



May 25, 2016

Yamhill County  
535 NE 5<sup>th</sup> St.  
McMinnville, OR 97128

File: 008  
Name: Yamhill County  
Project: 5<sup>th</sup> Street Right of Way Acquisition

HDR, Inc. is working under contract for the City of McMinnville (City) to provide right of way acquisition services for the above listed project. As part of this project, we need to acquire a fee acquisition from your property. A determination of just compensation for the needed portion of your property has been made by a qualified appraiser based on market information. This compensation amount is outlined in the attached "**Acquisition Summary Statement.**" This offer is accompanied by the written appraisal by which the valuation was made.

Oregon law provides a **minimum** 40 days from the date of this initial written offer for you, the owner, to consider accepting or rejecting it. You may choose to accept or reject the offer at any time prior to the expiration of the 40-day period. If no attempt has been made to resolve issues and the offer is neither accepted nor rejected at the end of the 40-day period, the offer will be considered rejected. The 40-day provision does not apply when an emergency has been declared by the road authority.

The enclosed acquisition document covers the terms of our proposed real property agreement. Please read these documents carefully and, if acceptable, sign where indicated. The acquisition documents must be notarized. Please return the signed documents to this office using the enclosed postage paid envelope. After the City accepts the acquisition document and related agreements, you will receive notification of that acceptance and payment will follow.

The City will pay recording costs, title insurance premiums, and all other normal costs of sale. Outstanding encumbrances, including taxes and other interests, may need to be paid out of the compensation in order to provide sufficient title to the City. Taxes will be prorated as of the date of possession or transfer of title, whichever is earlier.

You have the right to donate the property if you wish. Should you desire to do so, please notify me, and I will see that you receive the necessary forms and instructions.

[hdrinc.com](http://hdrinc.com)

660 Hawthorne Ave. SE, Suite 220, Salem, OR 97301  
T 503.316.5500 F 503.316.5550

B.O. 14-2586

## RELOCATION BENEFITS

For an outline of any relocation benefits available to you, see the "Relocation Summary Statement" which is also attached.

If you have any questions or concerns, please call me at 503-316-5539. I am also prepared to meet with you at your convenience and will be available to assist you and work with you throughout the process.

Thank you for your time and timely attention to this matter. I look forward to working closely with you through successful completion of the acquisition process.

Sincerely,



Caleb Stephens  
Right-of-Way Agent

Enclosures

File: 008  
Name: Yamhill County  
Date: May 25, 2016

### ACQUISITION SUMMARY STATEMENT

*Land and **Improvements	<u>\$900.00</u>
Damages	\$ _____
Other	\$ _____
<b>TOTAL JUST COMPENSATION</b>	<u>\$900.00</u>

**\* LAND ACQUIRED**

1	Fee	(39 Sq. Ft.)
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**\*\* IMPROVEMENTS IN ACQUISITION AREA:**

Lawn, Irrigation

**NOTICE TO VACATE:**

Written notice to vacate will not be required. Possession will be upon payment to the owner.

**APPRAISAL INFORMATION:**

Appraisal/Valuation by: John V. Donnerberg, MAI

Date of Valuation: March 15, 2016

Value: \$900.00

Date Written: April 12, 2016

GRANTOR: Yamhill County, a political subdivision of the State of Oregon  
GRANTEE: City of McMinnville, Oregon  
CONSIDERATION: \$900.00

After recording return to:  
City of McMinnville  
230 NE 2nd Street  
McMinnville Or 97128

Until a change is requested, all tax statements shall be sent to the following address: N/A

Yamhill County Official Records	<b>201611957</b>
DMR-DDMR	<b>08/03/2016 10:37:42 AM</b>
Stn=0 MILLSA	
5Pgs \$25.00 \$11.00 \$5.00 \$20.00	<b>\$61.00</b>
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

### DEDICATION DEED

YAMHILL COUNTY, a political subdivision of the State of Oregon, GRANTOR(S), conveys, warrants and dedicates to the CITY OF McMINNVILLE, a Municipal Corporation of the State of Oregon, GRANTEE, a perpetual right-of-way for roadway, pedestrian and public utility purposes, as described in Exhibit "A", attached hereto and incorporated herein by this reference.

