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**Clackamas County**  
[www.clackamas.us](http://www.clackamas.us)



**Billy J. Williams**  
County Counsel

April 9, 2026

BCC Agenda Date/Item: \_\_\_\_\_

Board of Directors  
Water Environment Services

**Scott C. Ciecko**  
**Amanda Keller**  
**Shawn Lillegren**  
**Jeffrey D. Munns**  
**Sarah Foreman**  
**Caleb Huegel**  
**Angela Hajihashemi**  
**M. Creston Rice**  
**Andrew Naylor**  
Assistants

**Approval of a Resolution of Necessity for Acquisition of Easements through Good Faith Negotiations or, if necessary, Condemnation Actions for the Middle Clackamas Interceptor Project. No County General Funds are involved.**

**Previous Board Action/Review:** None.

**Performance Clackamas:** 1. Build public trust through good government; and, 2. Build a strong infrastructure.

**Counsel Review:** Yes, JM

**Procurement Review:** N/A

**Contact Person:** Jeffrey D. Munns

**Contact Phone:** (503)742-5984

**EXECUTIVE SUMMARY:**

The Water Environment Services (WES) Middle Clackamas Interceptor Project includes five miles of pipe and capacity upgrades from the Mt. Scott interceptor down past Camp Withycombe and properties owned by North Clackamas School District (NCSD) and Fred Meyer. The project then continues along Highway 212 out to near SE 152<sup>nd</sup> Dr.

The Resolution of Necessity presented today concerns two easements near SE 102<sup>nd</sup> Ave. at property owned by NCSD at 15670 SE 102<sup>nd</sup> Ave., and a neighboring property at 15650 SE 102<sup>nd</sup> Ave., Clackamas, OR 97015. The requested Resolution is necessary to obtain easements for access to an existing sewer line that is not centered within an existing easement. The new easements will center the pipe within an adequately sized easement to allow work to perform upgrades as part of the Middle Clackamas Interceptor Project and for any future work.

**RECOMMENDATION:**

Staff recommend approval of the Resolution of Necessity for this portion of the Middle Clackamas Interceptor Project.

Respectfully submitted,

Jeffrey D. Munns  
Assistant County Counsel

For Filing Use Only

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring the Necessity and Purpose for Acquisition of Easements, and Authorizing Good Faith Negotiations and Condemnation Actions by Water Environment Services for the Middle Clackamas Interceptor Upgrades



Resolution No. \_\_\_\_\_

*Page 1 of 2*

This matter comes before the Board of County Commissioners of Clackamas County, Oregon, acting as the governing body of Water Environment Services (the “Board”), at its regularly scheduled meeting on April 9, 2026;

It appearing to the Board that the Clackamas Area Interceptor Improvement Project will upgrade the Middle Clackamas Interceptor (the “Project”); is consistent with the powers and purposes of Water Environment Services; and is necessary for public use and the continued growth, safety and welfare of the community;

It further appearing that the Board has the responsibility of providing sufficient wastewater infrastructure for protecting public health, stewardship of healthy watersheds, and water resource recovery;

It further appearing to the Board that the Project has been planned in accordance with appropriate standards for the improvement of wastewater infrastructure such that property damage is minimized, and water quality is safeguarded;

It further appearing to the Board that the Project has been planned and located in a manner which is most compatible with the greatest public good and causes the least private injury;

It further appearing to the Board that easements within the boundaries described in Attachment 1, attached hereto and incorporated herein, are a necessary part of the Project; and

It further appearing that the Board has authority under ORS Chapter 451, ORS Chapter 190, and ORS Chapter 35 to acquire easements and fee property by good faith negotiation, agreement, and purchase or by exercise of the power of eminent domain with condemnation proceedings;

NOW, THEREFORE, IT IS HEREBY RESOLVED that this Board declares it necessary and in the public interest that Water Environment Services (the “District”), in connection with this Project, begin the acquisition process, in accordance with all applicable laws, rules, and regulations governing such process, for the necessary easements, either through good faith negotiation, agreement, and purchase, or, if necessary, by commencement of condemnation proceedings.

