



BOARD OF COMMISSIONERS
Agenda Item Summary

2023-005120

Klamath County, Oregon



00316464202300051200060067

06/29/2023 09:37:33 AM

Fee: NO FEE

Agenda Category: Other

Item No:

13.1

Date: June 27, 2023

Originating Department: Public Works

Issue: In the matter of procuring right-of-way for road and public utilities purposes along Crest Street.

Background: On February 7, 2023 the County executed a construction contract for the 2023 Stearns Corridor Roadway and Sidewalk Improvements project. Due to right-of-way (property line) constraints, some land procurement is required to move forward with future phases of this project. The settlement agreement in question was negotiated by the County, with a willing seller.

Recommended Motion: Board to approve and sign the Right-of-Way dedication of approximately 938.0 square feet of real property and authorize payment of \$1,942.00 to Jody Balsiger for acquisition costs. Fiscal impact is \$1,942.00 expenditure to the Public Works Operating Budget.

DONE AND DATED this 27 day of June, 2023

Chair

Approved ☒

Denied ☐

Vice-Chair

Approved ☐

Denied ☐

Commissioner

Approved ☒

Denied ☐



KLAMATH COUNTY - PUBLIC WORKS DEPARTMENT

ROAD DEPARTMENT • WEED CONTROL DIVISION

305 MAIN STREET • KLAMATH FALLS, OR 97601

(541) 883-4696 • FAX (541) 882-3046

May 24, 2023

James & Jody Balsiger,
3803 Crest St
Klamath Falls, OR 97603

Re: Right-of-Way Acquisition
3909-010DA-02100

In consideration for the property described in the attached Right-of-way exhibits, Klamath County's offer for the purchase of property rights is as follows:

Residential zoned property: 938.0 Sq. Ft.	\$ 1942.00
Total:	\$ 1942.00

If you accept this offer, please sign and date this letter, the enclosed Right of Way Deed, and the W-9. Return all documents to Klamath County Public Works. If you have any questions or concerns regarding these document Klamath County recommends consulting your attorney prior to signing. Once Klamath County receives the signed documents, final closing and disbursement will be performed by Klamath County. Payment will be available to you after closing.

If you have questions or require further discussion please contact Ryan Hamilton at 541-883-4696 or by email at rhamilton@klamathcounty.org.

Sincerely,

Jeremy Morris, P.E.
Director of Public Works

I accept Klamath County's offer as set forth above.

See Deed Cert.
James Balsiger, Grantor

6-7-23
Date

Jody Balsiger
Jody Balsiger, Grantor

6-7-23
Date

Delivered: Hand

AFTER RECORDING RETURN TO:

Klamath County Public Works
305 Main Street
Klamath Falls, OR 97601

GRANTOR:

James & Jody Balsiger
3803 Crest St
Klamath Falls, OR 97603

GRANTEE:

Klamath County
305 Main Street
Klamath Falls, OR 97601

ROAD RIGHT OF WAY

KNOW ALL BY THESE PRESENTS that James & Jody Balsiger, hereinafter called Grantor, does hereby grant unto Klamath County, a political subdivision of the State of Oregon and Grantee, hereinafter called the "County", a strip of land for road right of way and public utilities purposes on, over, and under the following described real property situated in Klamath County, Oregon:

- See attached Exhibit 'A' Legal Description and;
- See attached Exhibit 'B' Sketch Map

All attached hereto and by this reference incorporated herein.

The true consideration of this conveyance is for \$1942.00, the receipt of which is hereby acknowledged by GRANTOR.

And the GRANTOR warrants that 1) GRANTOR has marketable title to the property, 2) the County may peaceably enjoy the rights and benefits of this land, 3) there are no other interests in the property which conflict with the County's intended use of this land, 4) the property is free of encumbrances except those of which GRANTOR has notified the County, and 5) GRANTOR has the unrestricted right to deed the property without additional consent or permission.

Dated this 07 day of June, 20 23.

GRANTOR:

See Death Cert
James Balsiger _____ Date

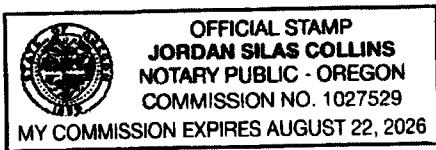
Jody Balsiger
Jody Balsiger _____ Date 06/07/2023

ROAD RIGHT OF WAY

STATE OF OREGON)
)ss.
COUNTY OF KLAMATH)

This instrument was acknowledged before me on this 7th day of June, 20 23 by

Jody Balsiger



[Signature]
Notary Public for Oregon
My commission expires: 08/22/2026

Klamath County Signatures

Approved as to Form

[Signature]
Klamath County Counsel

Accepted on behalf of Klamath County by the Klamath County Board of Commissioners

[Signature]
Chair

[Signature]
Commissioner

[Signature]
Commissioner

6/27/23
Date

6/27/23
Date

6/27/23
Date

EXHIBIT 'A'

CREST ST RIGHT OF WAY
BALSIGER PROPERTY

A strip of land for right of way and public utility purposes, situate in the NE 1/4, SE 1/4, Section 10, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being a portion of that property recorded in deed volume M03 Page 24199 of the Klamath County Clerk's Office and being more particularly described as follows:

