTRUCTION EASEMENT

POB: POINT OF BEGINNING

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 12-27-2022



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
January 12, 2023

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AD 3200
File No. 02

TRACT 1- RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described in that deed recorded June 27, 1994 as Deed Document No. 94-052350, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+00.00;

Thence Easterly, in a straight line, to a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+33.50.

Thence Southeasterly, in a straight line, to a point 59.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+60.00

EXCEPTING therefrom any portion of said tract lying within the existing right-of-way of SE Johnson Creek Boulevard.

ALSO EXCEPTING therefrom any portion of said tract lying within the existing right-of-way of SE 80th Ave.

The tract of land to which this description applies contains 656 square feet, more or less.

See Exhibit B attached hereto

TRACT 2- SLOPE EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described in that deed recorded June 27, 1994 as Deed Document No. 94-052350, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 43.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+00.00;

Thence Easterly, in a straight line, to a point 43.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+36.00.

Thence Southeasterly, in a straight line, to a point 62.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 9+60.00

EXCEPTING therefrom Tract 1

The tract of land to which this description applies contains 216 square feet, more or less.

See Exhibit B attached hereto

The stationing used to describe these tracts is based on the existing centerline of SE Johnson Creek Boulevard (County Road 1215) per Survey Number 2019-041, Clackamas County and more particularly described as follows:

BEGINNING at existing centerline station J 1+50.00 of SE Johnson Creek Boulevard (County Road 1215) per SN 2019-041, said station being 1644.86 feet South and 1362.20 feet West of the Northeast One-quarter corner of Section 29, Township 1 South, Range 2 East, W.M.; thence South 89°51'51" East 630.42 feet to a point of intersection, existing centerline station J 7+80.42; thence South 88°45'27" East 519.78 feet to a point of intersection, existing centerline station J 13+00.20; thence South 89°51'50" East 199.80 feet to a point of intersection, existing centerline station J 15+00.00; and the **TERMINUS** of this centerline description.

Basis of Bearings:

The Basis of Bearing is the Oregon Coordinate Reference System (OCRS), Portland Zone, Lambert Conformal Conic Projection, NAD 83 (2011) Epoch 2010.00, International Feet Units.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus Reedy

OREGON
JULY 21, 1998
MARCUS T. REEDY
02871 LS

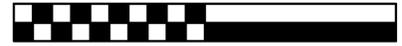
RENEWS: 12-31-2024



EXHIBIT "B"

