BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION/ORDER NO: 23-04-05

IN THE MATTER OF A RESOLUTION
ESTABLISHING NECESSITY PURSUANT
TO ORS 35.610 AND ORDERING THE
ACQUISITION OF INTERESTS NECESSARY
FOR THE GILHAM ROAD SIDEWALK AND
SAFETY IMPROVEMENTS PROJECT,
KEY # 21385 (360289966).

WHEREAS Lane County may exercise the power of eminent domain pursuant to its Home
Rule Charter, Chapter II, Section 5, Oregon Revised Statutes Volume 01, Chapter 35, and the Law
of the State of Oregon generally, when the exercise of such power is deemed necessary by the
Board of County Commissioners' governing body to accomplish public purposes for which Lane
County has responsibility;

WHEREAS Lane 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 Gilham Road Sidewalk and Safety Improvement
Project, Key # 21368 (360289966), adopted through the Lane County Capital Improvement
Program for Fiscal Years 2020-21 through 2024-25, Order No 20-07-21-08, 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 permanent
road right of way, drainage easements, and temporary right of entry/permit of entry for
construction interests in the properties described in Exhibit A, attached to this resolution and, by
this reference incorporated herein;

NOW, THEREFORE, the Board of County Commissioners of Lane County RESOLVES
and ORDERS as follows:

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 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 each of the interests in property
   described in Exhibit A. Each property is acquired subject to payment of just compensation and subject
to procedural requirements of Oregon law;

3. The Lane County Public Works’ Staff and the Lane 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 the acquisition. This authorization is not intended to expand the jurisdiction of any court to decide matters determined above or determinable by the Lane County Counsel.

4. Lane 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.

ADOPTED this 4th day of April, 2023.

[Signature]
Pat Farr, Chair
Lane County Board of Commissioners
EXHIBIT A
LANE COUNTY DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY PROPERTY IDENTIFICATION LIST

GILHAM ROAD SIDEWALK AND SAFETY IMPROVEMENT PROJECT, KEY # 21385
(360289966)

Permanent Right of Way Easement (PRE), Temporary Construction Easement (TCE), Drainage Easement (DE)

<table>
<thead>
<tr>
<th>ROW Parcel #</th>
<th>Property Map/Tax Lot</th>
<th>Interest to Acquire</th>
<th>Owners' Name</th>
<th>Mailing Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1547-01</td>
<td>1703083413800</td>
<td>PRE TCE</td>
<td>Dane A. &amp; Kathryn R. Butler</td>
<td>3343 Wyndham Ct. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-02</td>
<td>1703083300100</td>
<td>PRE TCE DE TCE</td>
<td>Daniel V. &amp; Edward J. Edgar</td>
<td>55 Ayres Rd. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-03</td>
<td>1703083103401</td>
<td>TCE</td>
<td>Tim G. &amp; Christine A. Campbell</td>
<td>PO Box 10066 Eugene, OR 97440</td>
</tr>
<tr>
<td>1547-04</td>
<td>1703083103300</td>
<td>TCE</td>
<td>Kasey Stephens</td>
<td>3499 Gilham Rd. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-05</td>
<td>1703083103200</td>
<td>TCE</td>
<td>Robert M. &amp; Mary H. O'Brien</td>
<td>270 E Pope Ln. Castle Valley, UT 84532</td>
</tr>
<tr>
<td>1547-06</td>
<td>1703083211300</td>
<td>PRE TCE</td>
<td>Kenneth N. &amp; Lona F. Feldman</td>
<td>3266 Lakemont Dr. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-07</td>
<td>1703083102600</td>
<td>TCE</td>
<td>Anthony &amp; Julia Bloom</td>
<td>2250 Turnberry Ct. Eugene, OR 97401</td>
</tr>
<tr>
<td>1547-08</td>
<td>1703083210700</td>
<td>PRE TCE</td>
<td>Candy Walker</td>
<td>831 Snell St. Eugene OR, 97405</td>
</tr>
<tr>
<td>1547-09</td>
<td>1703083108200</td>
<td>PRE TCE</td>
<td>Westfall Trust</td>
<td>2120 Ashbury Dr. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-10</td>
<td>1703083210600</td>
<td>TCE</td>
<td>John R. &amp; Kulig Megan J. Rhode</td>
<td>3604 Gilham Rd. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-11</td>
<td>1703083209900</td>
<td>TCE</td>
<td>Sydney Brooks Wright</td>
<td>3632 Gilham Rd. Eugene, OR 97408</td>
</tr>
<tr>
<td>1547-12</td>
<td>1703083209800</td>
<td>PRE TCE</td>
<td>Rodney Turner</td>
<td>2090 Don Juan Ave. Eugene, OR 97408</td>
</tr>
</tbody>
</table>