

ALBANY CITY COUNCIL
AGENDA

Monday, September 23, 2024
4:00 p.m.

Council Chambers, City Hall
333 Broadalbin Street SW

Watch on YouTube: <https://www.youtube.com/user/cityofalbany>

Please help us get Albany's work done.

Be respectful and refer to the rules of conduct posted by the main door to the Chambers and on the website.

1. Call to order and roll call
2. Business from the public
3. Granting public utility easement and dedicating right-of-way on South Albany Park property – Kim Lyddane [Pages 2-10]
Discussion
4. Business from the council
5. City manager report
6. Adjournment

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: cityclerk@albanyoregon.gov.

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Kim Lyddane, Parks and Recreation Director

DATE: September 13, 2024, for September 23, 2024, Work Session and September 25, 2024, City Council Meeting

SUBJECT: Request Public Utility Easement and Right-of-Way Dedication on South Albany Park Property

Action Requested:

Approval of a Public Utility Easement on South Albany Park Property

Discussion:

In July 2024, Lennar Home Builders and Consumers Power Inc. (CPI) approached the City requesting a Public Utility Easement (PUE) on land owned by the Parks and Recreation Department known as the South Albany Property.

The South Albany Property is 26.61 acres off Lochner Road and Ellingson Road purchased 2008 for possible development as a sports complex or land banking for future south Albany park development. In the 2021 Master Plan, it was determined that feasibility for a sports complex in that location was not favorable due to wetlands, needed infrastructure, unbudgeted staffing and maintenance needs. Additionally, there was a change in community desires from building new, larger amenities to instead taking better care of the ones we already have. As a result, the Master Plan identified the need for five neighborhood parks in south Albany, consistent with the South Albany Plan, instead of a large special use site. Development of a small park within this property will be identified as a priority in the next capital improvement plan for the next budget cycle.

The Parks and Recreation Department negotiated with CPI and Lennar for a one-time payment of \$4,673 to grant the easement along Nolan Avenue documented in the attached exhibits. The figure was based on the current assessed tax value of the property and the total area proposed for the PUE.

The easement and supporting documents were drafted by Pioneer Design Group, Inc. and reviewed by Public Works staff. The Parks and Recreation Department are in favor of moving forward with this PUE as detailed in the attached exhibits.

Budget Impact:

The \$4,673 for the PUE will be transferred into 20250000-469100 (Parks Revenue Sale of Land/Building).

KL

Attachment(s): Resolution, easement exhibits



RESOLUTION NO. _____

A RESOLUTION GRANTING THE FOLLOWING EASEMENT:

Grantor

City of Albany Parks and
Recreation Department

Purpose

Grant a public utility easement and dedicate
right-of-way along Nolan Avenue to support
development along the South Albany property.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby grant this
easement and right-of-way dedication.

DATED AND EFFECTIVE THIS 25 DAY OF SEPTEMBER 2024.

Mayor

ATTEST:

City Clerk

**CURRY MEADOWS
OFFSITE PUBLIC UTILITY EASEMENT LEGAL DESCRIPTION**

A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-067, LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE SOUTH 89°45'38" WEST ALONG THE SOUTH LINE OF SAID PARCEL 2, 667.94 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 2, NORTH 89°45'38" WEST, 2.85 FEET TO AN ANGLE POINT IN THE BOUNDARY OF SAID PARCEL 2 AND TO A POINT OF NON-TANGENT CURVATURE;

THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 2, 50.01 FEET ALONG THE ARC OF A 150.00 FOOT RADIUS CURVE CONCAVE WESTERLY, SAID CURVE HAVING A CENTRAL ANGLE OF 19°06'07" AND A CHORD BEARING NORTH 21°19'03" WEST, 49.78 FEET TO A BROKEN BACK CURVE;

THENCE LEAVING THE BOUNDARY OF SAID PARCEL 2, NORTHWESTERLY ALONG THE ARC OF A 227.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, AN ARC LENGTH OF 86.39 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 21°48'15" AND A CHORD BEARING NORTH 33°37'18" WEST, 85.87 FEET;

THENCE NORTH 44°31'25" WEST, 359.26 FEET TO A POINT OF CURVATURE;