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of Declaring the Necessity and Purpose for Acquisition of Easements, and Authorizing Good Faith Negotiations and Condemnation Actions by Water Environment Services for the Middle Clackamas Interceptor Upgrades



Resolution No. \_\_\_\_\_

*Page 2 of 2*

IT IS FURTHER RESOLVED THAT:

1) The District be authorized to, in good faith, attempt to negotiate agreements of just compensation with owners of affected property identified in Attachments 1 and 2. In so doing, the District is authorized to retain real estate appraisers, negotiators, and other such experts deemed necessary to assist staff with the acquisition process; and,

2) If the Director of the District (the "Director") determines that changes to the design of the Project, unanticipated field conditions, or the need to accommodate uneconomic remnants makes it necessary or desirable to modify the easements required for the Project, the Director shall promptly bring before the Board, and the Board shall promptly consider a resolution amending Attachment 1; and,

3) It is the intention of the Board that the required easements be obtained through good faith negotiation. The Board acknowledges that the exercise of the power of eminent domain may be necessary. The Director shall inform the Board when the Director deems eminent domain necessary. After notification to the Board, the Clackamas County Office of County Counsel is authorized to file complaints of condemnation with the circuit court of Clackamas County and take such other steps as it determines necessary for the immediate possession of required easements and the successful litigation of the condemnation action, including the retention of real estate appraisers, experts, and other consultants deemed necessary to the successful conclusion of that litigation.

Dated this 9<sup>th</sup> day of April 2026.

**Water Environment Services**

\_\_\_\_\_  
Tootie Smith, Chair

\_\_\_\_\_  
Recording Secretary

**EXHIBIT A** - Page 1 of 1

**TL 22E10C 00800**  
Clackamas Interceptor  
March 3, 2026

**Permanent Sanitary Sewer Easement**

A Permanent Easement for Sanitary Sewer lying in the SW 1/4 of Section 10, Township 2 South, Range 2 East, W.M., City of Clackamas, Clackamas County, Oregon, and being a portion of that property described in that Statutory Warranty Deed to North Clackamas School District No. 12, recorded November 25, 2019 as Document No. 2019-075195, Clackamas County Official Records; said easement being that portion of said property included in a 20.00-foot-wide strip of land, lying entirely on the north side of the center line described as follows:

Beginning at the center of an existing sanitary sewer manhole within the right of way of SE 102<sup>nd</sup> Avenue, said manhole being located South 59°44'07" West of a centerline monument at Station 0+87.52 of said 102<sup>nd</sup> Avenue, per Survey SN 2011-112, Clackamas County Survey Records; thence, along an existing sanitary sewer line, North 81°54'11" East 390.91 feet to an existing sanitary sewer manhole; thence continuing along said sanitary sewer line North 89°02'07" East 163.48 feet to a point that is North 89°02'07" East 20.00 feet from an existing sanitary sewer manhole.

Excepting any portion within the right of way of SE 102<sup>nd</sup> Avenue.

Bearings of the above description are based on Survey No. 2025-028, filed February 6, 2025, Clackamas County Survey Records, itself being based on Oregon Coordinate Reference System (OCRS), Portland Zone.

