

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Exercising Eminent Domain	)	RESOLUTION 17-09-07-1
for Right of Way Related to the DeJong Road,	)	BOARD ORDER 17-350
Ballston Bridge Rehabilitation Project	)	

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (“the Board”) sat for the transaction of County business in formal session on Thursday, September 7, 2017 at 10:00 a.m. in Room 32 of the courthouse, Commissioners Stan Primozych, Mary Starrett, and Rick Olson being present.

WHEREAS, Yamhill County may exercise the power of eminent domain pursuant to ORS 456.145 and the Law of the State of Oregon generally, when the exercise of such power is deemed necessary by Yamhill County’s governing body to accomplish public purposes for which Yamhill County has responsibility;

WHEREAS Yamhill County has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the traveling public;

WHEREAS the project known as the DeJong Rd, Ballston Bridge Rehabilitation Project (the “Project”) has been planned in accordance with appropriate engineering standards for the construction, maintenance or improvement of said transportation infrastructure such that property damage is minimized, transportation promoted, travel safeguarded; and

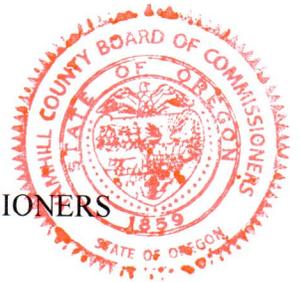
WHEREAS to accomplish the Project set forth above it is necessary to acquire the interests in the property described in “Exhibit A”, attached to this resolution and, by this reference incorporated herein; now, therefore

BE IT HEREBY RESOLVED by the Yamhill County Board of Commissioners

1. The foregoing statements of authority and need are, in fact, the case. The Project for which the property is required and is being acquired is necessary in the public interest, and the same has been planned, designed, located, and will be constructed in a manner which will be most compatible with the greatest public good and the least private injury;

2. The power of eminent domain is hereby exercised with respect to each of the interests in property described in Exhibit A. Each is acquired subject to payment of just compensation and subject to procedural requirement of Oregon law.
3. The Board's staff and the office of Yamhill County Counsel are authorized and requested to attempt to agree with the owner and other persons in interest as to the compensation to be paid for each acquisition, and, in the event that no satisfactory agreement can be reached, to commence and prosecute such condemnation proceedings as may be necessary to finally determine just compensation or any other issue appropriate to be determined by a court in connection with acquisition. The authorization is not intended to expand the jurisdiction of any court to decide matters determined above or determinable by the Board.
4. Yamhill County expressly reserves its jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality or locality, and to change or abandon any acquisition.

DATED this 7<sup>th</sup> day of September, 2017.



ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VAN BERGEN  
County Clerk

*[Signature]*  
Chair STAN PRIMOZICH

By: *[Signature]*  
Deputy Crystal Cox

*[Signature]*  
Commissioner MARY STARRETT

APPROVED AS TO FORM:

*[Signature]*  
CHRISTIAN BOENISCH  
County Counsel

*[Signature]*  
Commissioner RICHARD OLSON

Accepted by Yamhill County  
Board of Commissioners on  
9-7-17 by Board Order  
# 17-350

**Parcel 1 – Permanent Easement for Bridge Maintenance**

A parcel of land lying in the J Danworth DLC No. 57 in the SE1/4 of Section 32, Township 5 South, Range 5 West, W.M., Yamhill County, Oregon; said parcel being a portion of that property described in that Bargain and Sale Deed to Steven P. and Christine M. Morris, husband and wife, recorded August 09, 2013 as Document No. 201403669, Deed Records of Yamhill County; said parcel being that portion of said property lying Westerly of a line parallel with and 67.00 feet Easterly of the center line of the relocated DeJong Road between lines at right angles to said centerline at Engineer's Stations 25+50.00 and 28+82.18.

The centerline of DeJong Road is described as follows:

Beginning at Engineer's center line station 0+00.00, monumented by a spike set over a 1" iron pipe in a monument case in DeJong Road, said station being South 01°54'18" West 1891.62 feet of a 1/2" iron pipe with a pinched top in a monument case at the apparent center line intersection of Christensen Road and DeJong Road; thence South 01°58'07" West 387.35 feet; thence on a spiral curve to the left (the long chord of which bears South 00°28'08" West 299.92 feet) 300.00 feet; thence on a 1909.86 foot radius curve to the left (the long chord of which bears South 14°25'53" East 787.64 feet) 793.33 feet; thence on a spiral curve to the left (the long chord of which bears South 29°19'53" East 299.92 feet) 300.00 feet; thence South 30°49'53" East 187.27 feet; thence on a spiral curve to the right (the long chord of which bears South 26°20'00" East 448.89 feet) 450.00 feet; thence on a 954.93 foot radius curve to the right (the long chord of which bears South 14°00'38" East 110.63 feet) 110.69 feet; thence on a spiral curve to the right (the long chord of which bears South 01°41'15" East 448.89 feet) 450.00 feet; thence South 02°48'37" West 4321.35 feet to Engineer's center line Station 73+00.00.

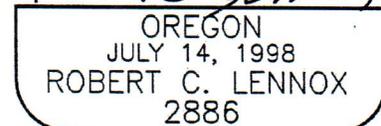
EXCEPTING that portion lying within the existing right of way.

Bearings are based on County Survey No. 13086 Yamhill County Survey Records, Yamhill County, Oregon.

This parcel of land contains 10,347 Square Feet, more or less, outside the existing right of way.



A handwritten signature in cursive script that reads "Robert C. Lennox".



RENEWAL: 12-31-18