THENCE 71.67 FEET ALONG THE ARC OF A 212.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 19°22'12" AND A CHORD BEARING NORTH 54°12'31" WEST, 71.33 FEET TO A POINT ON THE BOUNDARY OF SAID PARCEL 2;

THENCE NORTH 44°31'25" WEST ALONG THE BOUNDARY OF SAID PARCEL 2, 3.37 FEET TO A POINT OF CURVATURE;

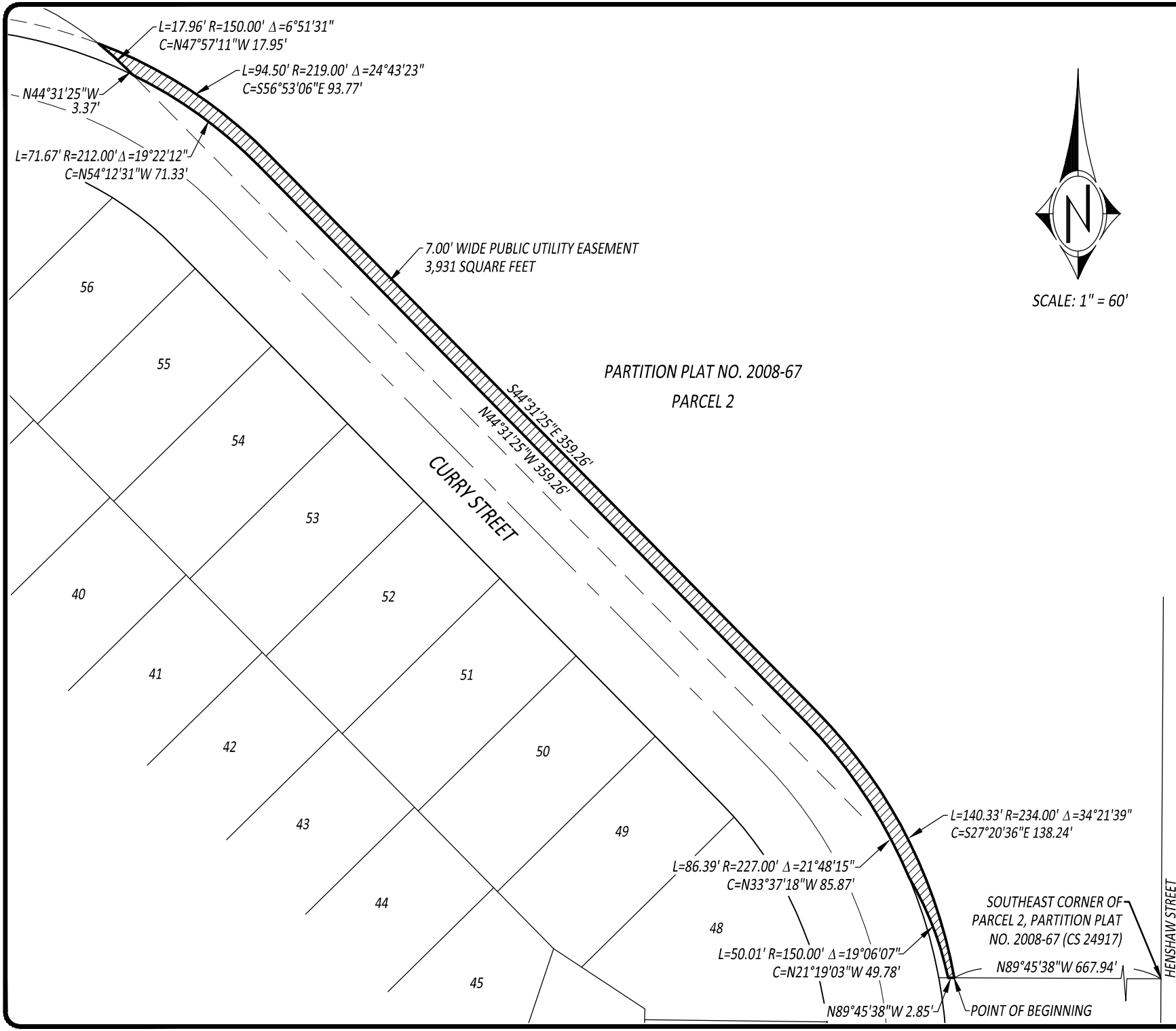
THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 2, 17.96 FEET TRACING THE ARC OF A 150.00 FOOT RADIUS CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 6°51'31" AND A CHORD BEARING NORTH 47°57'11" WEST, 17.95 FEET;