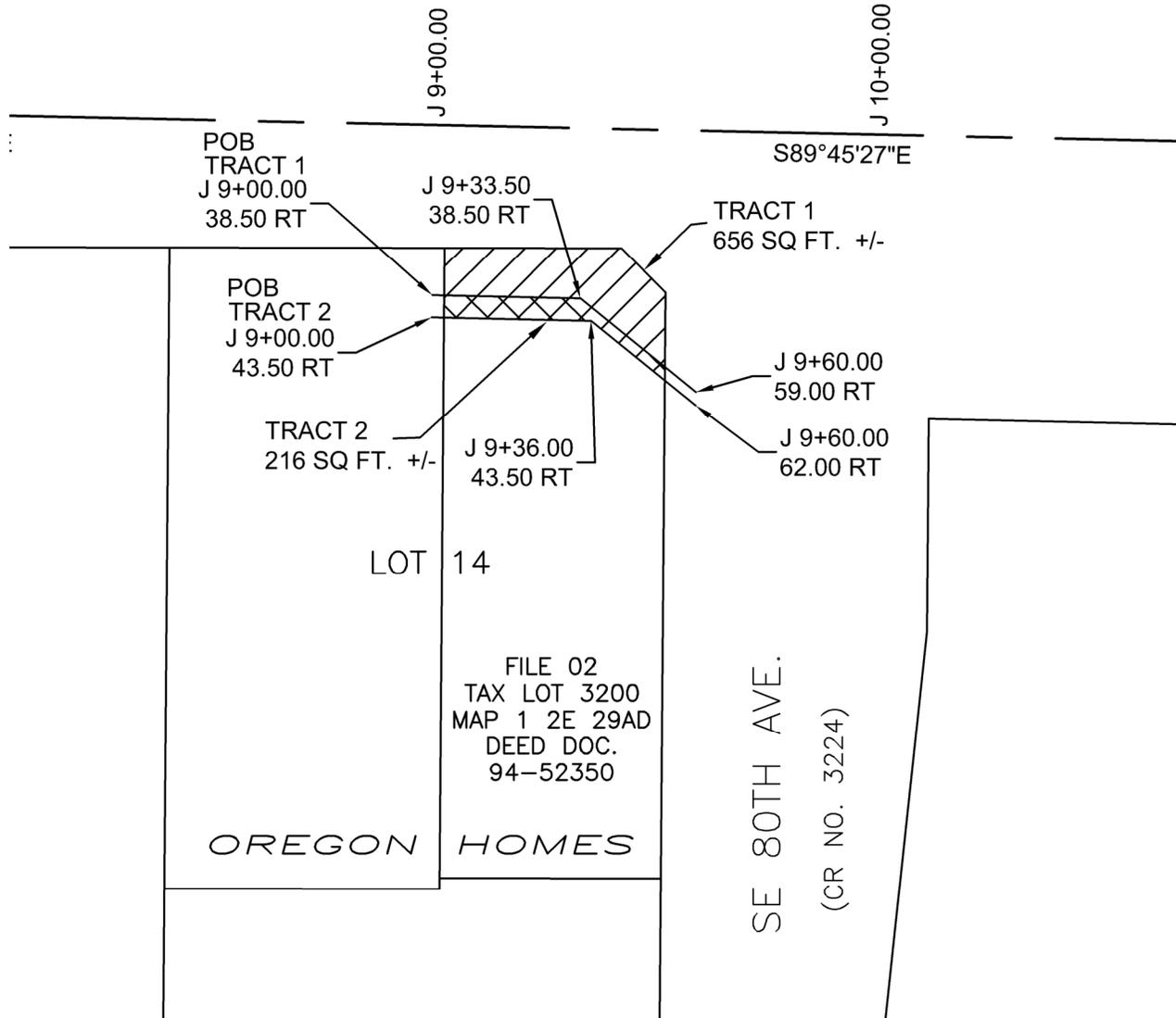
FILE NO. 2

NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.



0 40 80
SCALE IN FEET

SE JOHNSON CREEK BLVD. (CR NO. 1215)



RIGHT-OF-WAY



SLOPE EASEMENT

POB: POINT OF BEGINNING

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 1-12-2023



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
December 27, 2022

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AD 3100
File No. 03

TRACT 1- RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded August 02,2022 as Deed Document No. 2022-043305, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 8+38.00;

Thence Easterly, in a straight line, to a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 9+05.00.

EXCEPTING therefrom any portion of said tract lying within the existing right-of-way of SE Johnson Creek Boulevard.

The tract of land to which this description applies contains 629 square feet, more or less.

See Exhibit B attached hereto

TRACT 2- SLOPE EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded August 02,2022 as Deed Document No. 2022-043305, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 43.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 8+38.00;

Thence Easterly, in a straight line, to a point 43.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 9+05.00.

EXCEPTING therefrom Tract 1

The tract of land to which this description applies contains 311 square feet, more or less.

See Exhibit B attached hereto

TRACT 3- TEMPORARY CONSTRUCTION EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded August 02, 2022 as Deed Document No. 2022-043305, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 53.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 8+38.00;

Thence Easterly, in a straight line, to a point 53.50 feet right of existing SE Johnson Creek Boulevard Centerline Station 8+64.00.

EXCEPTING therefrom Tract 1 and Tract 2

The tract of land to which this description applies contains 233 square feet, more or less.

See Exhibit B attached hereto

The stationing used to describe these tracts is based on the existing centerline of SE Johnson Creek Boulevard (County Road 1215) per Survey Number 2019-041, Clackamas County and more particularly described as follows:

BEGINNING at existing centerline station J 1+50.00 of SE Johnson Creek Boulevard (County Road 1215) per SN 2019-041, said station being 1644.86 feet South and 1362.20 feet West of the Northeast One-quarter corner of Section 29, Township 1 South, Range 2 East, W.M.; thence South 89°51'51" East 630.42 feet to a point of intersection, existing centerline station J 7+80.42; thence South 88°45'27" East 519.78 feet to a point of intersection, existing centerline station J 13+00.20; thence South 89°51'50" East 199.80 feet to a point of intersection, existing centerline station J 15+00.00; and the **TERMINUS** of this centerline description.