The Westerly 10.0 feet of the following described property containing 938 sq feet more or less; Beginning at a point on the Easterly right of way of Crest Street which is South 88° 44' West a distance of 1303.9 feet from the East quarter corner of Section 10; thence South 1° 08' East along the Easterly right of way of Crest Street to the North line of Landis Park a platted subdivision; thence North 88° 44' East a distance of 96.0' along said North line to the Northwestern line of the U.S.R.S. Drain; thence North 25° 45' East along said Northwestern line to its intersection with the East-West center line of Section 10; thence South 88° 44' West a distance of 175 feet more or less to the point of beginning; EXCEPT a parcel of land situated therein more particularly described as follows: Beginning at a point on the intersection of the North boundary of Landis Park subdivision and the easterly right of way of Crest Street; thence Northerly along the easterly right of way of Crest Street a distance of 80.5 feet; thence Easterly at right angles to Crest Street to the Westerly boundary of the USBR drain ditch; thence Southwesterly along the Westerly boundary line of said drain ditch to an iron pin on the Northeast corner of Lot 19, Landis Park; thence Westerly along the North line of said Lot 19 a distance of 96.0 feet more or less to the point of beginning.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

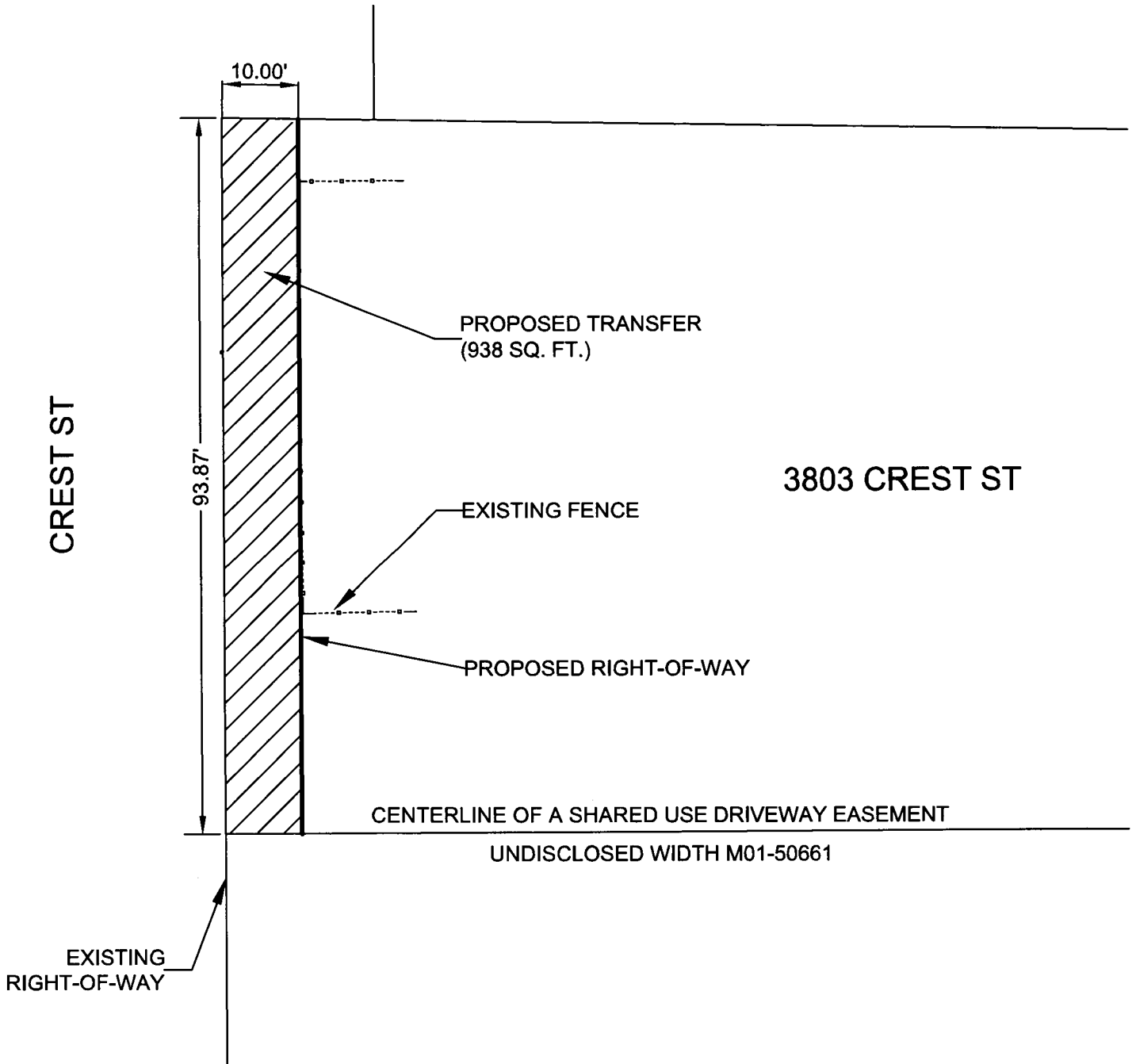
Jonathan S Redd

OREGON
SEPTEMBER 13, 2022
JONATHAN S REDD
98873

EXPIRES: DECEMBER 31, 2024



SCALE 1"=20'



TITLE: 3803 CREST ST RIGHT OF WAY EXHIBIT

0 1"
THIS LINE IS 1 INCH AT FULL SCALE
VERIFY AND ADJUST SCALE AS
NEEDED

REVISION NO.
1
DATE
05/30/23

SKETCH
EXHIBIT-B