THENCE LEAVING THE BOUNDARY OF SAID PARCEL 2, SOUTHEASTERLY ALONG THE ARC OF A 219.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY, AN ARC LENGTH OF 94.50 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 24°43'23" AND A CHORD BEARING SOUTH 56°53'06" EAST, 93.77 FEET;

THENCE SOUTH 44°31'25" EAST, 359.26 FEET TO A POINT OF CURVATURE;

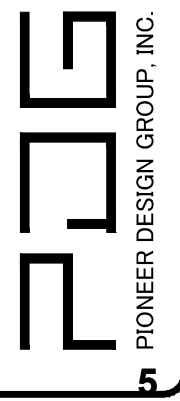
THENCE 140.33 FEET ALONG THE ARC OF A 234.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 34°21'39" AND A CHORD BEARING SOUTH 27°20'36" EAST, 139.24 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 3,931 SQUARE FEET.



PARTITION PLAT NO. 2008-67
 PARCEL 2

PDC JOB NO.: 384-003	DATE: 08/13/24	SCALE: 1"=60'	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION PUBLIC UTILITY EASEMENT A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-67 (CS 24917), LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHWEST ONE-QUARTER OF SECTION 29, AND IN THE NORTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON
	9020 SW WASHINGTON SQUARE RD SUITE 170 PORTLAND, OREGON 97223 p 503.643.8286 www.pd-grp.com		



CURRY MEADOWS

OFFSITE PUBLIC RIGHT-OF-WAY DEDICATION LEGAL DESCRIPTION

A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-067, LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 2;

THENCE SOUTH 89°45'38" WEST ALONG THE SOUTH LINE OF SAID PARCEL 2, 670.78 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 2 NORTHWESTERLY, TRACING THE ARC OF A NON-TANGENT 150.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, AN ARC LENGTH OF 50.01 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 19°06'07" AND A CHORD BEARING NORTH 21°19'03" WEST, 49.78 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE ARC OF SAID 150.00 FOOT RADIUS CURVE, 35.75 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 13°39'18" AND A CHORD BEARING NORTH 37°41'46" WEST, 35.66 FEET;