Basis of Bearings:

The Basis of Bearing is the Oregon Coordinate Reference System (OCRS), Portland Zone, Lambert Conformal Conic Projection, NAD 83 (2011) Epoch 2010.00, International Feet Units.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus Reedy

OREGON
JULY 21, 1998
MARCUS T. REEDY
02871 LS

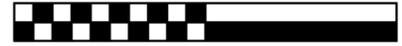
RENEWS: 12-31-2024



EXHIBIT "B"

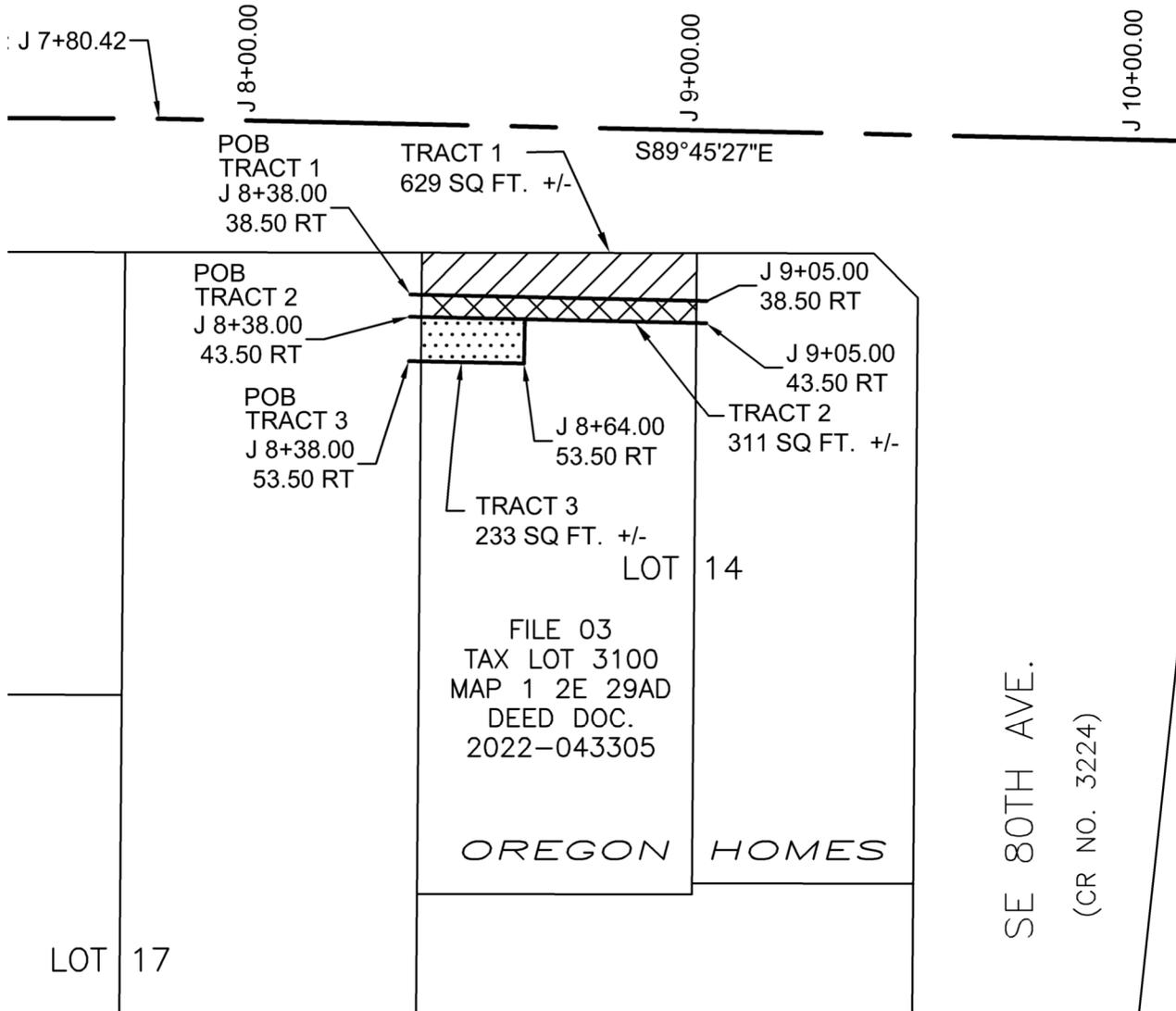
FILE NO. 3

NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.