The true and actual consideration for this conveyance is \$900.00.

The above described property is conveyed free of encumbrances, except those of record.

The Grantor(s) hereby covenant that the Grantor(s) are lawfully seized of the estate in the property, that the Grantor(s) have good right to convey the same, that at the time of the delivery of the deed the property is free from encumbrances except as specifically set forth on the deed, and that the Grantor(s) warrant and will defend the title to the property against all persons who may lawfully claim the same.

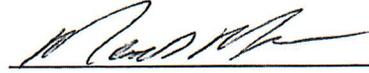
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9

FIRST AMERICAN TITLE 26 7343



APPROVAL OF CONVEYANCE (ORS 93.808)

The City of McMinnville hereby approves of this conveyance and accepts title.

  
\_\_\_\_\_

Name:

Title: City Manager



State of Oregon )

) ss.

County of Yamhill )

This record was acknowledged before me on 7-27-16 by Martha Medina,  
as City Manager of the City of McMinnville.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 1-3-2017

**EXHIBIT A** - Page 1 of 1

5<sup>th</sup> Street  
5<sup>th</sup> Street Right of Way Acquisition  
TL 4421BC03000  
File 008

**Parcel 1 – Fee**

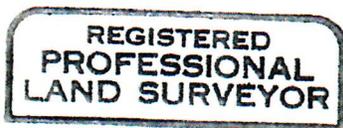
A parcel of land lying in the SW1/4 of the NW1/4 of Section 21, Township 4 South, Range 4 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Statutory Warranty Deed to Yamhill County, State of Oregon, recorded July 28, 2005 as Document No. 200516209, Deed Records of Yamhill County, said parcel being that portion of said property Northerly of the following described line:

Beginning at a point opposite and 44.00 feet Southerly of Engineer's Station 112+25.00 on the herein described center line of NE 5<sup>th</sup> Street; thence N46°48'51"E in a straight line to a point opposite and 25.00 feet Southerly of Engineer's Station 112+44.00 on said center line.

The center line of NE 5<sup>th</sup> Street is described as follows:  
Beginning at Engineer's center line station 100+00.00, said station being the centerline intersection of NW 5<sup>th</sup> Street and NW Adams Street, monumented by 3/4" iron bar, with a punch mark, in a monument case; thence South 88° 09' 49" East, a distance of 300.07 feet; thence South 88° 11' 09" East, a distance of 2,270.32 feet; thence South 88° 11' 17" East, a distance of 704.14 feet to Engineer's center line station 132+74.53, said station being the centerline intersection of said NW 5<sup>th</sup> Street and NW Logan Street, monumented by 1/2" iron pipe in a monument case.

Bearings are based on County Survey No. 13151 Yamhill County Survey Records, recorded January 11, 2016, Yamhill County, Oregon.

This parcel of land contains 39 square feet, more or less, outside the existing right of way.