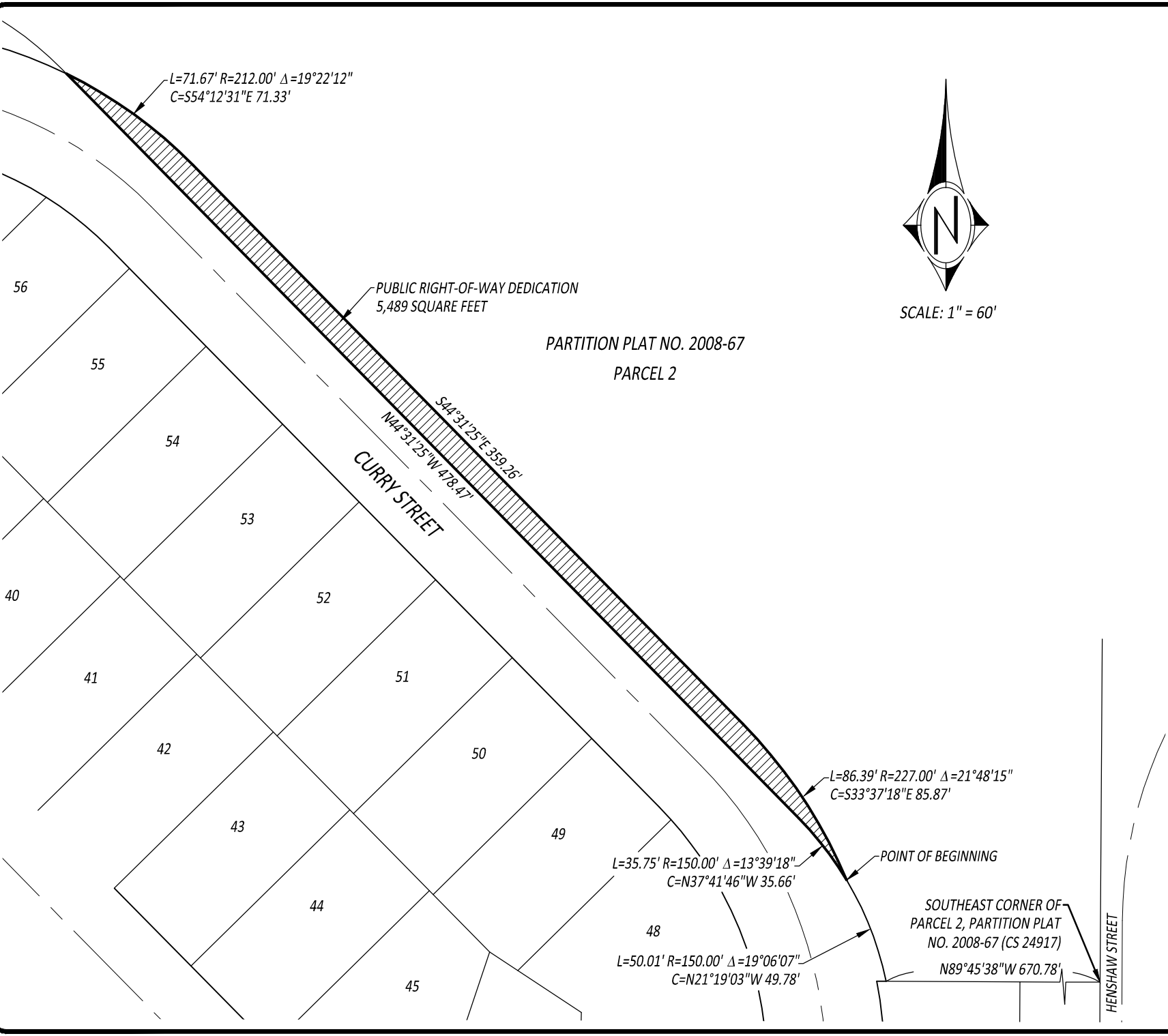
THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL 2, NORTH 44°31'25" WEST, 478.47 FEET;

THENCE LEAVING THE BOUNDARY OF SAID PARCEL 2, TRACING THE ARC OF A NON-TANGENT 212.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, AN ARC LENGTH OF 71.67 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 19°22'12" AND A CHORD BEARING SOUTH 54°12'31" EAST, 71.33 FEET;

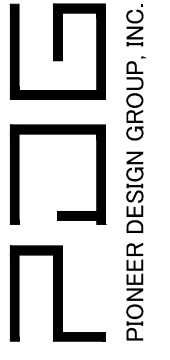
THENCE SOUTH 44°31'25" EAST, 359.26 FEET TO A POINT OF CURVATURE;

THENCE 86.39 FEET ALONG THE ARC OF A 227.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 21°48'15" AND A CHORD BEARING SOUTH 33°37'18" EAST, 85.87 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 5,489 SQUARE FEET.



PDC JOB NO.: 384-003	DATE: 08/13/24	SCALE: 1"=60'	EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION
9020 SW WASHINGTON SQUARE RD SUITE 170 PORTLAND, OREGON 97223 p 503.643.8286 www.pd-grp.com			PUBLIC RIGHT-OF-WAY DEDICATION A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-67 (CS 24917), LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHWEST ONE-QUARTER OF SECTION 29, AND IN THE NORTHEAST ONE-QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON



CURRY MEADOWS

OFFSITE PUBLIC UTILITY EASEMENT LEGAL DESCRIPTION

A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-067, LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PARCEL 2, SAID CORNER LOCATED ON THE EAST RIGHT-OF-WAY LINE OF LOCHNER ROAD SE;

THENCE N00°18'40" EAST ALONG THE WEST LINE OF SAID PARCEL 2 AND SAID RIGHT-OF-WAY LINE, 52.14 FEET;

THENCE LEAVING THE WEST LINE OF SAID PARCEL 2 AND SAID RIGHT-OF-WAY LINE, NORTH 90°00'00" EAST, 5.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89°41'17" EAST, 7.00 FEET TO A NON-TANGENT CURVE;