0 40 80
SCALE IN FEET

SE JOHNSON CREEK BLVD. (CR NO. 1215)



POB TRACT 1
J 8+38.00
38.50 RT

TRACT 1
629 SQ FT. +/-

S89°45'27"E

POB TRACT 2
J 8+38.00
43.50 RT

J 9+05.00
38.50 RT

POB TRACT 3
J 8+38.00
53.50 RT

J 8+64.00
53.50 RT

J 9+05.00
43.50 RT

TRACT 2
311 SQ FT. +/-

TRACT 3
233 SQ FT. +/-

LOT 14

FILE 03
TAX LOT 3100
MAP 1 2E 29AD
DEED DOC.
2022-043305

OREGON HOMES

SE 80TH AVE.
(CR NO. 3224)

LOT 17



RIGHT-OF-WAY



SLOPE EASEMENT



TEMPORARY CONSTRUCTION EASEMENT

POB: POINT OF BEGINNING

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 12-27-2022



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
December 27, 2022

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AD 3000
File No. 04

TRACT 1- RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded May 14, 2019 as Deed Document No. 2019-025842, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 40.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+70.00;

Thence Easterly, in a straight line, to a point 40.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+91.60.

Thence Northerly, in a straight line, to a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+91.60.

Thence Easterly, in a straight line, to a point 38.50 feet right of existing SE Johnson Creek Boulevard Centerline Station J 8+43.00.

EXCEPTING therefrom any portion of said tract lying within the existing right-of-way of SE Johnson Creek Boulevard.

The tract of land to which this description applies contains 620 square feet, more or less.

See Exhibit B attached hereto

TRACT 2- DRAINAGE EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded May 14, 2019 as Deed Document No. 2019-025842, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 52.40 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+70.00;

Thence Northeasterly, in a straight line, to a point 40.06 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+85.00.

EXCEPTING therefrom Tract 1

The tract of land to which this description applies contains 58 square feet, more or less.

See Exhibit B attached hereto

TRACT 3- TEMPORARY CONSTRUCTION EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as in that deed recorded May 14, 2019 as Deed Document No. 2019-025842, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 135.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+70.00;

Thence Easterly, in a straight line, to a point 135.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+95.00.

Thence Northerly, in a straight line, to a point 70.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+95.00.

Thence Easterly, in a straight line, to a point 70.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 8+43.00.

EXCEPTING therefrom Tract 1 and Tract 2

The tract of land to which this description applies contains 3,370 square feet, more or less.

See Exhibit B attached hereto

The stationing used to describe these tracts is based on the existing centerline of SE Johnson Creek Boulevard (County Road 1215) per Survey Number 2019-041, Clackamas County and more particularly described as follows:

BEGINNING at existing centerline station J 1+50.00 of SE Johnson Creek Boulevard (County Road 1215) per SN 2019-041, said station being 1644.86 feet South and 1362.20 feet West of the Northeast One-quarter corner of Section 29, Township 1 South, Range 2 East, W.M.; thence South 89°51'51" East 630.42 feet to a point of intersection, existing centerline station J 7+80.42; thence South 88°45'27" East 519.78 feet to a point of intersection, existing centerline station J 13+00.20; thence South 89°51'50" East 199.80 feet to a point of intersection, existing centerline station J 15+00.00; and the **TERMINUS** of this centerline description.

Basis of Bearings:

The Basis of Bearing is the Oregon Coordinate Reference System (OCRS), Portland Zone, Lambert Conformal Conic Projection, NAD 83 (2011) Epoch 2010.00, International Feet Units.

REGISTERED
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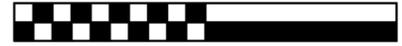
RENEWS: 12-31-2024



EXHIBIT "B"

