



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council
THROUGH: Sherilyn Lombos, City Manager
FROM: Kim McMillan, Community Development Director
DATE: December 14, 2020

SUBJECT:

Consideration of **Resolution No. 5527-20** Authorizing the City Manager to Execute a Quitclaim Deed of a Public Utility Easement Located at the Intersection of SW 124th and 99W.

RECOMMENDATION:

Staff recommends Council adopt the resolution.

EXECUTIVE SUMMARY:

Under ORS 221.725, the City must hold a public hearing prior to conveying an interest in real property. The public hearing before Council on this date is to consider whether the City should relinquish its interest in an unused vehicle detector loop easement that is currently burdening two properties located near the intersection of SW 124th and 99W. The vehicle detector loop easement is no longer needed and has no value. The City is proposing to execute a quitclaim deed to relinquish its interest in the vehicle detector loop easement.

On June 23, 1993, the City obtained a public utility easement for the “right to construct, reconstruct, operate, and maintain vehicle detector loops” on Tax Lot 2200 and the southeast corner of Tax Lot 2203, located at the intersection of SW 124th and 99W. The easement was recorded as Washington County Document No. 93-046003. The City does not have a use for a vehicle detector loop easement at this location. The City also contacted the Oregon Department of Transportation (ODOT) to determine if ODOT had a need for the easement.

In the attached correspondence from ODOT, ODOT determined that all necessary vehicle loop detectors serving the signal at 124th/OR 99W “...are within the state right of way.” Furthermore, “ODOT has concluded that we do not have a need for the loop detector within the easement.”

The vehicle detector loop easement is not needed by the City and has no value. Staff recommends the Council adopt the resolution to authorize the City Manager to execute a quitclaim deed to remove an unnecessary encumbrance on private property that is no longer serving a public purpose.

OUTCOMES OF DECISION:

Adopting the resolution authorizes the City Manager to execute this quitclaim deed to relinquish the City’s interest in a vehicle detector loop easement that is no longer needed for a public purpose.

ALTERNATIVES TO RECOMMENDATION:

Council can decide not to approve the resolution and the vehicle detector loop will remain on private property.

FINANCIAL IMPLICATIONS:

NA

ATTACHMENTS:

Exhibit A: Vicinity Map

Exhibit B: Easement Vacation Exhibit and Detector Loop Exhibit

Exhibit C: Vehicle Detector Loop Easement to be Quitclaimed

Exhibit D: Preliminary Title Report

Exhibit E: Correspondence with ODOT

Exhibit F: Quitclaim Deed

Resolution 5527-20