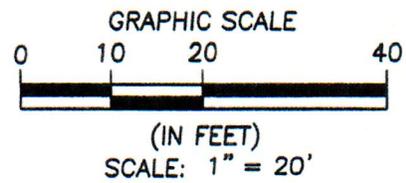
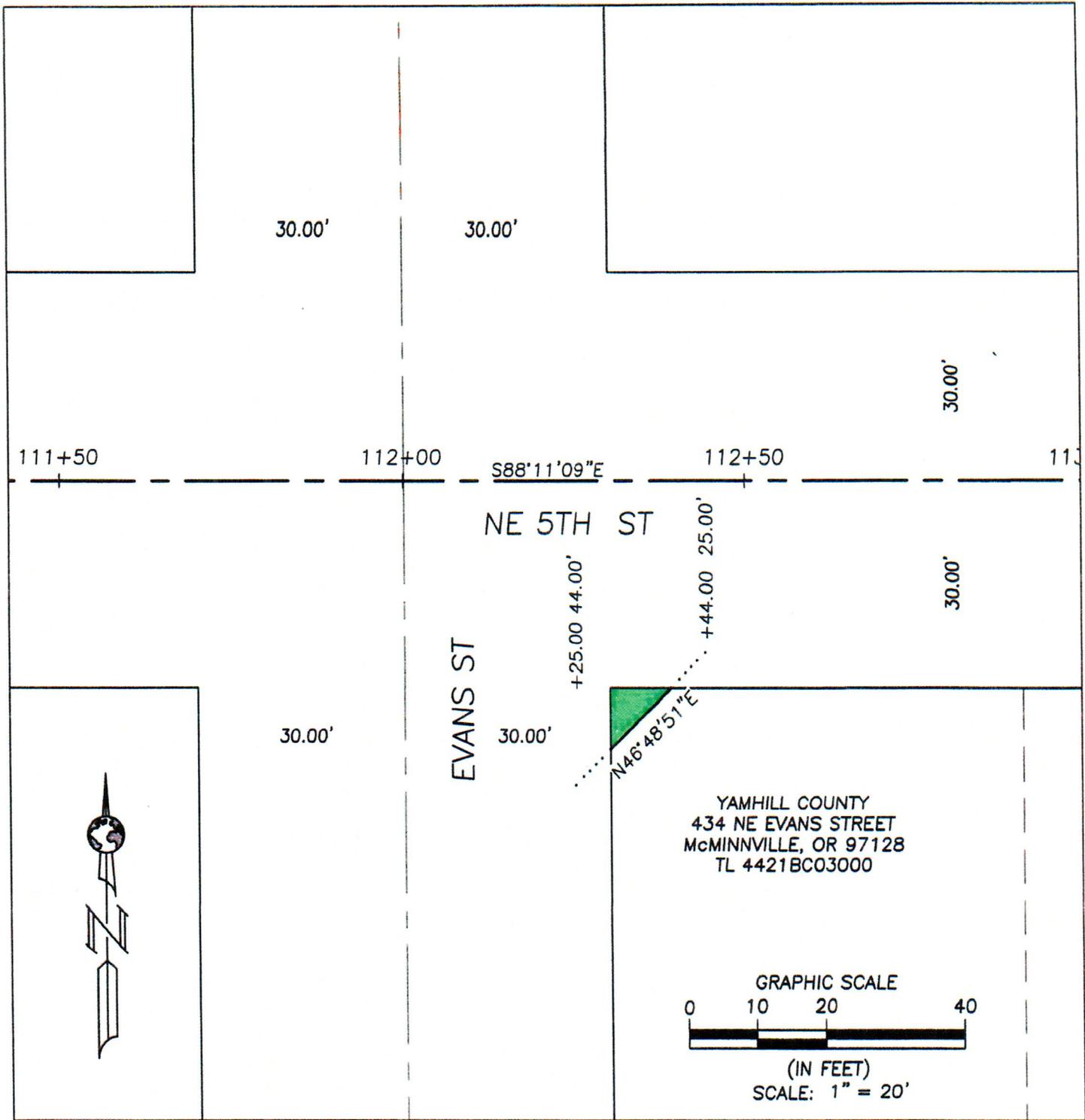


*Robert C. Lennox*



*FEB. 12, 2016*

February 12, 2016



YAMHILL COUNTY  
434 NE EVANS STREET  
McMINNVILLE, OR 97128  
TL 4421BC03000

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert C. Lennox*

OREGON  
JULY 14, 1998  
ROBERT C. LENNOX  
2886

RENEWAL: 12-31-16  
*Feb 12, 2016*

EXHIBIT B

5TH STREET RIGHT OF WAY ACQUISITION - FILE 008

YAMHILL COUNTY

434 NE EVANS STREET McMINNVILLE

NW 1/4 SECTION 21, T4S, R4W, W M.,

YAMHILL COUNTY, OREGON

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DATE FEBRUARY 12, 2016

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JOB NO 2015010

**bluedot**  
group

land surveying & mapping

11700 sw 67th ave

portland, or 97223

v. 503.624.0108

www.bluedotgrp.com

*B.O. 16-2586*