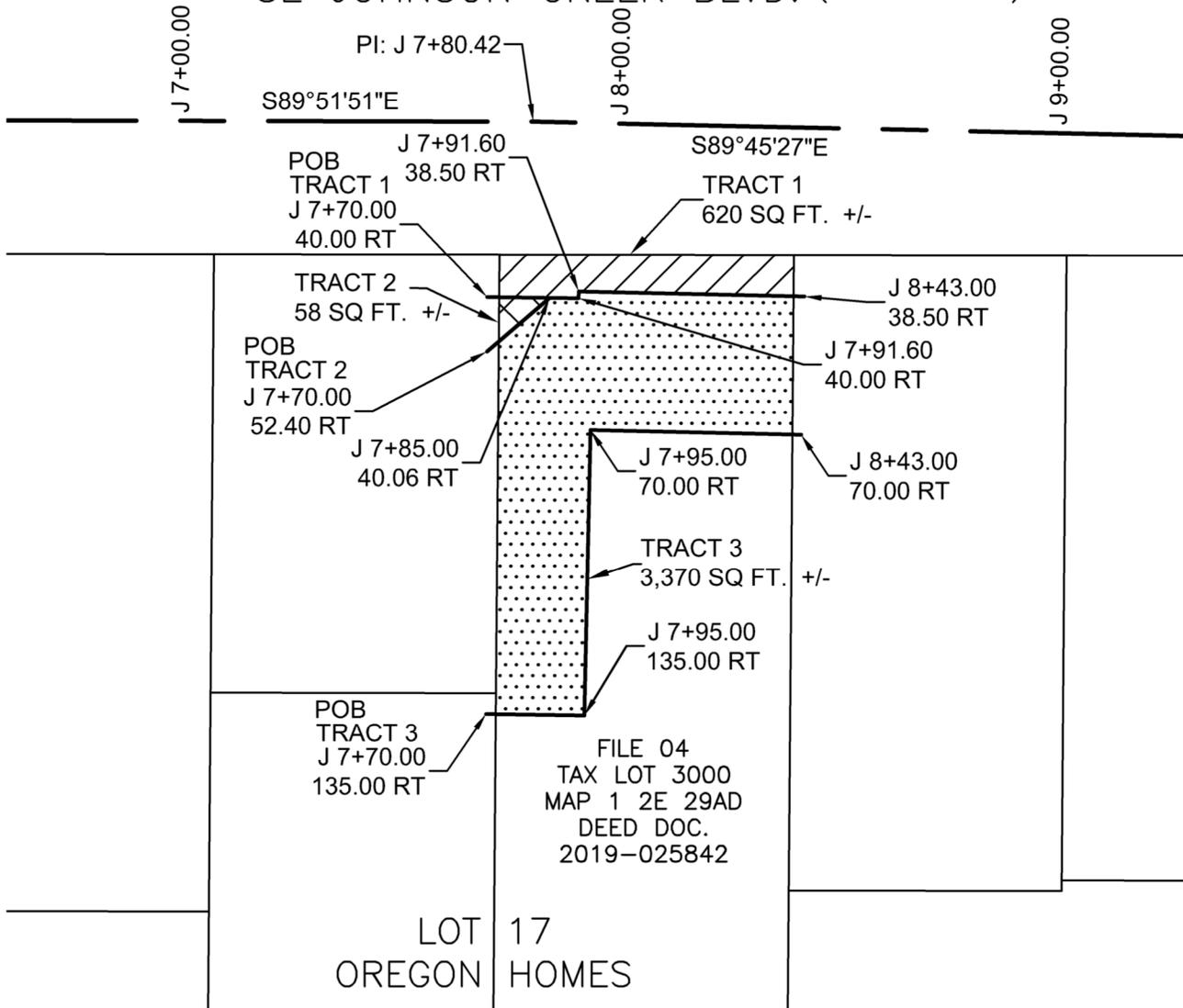
FILE NO. 4

NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.



0 40 80
SCALE IN FEET

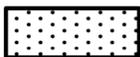
SE JOHNSON CREEK BLVD. (CR NO. 1215)



RIGHT-OF-WAY



DRAINAGE EASEMENT



TEMPORARY CONSTRUCTION EASEMENT

POB: POINT OF BEGINNING

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 12-27-2022



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
January 12, 2023

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AD 2800
File No. 05

RIGHT-OF-WAY

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, described as Parcel 1 in that Deed recorded November 16, 2015 as Deed Document No. 2015-076264, Clackamas County Deed Records

The tract of land to which this description applies contains 6,500 square feet, more or less.

