



## BOARD OF COMMISSIONERS

# AGENDA REQUEST & STAFF REPORT

**MEETING DATE:** October 19, 2022

**SUBJECT:** Consideration of Document No. 2022-762, a License Agreement With the Ike Abbas Trust for Right of Way Encroachments on 11<sup>th</sup> Street (Terrebonne)

**RECOMMENDED MOTION:**

*Move approval of Document No. 2022-762.*

**BACKGROUND AND POLICY IMPLICATIONS:**

The Ike Abbas Trust owns property at 925 Central Ave, Terrebonne (Tax Lot 141316DB00302). The property owner has various structures, fences, propane tanks, and other items that encroach within the public right of way for 11<sup>th</sup> Street. Some of these encroachments conflict with the planned 11<sup>th</sup> Street improvements as part of the US97: Lower Bridge Way – NW 10<sup>th</sup> St (Terrebonne) project, while the remaining encroachments are set back from the project limits and do not conflict with the project or long-term operation of 11<sup>th</sup> Street as a public road.

After meeting with Mr. Ike Abbas, trustee for the Ike Abbas Trust, about this matter in June 2022, Road Department staff prepared a revocable license agreement that would require the Ike Abbas Trust to remove those encroachments that would conflict with the planned 11<sup>th</sup> Street improvements and/or long-term operation of 11<sup>th</sup> Street as a public road by December 31, 2022; these encroachments include above-ground propane tanks, a lean-to shed/fence structure approximately 190 feet in length, and other items. Additionally, the revocable license agreement would allow for the remaining encroachments to remain within the otherwise unused right of way area; these encroachments include a manufactured home, sheds, fences, a retaining wall, and other items. Road Department staff presented the agreement to Mr. Abbas in August 2022; Mr. Abbas has recently signed the agreement.

The agreement end date is December 31, 2025. Road Department staff anticipate that,

prior to that date, the US97: Lower Bridge Way – NW 10<sup>th</sup> St (Terrebonne) project will be substantially completed, and the Department would begin the process of vacating the public interest in the licensed area. Removal of the conflicting encroachments and licensing of the remaining encroachments is necessary at this time for the Oregon Department of Transportation to complete the right of way certification for the project.

**BUDGET IMPACTS:**

None

**ATTENDANCE:**

Cody Smith, County Engineer/Assistant Director, Road Department