THENCE SOUTHEASTERLY ALONG THE ARC OF AN 18.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY, AN ARC DISTANCE OF 28.37 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 90°18'25" AND A CHORD BEARING SOUTH 44°50'29" EAST, 25.52 FEET;

THENCE SOUTH 89°59'41" EAST, 173.81 FEET TO A POINT OF CURVATURE;

THENCE 123.67 FEET ALONG THE ARC OF A 219.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 32°21'23" AND A CHORD BEARING SOUTH 73°49'00" EAST, 122.04 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL 2;

THENCE NON-TANGENT TO SAID CURVE, NORTH 89°59'42" WEST ALONG THE SOUTH LINE OF SAID PARCEL 2, 13.67 FEET;

THENCE LEAVING THE SOUTH LINE OF SAID PARCEL 2, NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT 212.00 FOOT RADIUS CURVE, CONCAVE SOUTHERLY, AN ARC DISTANCE OF 108.17 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 29°14'04" AND A CHORD BEARING NORTH 75°22'39" WEST, 107.00 FEET;

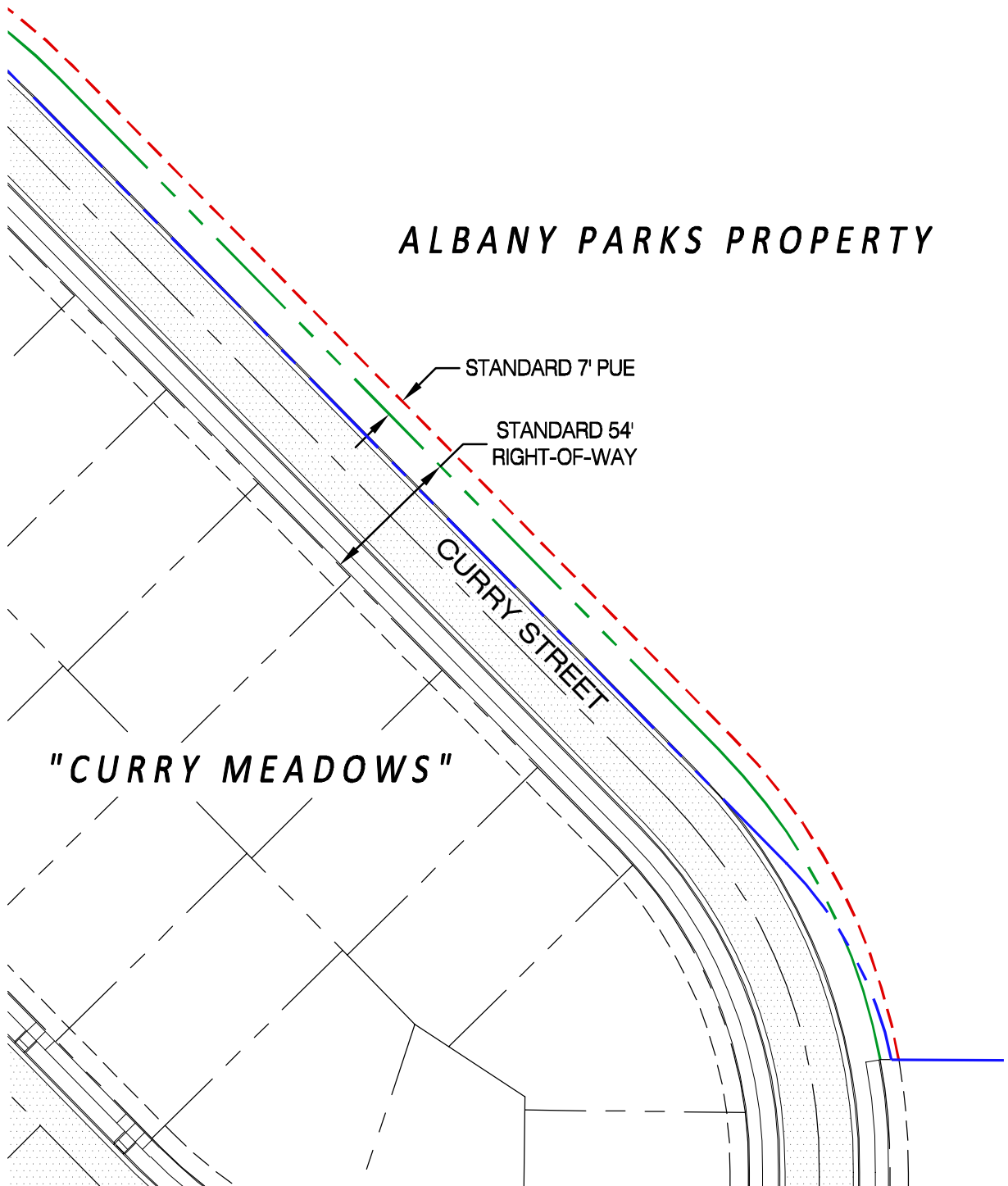
THENCE NORTH 89°59'41" WEST, 173.81 FEET TO A POINT OF CURVATURE;

