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IN 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 a Resolution Exercising the )  
Power of Eminent Domain to Acquire Real )  
Property Interests in Connection with the )  
South Yamhill River (Bridge Street) Green )  
Bridge Project; Authorization to Acquire )  
Real Property Interests )

BOARD ORDER 12-  
RESOLUTION No. 12-2-16-1

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 16, 2012, commissioners Leslie Lewis, Kathy George and Mary P. Stern participating.

THE BOARD MAKES THE FOLLOWING FINDINGS.

- A. Yamhill County may exercise the power of eminent domain pursuant to ORS 35.235 and the law of the State of Oregon generally, when the exercise of such power is deemed necessary by the Board to accomplish public purposes for which the Board has responsibility;
- B. The Board has the responsibility of providing safe transportation routes for commerce, convenience and to adequately serve the travelling public in Yamhill County;
- C. South Yamhill River (Bridge Street) Green Bridge in Sheridan, Oregon is a part of the Yamhill County street system and is under the jurisdiction and control of the Board. A rehabilitation project of the Green Bridge is currently underway to repair and repaint the Green Bridge and to make a series of safety improvements;
- D. To accomplish the project described herein it is necessary to acquire certain real property interests in and over the properties as described in Exhibit A, attached to this resolution and, by this reference incorporated herein;
- E. The Board finds that the acquisition of these real property interests are for a public use and that they are located in a manner that will be most compatible with the greatest public good and least private injury.
- F. The purpose of this resolution is to satisfy the requirements of ORS 35.235, to declare the public necessity of the possible condemnation and the purpose for which the possible condemnation is required. NOW, THEREFORE,

IT IS HEREBY RESOLVED BY THE BOARD AS FOLLOWS:

1. The foregoing statements of authority and need are, in fact, the case. The project or projects for which these real property interests are required and are being acquired are necessary in the public interest, and the same have 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 acquiring the identified real property interests in the properties as described in Exhibit A. Each real property interest shall be acquired subject to payment of just compensation and subject to procedural requirements of Oregon law;
3. The Oregon Department of Transportation and the Oregon Attorney General 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 of real property interests in the name of Yamhill County 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 of any other issue appropriate to be determined by a court in connection with such acquisition. This authorization is not intended to expand the jurisdiction of any court to decide matters determined above or determinable by Board.
4. The Board expressly reserves its rights and jurisdiction to determine the necessity or propriety of any acquisition of real property interests, its quantity, quality, or locality and to change or abandon any such acquisition.

DONE at McMinnville, Oregon on February 16, 2012.

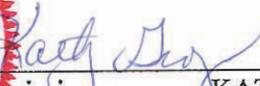
ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

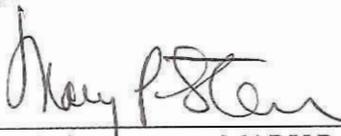
REBEKAH STERN DOLL  
County Clerk

  
Chair  
LESLIE LEWIS

By:   
Deputy ANNE BRITTON

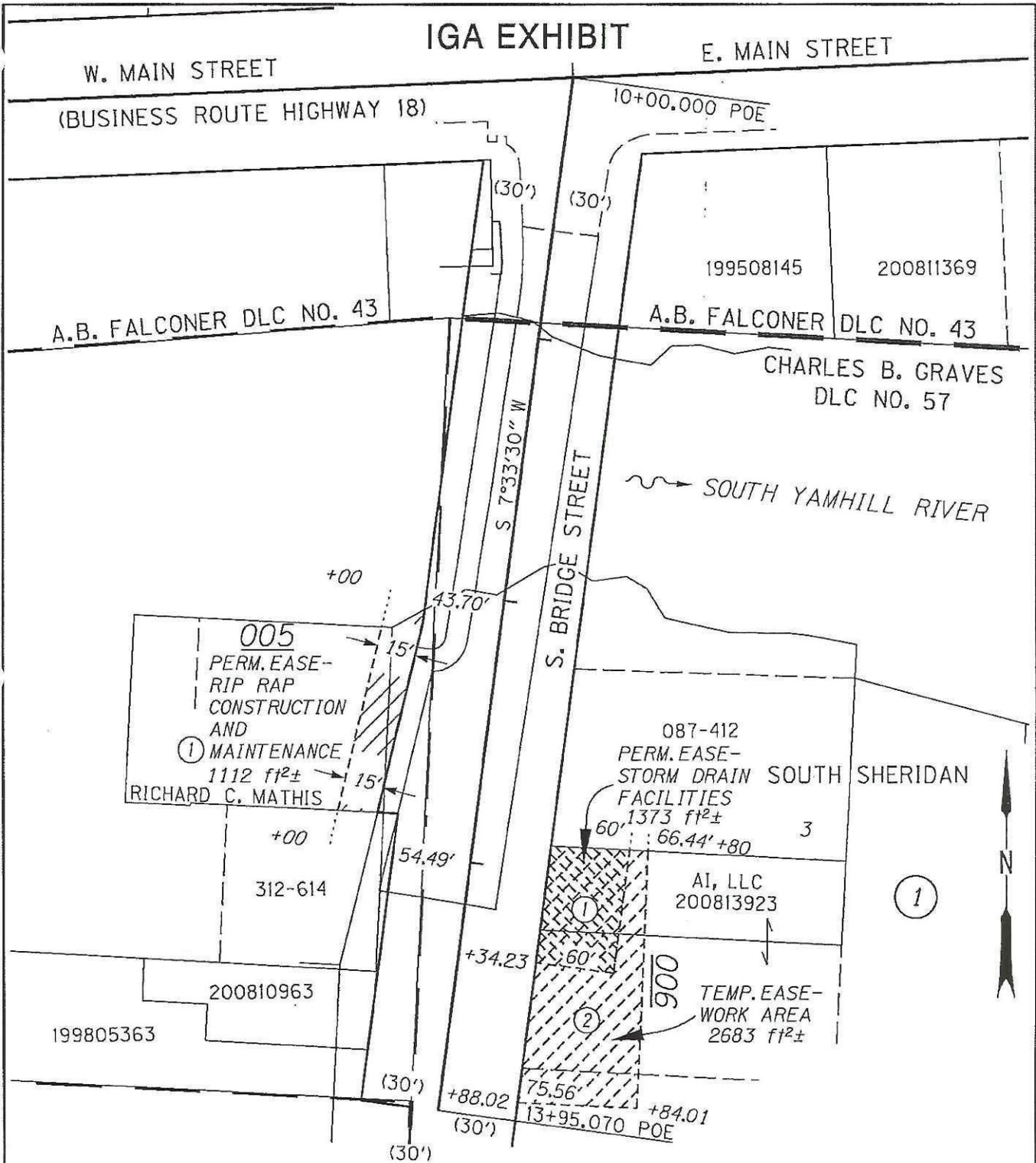
  
Commissioner  
KATHY GEORGE

FORM APPROVED BY:  
  
CHRISTIAN BOENISCH  
Deputy County Legal Counsel

  
Commissioner  
MARY P. STERN

whitec\pw\greenbridgeproject2012\eminentdomainresolution

Exhibit A



DEPARTMENT OF PUBLIC WORKS YAMHILL COUNTY			
SECTION	SOUTH YAMHILL RIVER (BRIDGE ST.)		
DRG. NO.	17409005	KEY NO.	N/A
HIGHWAY	S. BRIDGE ST.		
COUNTY	YAMHILL		
SCALE :	1"=50'	DATE :	FEBRUARY 10, 2012

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