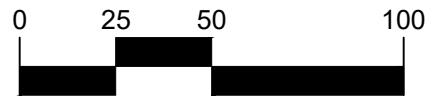
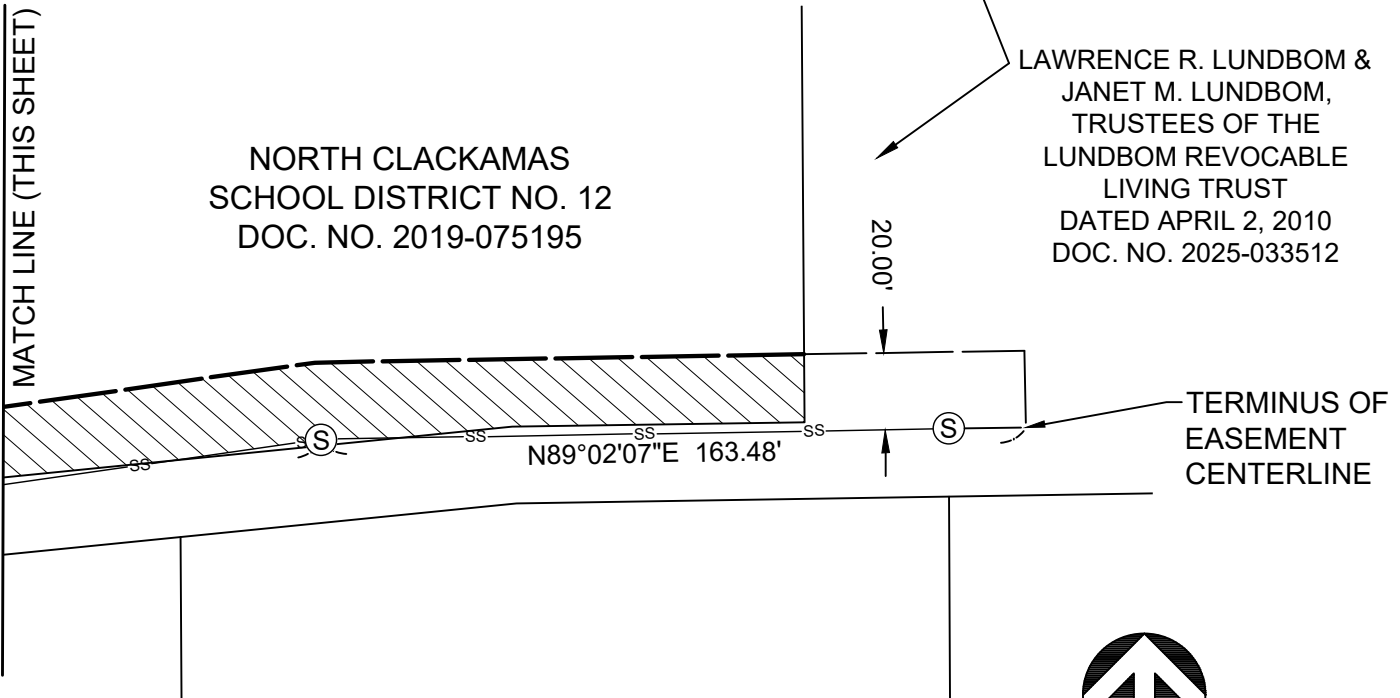
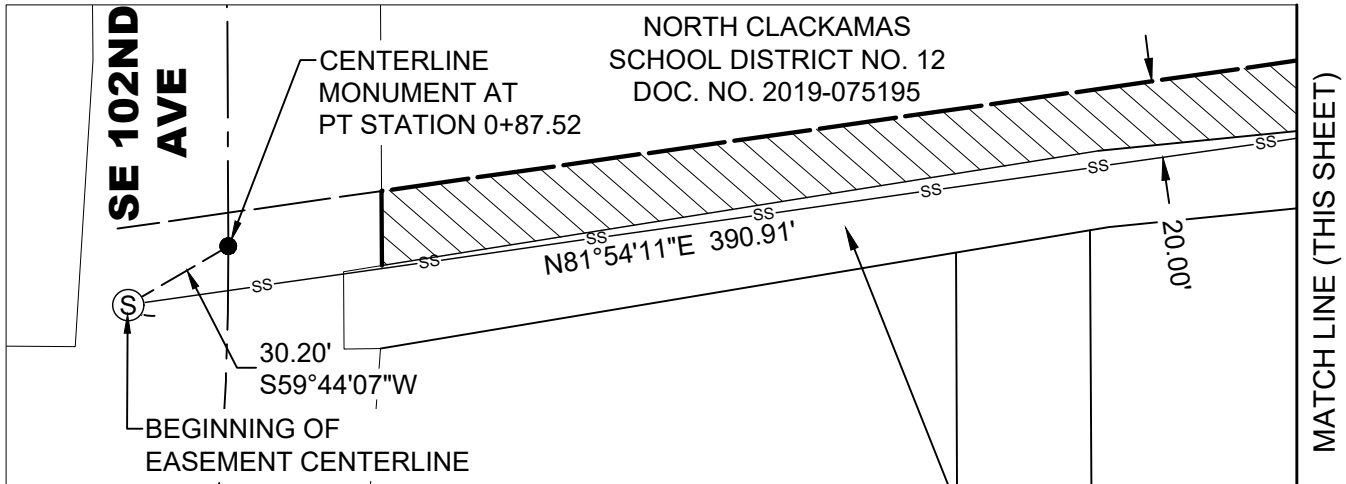
This easement contains 8,147 square feet, more or less.