See Exhibit B attached hereto

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus Reedy

OREGON
JULY 21, 1998
MARCUS T. REEDY
02871 LS

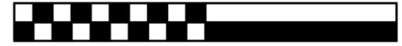
RENEWS: 12-31-2024



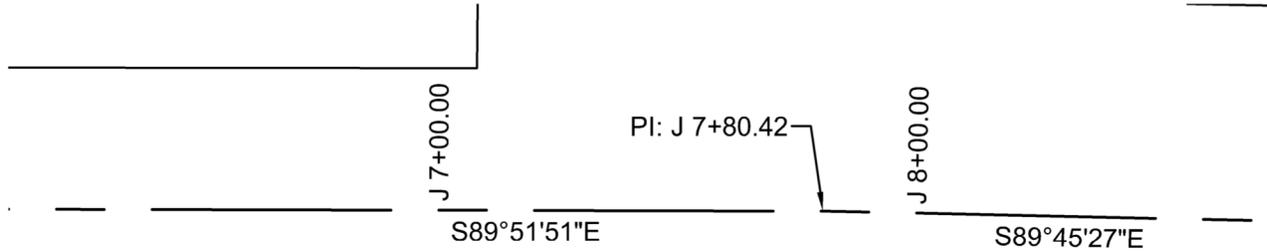
EXHIBIT "B"

FILE NO. 5

NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.

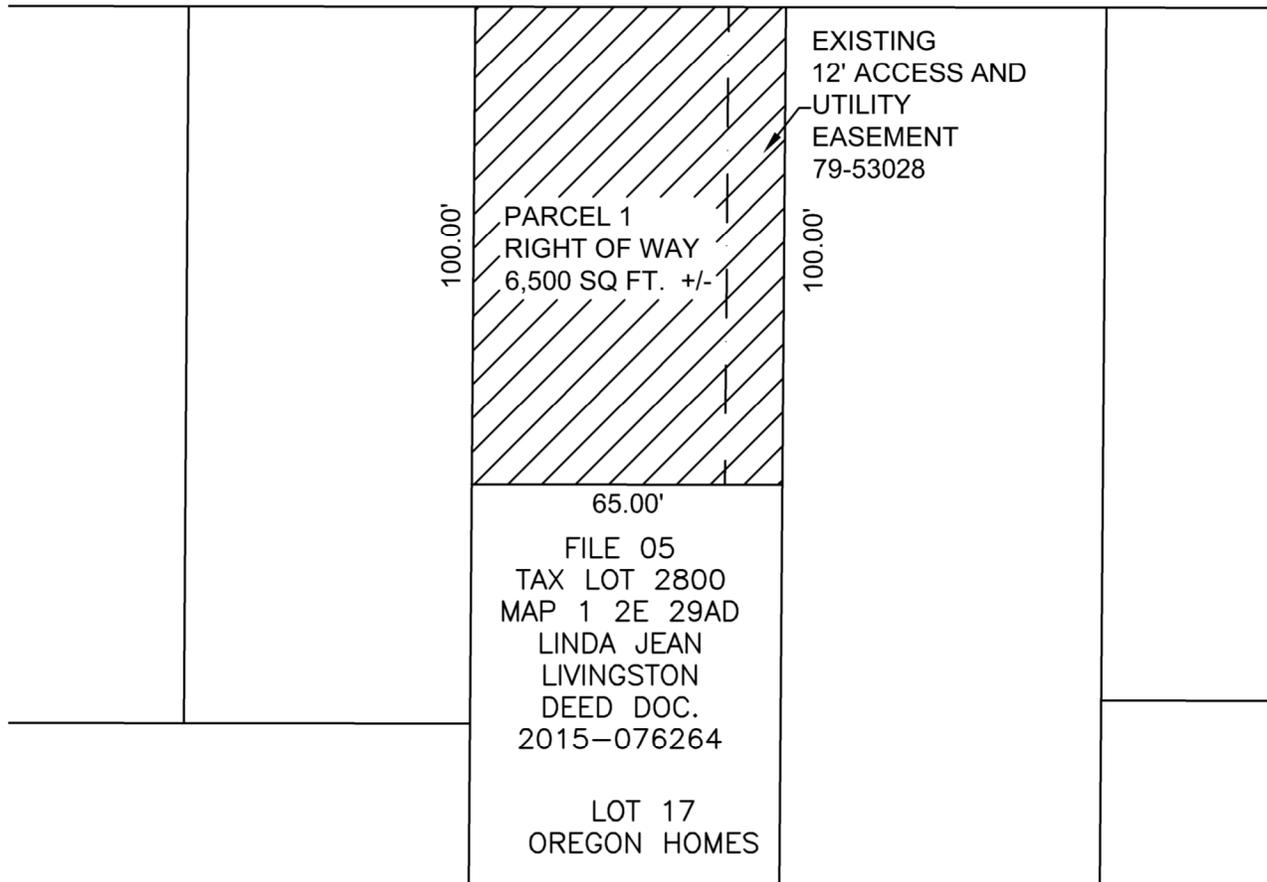


0 40 80
SCALE IN FEET



SE JOHNSON CREEK BLVD. (CR NO. 1215)

