



## **RESOLUTION NO. 3458**

### **A RESOLUTION OF THE CITY COUNCIL EXERCISING THE POWER OF EMINENT DOMAIN FOR THE NEFF CORRIDOR IMPROVEMENTS PROJECT**

#### **Findings**

- A. The City of Bend has the authority to exercise the power of eminent domain under the City of Bend Charter, ORS 223.105 and ORS Chapter 35 when deemed necessary by the City of Bend's governing body to accomplish public purposes.
- B. The City has the responsibility of providing safe transportation routes for commerce, convenience, and to adequately serve people traveling by all modes, including bicycles and pedestrians. The City is the road authority for all highways, roads, streets and alleys, other than state highways, within the boundaries of the City, under ORS 810.010, and has the authority to use the power of eminent domain for the purpose of establishing, laying out, extending or widening streets, under ORS 223.105.
- C. The project known as the Neff Corridor Improvements Project (the "Project") has been planned in accordance with appropriate engineering standards for the construction of street improvements, bicycle and pedestrian access improvements, and landscaping improvements in a manner most compatible with the greatest public good and the least private injury. The project design limits the need for right-of-way except at intersections and where utility impacts to critical hospital operations were undesirable. On August 13, 2024, the City of Bend contracted with AKS Engineering & Forestry LLC for the design of the Project. The design contract was amended on August 10, 2025.
- D. To accomplish this Project, it is necessary to acquire the interests in property described and shown in Exhibit A.

#### **Now, therefore, based on these findings, THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:**

- 1. The Council accepts the Findings as facts in support of this Resolution. The Project for which the properties are being acquired are necessary for the construction of the Project and are in the public interest. The Project has 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 exercised with respect to the properties and interests in property described in Exhibit A. The property interests are acquired subject to payment of just compensation and subject to procedural requirements of Oregon law.

3. On behalf of the City, the City Manager or designee is authorized and requested to attempt to agree with the owners and other persons in interest as to the compensation to be paid for each acquisition. In the event that no satisfactory agreement can be reached, the City Manager or designee is authorized to commence and prosecute condemnation proceedings for the purpose of acquiring the property interests described and shown in Exhibit A.
4. The City of Bend expressly reserves jurisdiction to determine the necessity or propriety of any acquisition, its quantity, quality, or locality, and to change or abandon any acquisition.
5. This resolution takes effect immediately upon adoption.

**Adopted by the Bend City Council on December 17, 2025.**

YES: Kebler, Franzosa, Méndez, Norris, Perkins, Platt

NO:

  
\_\_\_\_\_  
Melanie Kebler, Mayor

**Attest:**

  
\_\_\_\_\_  
Ashley Bontje, City Recorder

**Approved as to form:**

  
\_\_\_\_\_  
Ian Leitheiser, City Attorney



**Language Assistance Services & Accommodation Information for People with Disabilities**

You can obtain this information in alternate formats such as Braille, electronic format, etc. Free language assistance services are also available. Please contact Todd Johnson at [tjohnson@bendoregon.gov](mailto:tjohnson@bendoregon.gov) or 541-388-5579. Relay Users Dial 7-1-1.



**Servicios de asistencia lingüística e información sobre alojamiento para personas con discapacidad**

Puede obtener esta información en formatos alternativos como Braille, formato electrónico, etc. También disponemos de servicios gratuitos de asistencia lingüística. Póngase en contacto con Todd Johnson en [tjohnson@bendoregon.gov](mailto:tjohnson@bendoregon.gov) o 541-388-5579. Los usuarios del servicio de retransmisión deben marcar el 7-1-1.





Note, ROW actions not drawn to scale but are shown on this map to display general areas proposed for attainment.

ROW dedication and may include Temporary Construction Easement

Only Temporary Construction Easement