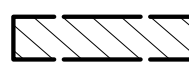
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
MARCH 12, 2019  
GORDON M. WILSON  
93485

RENEWS: 06-30-2026

**EXHIBIT B**  
 SW 1/4 SEC. 10, T2S, R2E, W.M.



 PERMANENT SANITARY SEWER EASEMENT  
 AREA = ± 8,147 SQ. FT



**DAVID EVANS AND ASSOCIATES INC.**  
 2100 S. River Parkway, Suite 100  
 Portland, OR 97201  
 Phone: 503.223.6663

**PERMANENT SANITARY SEWER EASEMENT**

PROJECT: CLACKAMAS INTERCEPTOR  
 15670 SE 102ND AVE  
 22E10C 00800

SCALE: 1" = 50'  
 PROJ# CARO4020  
 DATE: 03-04-2026  
 PREPARED BY: GMWI

SHEET  
**1**  
 OF  
**1**

**EXHIBIT A** - Page 1 of 1

**TL 22E10C 00801**  
Clackamas Interceptor  
March 4, 2026

**Permanent Sanitary Sewer Easement**

A Permanent Easement for Sanitary Sewer lying in the SW 1/4 of Section 10, Township 2 South, Range 2 East, W.M., City of Clackamas, Clackamas County, Oregon, and being a portion of that property described in that Bargain and Sale Deed to Lawrence R. Lundbom and Janet M. Lundbom, Trustees of the Lundbom Revocable Living Trust Dated April 2, 2010, recorded August 28, 2025 as Document No. 2025-033512, Clackamas County Official Records; said easement being that portion of said property included in a 20.00-foot-wide strip of land, lying entirely on the north side of the center line described as follows:

Beginning at the center of an existing sanitary sewer manhole within the right of way of SE 102<sup>nd</sup> Avenue, said manhole being located South 59°44'07" West of a centerline monument at Station 0+87.52 of said 102<sup>nd</sup> Avenue, per Survey SN 2011-112, Clackamas County Survey Records; thence, along an existing sanitary sewer line, North 81°54'11" East 390.91 feet to an existing sanitary sewer manhole; thence continuing along said sanitary sewer line North 89°02'07" East 163.48 feet to a point that is North 89°02'07" East 20.00 feet from an existing sanitary sewer manhole.

Excepting any portion within the right of way of SE 102<sup>nd</sup> Avenue.

Bearings of the above description are based on Survey No. 2025-028, filed February 6, 2025, Clackamas County Survey Records, itself being based on Oregon Coordinate Reference System (OCRS), Portland Zone.