THENCE 39.40 FEET ALONG THE ARC OF A 25.00 FOOT RADIUS CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 90°18'25" AND A CHORD BEARING NORTH 44°50'29" WEST, 35.45 FEET TO THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 2,266 SQUARE FEET.

CURRY STREET DEDICATION EXHIBIT

CURRY MEADOWS



LEGEND

- PROPOSED PUE LINE
- PROPOSED RIGHT-OF-WAY
- ALBANY PARKS PROPERTY LINE



1"=60'

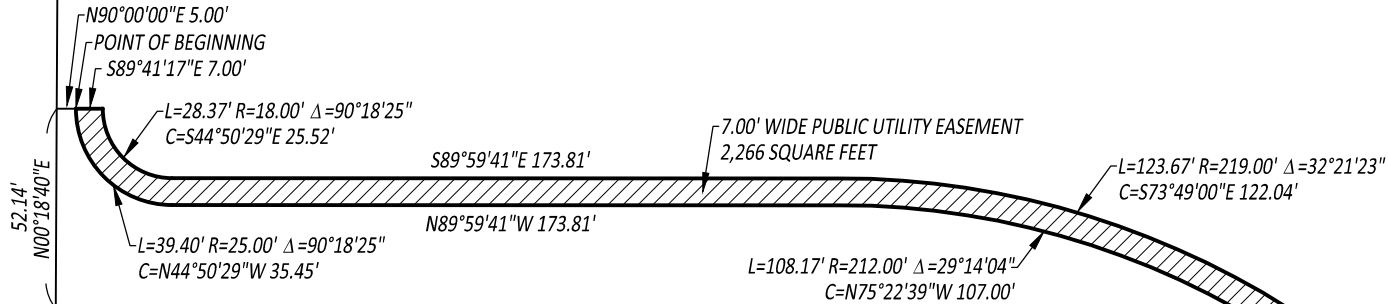
Project
CURRY MEADOWS
No.
384-003

Designed by WJD **Date** 09/2024
Drawn by WJD **Date** 09/2024
Horiz. Scale: 1" = 60' **Vert. Scale:** N/A
Type EXHIBIT



Sheet
1
of
91

LOCHNER ROAD SE
COUNTY ROAD 346



PARTITION PLAT NO. 2008-67
PARCEL 2



SCALE: 1" = 50'

EXHIBIT TO ACCOMPANY LEGAL DESCRIPTION

PUBLIC UTILITY EASEMENT

A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 2008-67 (CS 24917),
LOCATED IN THE ROBERT PENTLAND DLC NO. 69 IN THE NORTHEAST ONE-QUARTER
OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE
WILLAMETTE MERIDIAN, IN THE CITY OF ALBANY, LINN COUNTY, OREGON

SOUTHWEST CORNER OF PARCEL 2,
PARTITION PLAT NO. 2008-67 (CS 24917)

NOLAN AVENUE

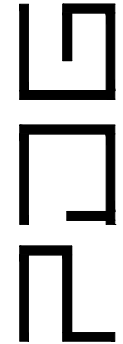
TRACT B

TRACT G

SCALE:
1"=50'

DATE:
08/13/24

PDC JOB NO.:
384-003



PIONEER DESIGN GROUP, INC.

9020 SW WASHINGTON SQUARE RD
SUITE 170
PORTLAND, OREGON 97223
p 503.643.8286
www.pd-egrp.com