65.00'



EXISTING
12' ACCESS AND
UTILITY
EASEMENT
79-53028

PARCEL 1
RIGHT OF WAY
6,500 SQ FT. +/-

65.00'
FILE 05
TAX LOT 2800
MAP 1 2E 29AD
LINDA JEAN
LIVINGSTON
DEED DOC.
2015-076264

LOT 17
OREGON HOMES



RIGHT-OF-WAY

POB: POINT OF BEGINNING

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 1-12-2023



EXHIBIT "A"

SE Johnson Creek Blvd:
79th PI – 82nd Ave Project
January 12, 2023

County Project No. CI-300320355
Map and Tax Lot No. 1 2E 29AD 2900
File No. 06

TEMPORARY CONSTRUCTION EASEMENT

Being a tract of land located in the NE 1/4 of Section 29, Township 1 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, and being a portion of that property described as Parcel 2 in that deed recorded November 16, 2015 as Deed Document No. 2015-076264, Clackamas County Deed Records, said tract of land lying Northerly of the following described line:

Beginning at a point 135.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+52.00;

Thence Easterly, in a straight line, to a point 135.00 feet right of existing SE Johnson Creek Boulevard Centerline Station J 7+74.00.

The tract of land to which this description applies contains 97 square feet, more or less.

See Exhibit B attached hereto

The stationing used to describe these tracts is based on the existing centerline of SE Johnson Creek Boulevard (County Road 1215) per Survey Number 2019-041, Clackamas County and more particularly described as follows:

BEGINNING at existing centerline station J 1+50.00 of SE Johnson Creek Boulevard (County Road 1215) per SN 2019-041, said station being 1644.86 feet South and 1362.20 feet West of the Northeast One-quarter corner of Section 29, Township 1 South, Range 2 East, W.M.; thence South 89°51'51" East 630.42 feet to a point of intersection, existing centerline station J 7+80.42; thence South 88°45'27" East 519.78 feet to a point of intersection, existing centerline station J 13+00.20; thence South 89°51'50" East 199.80 feet to a point of intersection, existing centerline station J 15+00.00; and the **TERMINUS** of this centerline description.

Basis of Bearings:

The Basis of Bearing is the Oregon Coordinate Reference System (OCRS), Portland Zone, Lambert Conformal Conic Projection, NAD 83 (2011) Epoch 2010.00, International Feet Units. .

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Marcus Reedy

OREGON
JULY 21, 1998
MARCUS T. REEDY
2871

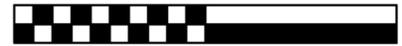
RENEWS: 12-31-2022



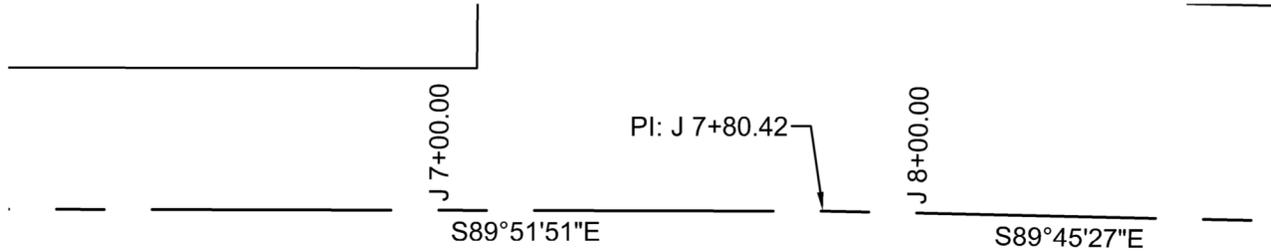
EXHIBIT "B"