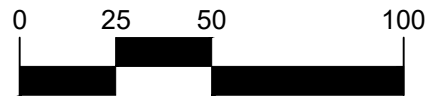
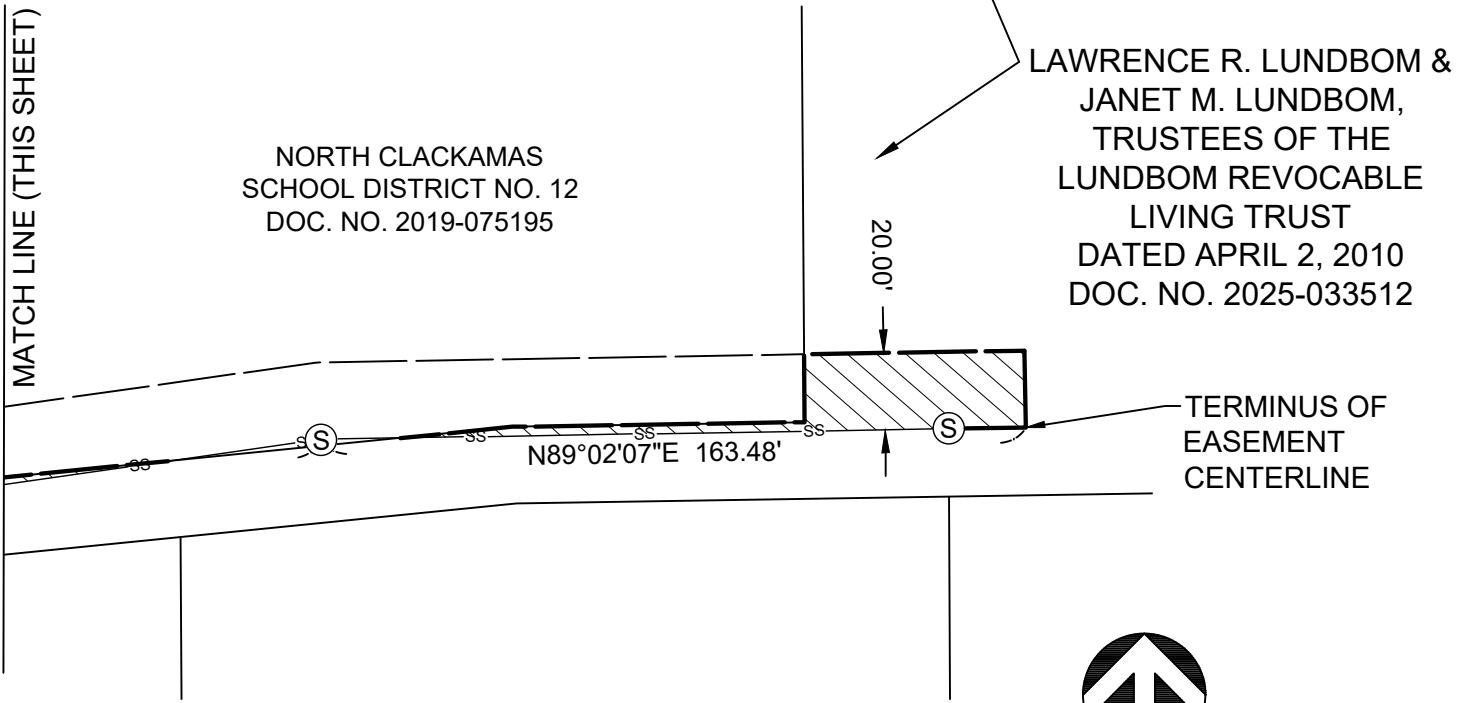
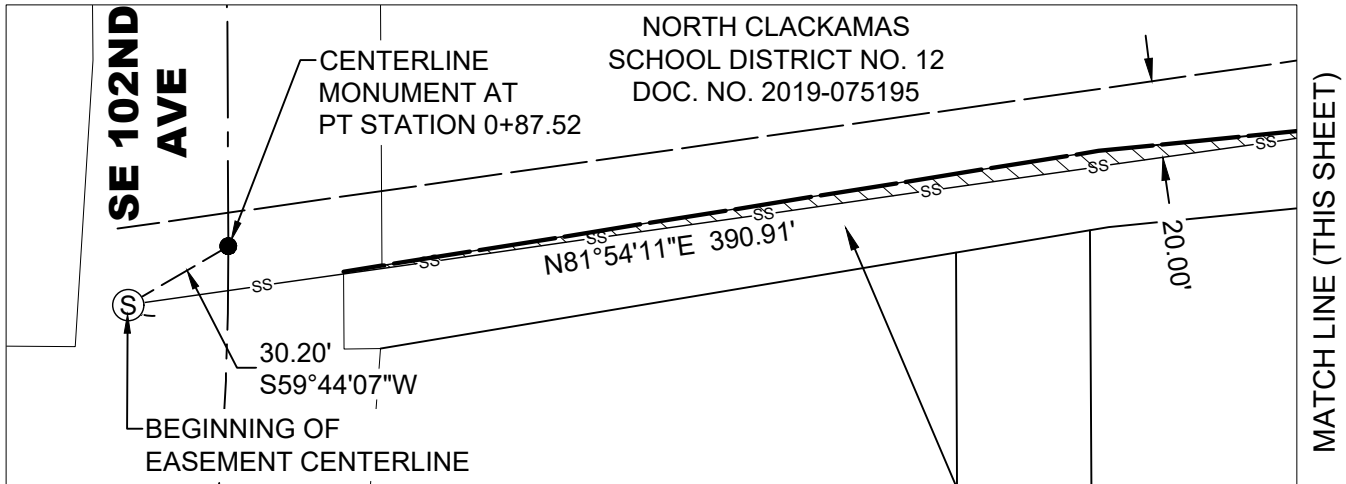
This easement contains 2,010 square feet, more or less.

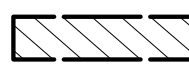
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
MARCH 12, 2019  
GORDON M. WILSON  
93485

RENEWS: 06-30-2026

**EXHIBIT B**  
 SW 1/4 SEC. 10, T2S, R2E, W.M.



 PERMANENT SANITARY SEWER EASEMENT  
 AREA = ± 2,010 SQ. FT



**DAVID EVANS AND ASSOCIATES INC.**  
 2100 S. River Parkway, Suite 100  
 Portland, OR 97201  
 Phone: 503.223.6663

**PERMANENT SANITARY SEWER EASEMENT**

PROJECT:	CLACKAMAS INTERCEPTOR	SCALE: 1" = 50'
		PROJ# CARO4020
		DATE: 03-04-2026
		PREPARED BY: GMWI

SHEET  
**1**  
 OF  
**1**

15650 SE 102ND AVE  
 22E10C 00801