



Pamela Cole
City of Salem

Riverbend ZC/CPC: Verification of 20 ft. Private Access Strip

Date: June 28, 2019

Dear Ms. Cole:

Here is the verification concerning the 20 ft. private access strip.
Greg Wilson, Surveyor asked Eric Berry, Polk County Surveyor about this strip.
Here is the Surveyor's question and the County Surveyor response.
February 14, 2019

Eric,
I have been trying to find out whether or not the access strip shown in the Assessor's map and the GIS (and highlighted in the attached) has ever been a public right of way. A survey by Howe in 1951 shows the portions of the north and south properties that granted a reciprocal easement to each other (the Polk County GIS widgets don't seem to be working at the moment, so I wasn't able to get the survey number to which I am referring). I had done a pretty thorough search for any recorded documents in that era that would have reference to the easement, but did not find anything on that. I then called and talked with Donna at the Assessor's office, and she had explained that the strip had shown up as right of way on their old tax maps, mainly due to the fact that an older deed excepted that portion off of their described property and referred to it as a right of way. We both agreed that it would be best to check with you and see if there are any county road records that would have created a public right of way over the strip. If you could look into this fairly soon and get back with me, it would be greatly appreciated. We are currently looking at getting a sewer easement to the city approved, but the uncertainty of the strip is pretty much putting a halt on things until it can be resolved. I can be reached by email or my cell any time.
Thank you,
Greg Wilson, President
Barker Surveying

Greg,
I can't find any record of a county road being established. I suspect what is shown on the tax map is a result of the "20 foot right of way easement" noted on CS1456. I conducted a brief search of the direct/indirect deed index but was unable to locate any deeds creating the easement. I did not try to decipher the deeds to determine if a "gap" was created by them.
I do not see any legal creation of an easement or right of way, public or private.
Eric
Eric Berry, LS
County Surveyor
[503-623-1887](tel:503-623-1887)

Sincerely,

Geoffrey James A.I.A.