FILE NO. 6

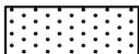
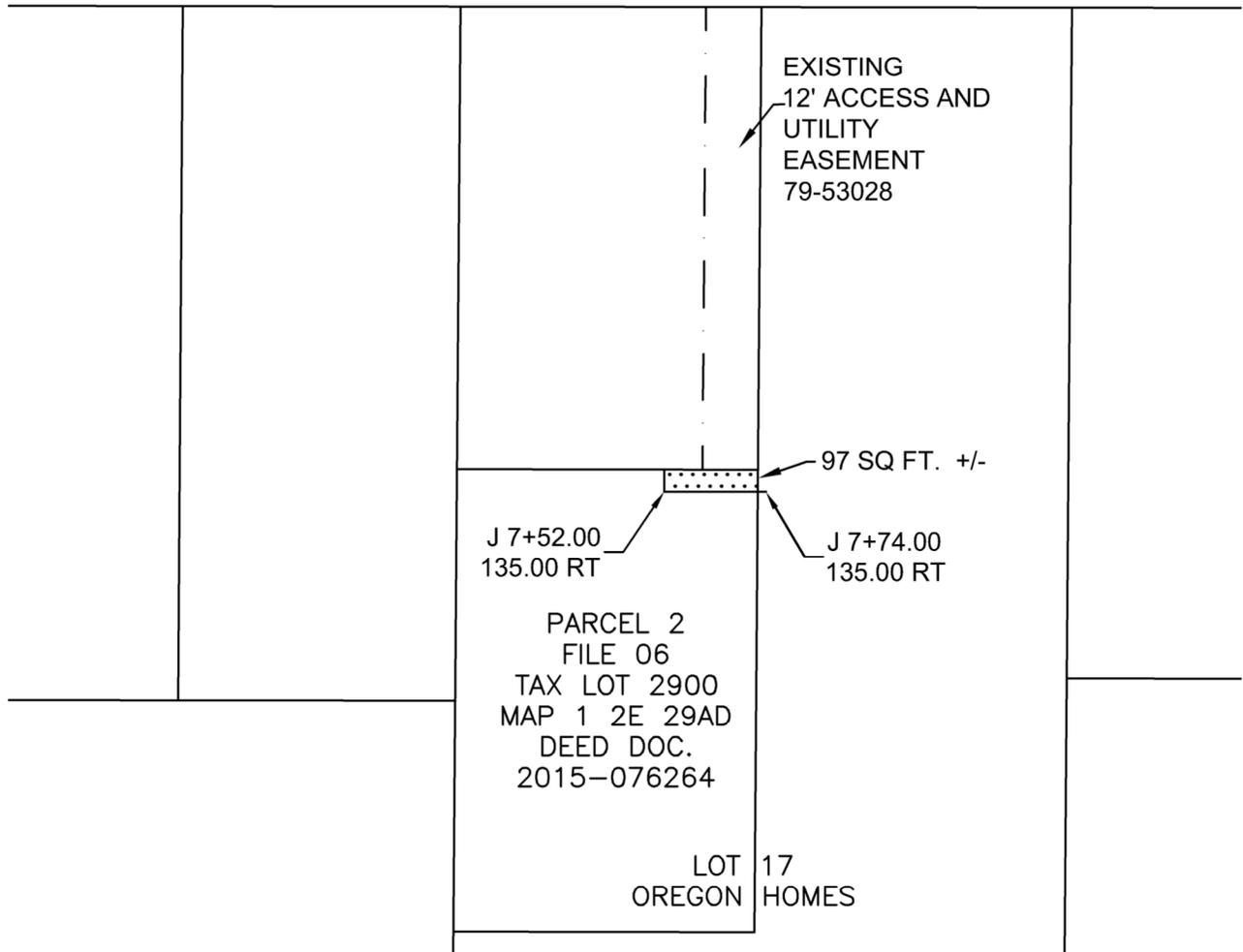
NE 1/4 SEC. 29, T. 1 S., R. 2 E., W.M.



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SCALE IN FEET



SE JOHNSON CREEK BLVD. (CR NO. 1215)



TEMPORARY CONSTRUCTION EASEMENT

SE JOHNSON CREEK BLVD:
79TH PL- 82ND AVE PROJECT
COUNTY PROJECT NO. CI-300320355



1 ALLIANCE
GEOMATICS
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9755 SW Commerce Circle, Ste B-4
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 1-12-2023