

August 31, 2023

To: Property Owner / Current Resident

Subject: Intersection study in, or near, your neighborhood

Project: N Main Street at Illinois Street (Highway 240)

Starting September 2023, the City will begin a study on how to improve this intersection's safety and function. During the study, survey crews may need to access your property. They may take photos and measurements and may leave temporary or permanent markers.

The crews will be from PACE (surveyor) and Morgan Holen Associates (arborist), subconsultants of the project's contractor, Kittelson & Associates. They will:

- **Never request to enter your home.**
- Drive marked company vehicles and carry proper identification.
- Attempt to notify occupants living on or near the property in advance, leaving written notice if occupants don't answer.
- Keep closed gates closed and leave open gates open.
- Respect the rights of property owners.
- Conduct their work professionally and safely.

The project surveyor for PACE is Paul Kohn, 58964PLS. You can contact him at (503) 597-3222.

The crews' work will help build a map with topography, property lines, soils, trees and utilities. The City will use this map to plan how to improve the intersection. Having a plan will allow the City to apply for grants to fund future construction. As part of this project, the City will also:

- Host an open house for the project team to listen to your concerns about the intersection.
- Solicit volunteers for a citizen advisory committee that will help the project team evaluate the data and plan how to improve the intersection. (Watch for a recruitment notice this fall.)

This letter notifies you of survey work in compliance with Oregon State Law 672.047, described online at <https://www.oregonlaws.org/ors/672.047>.

Keep up with project information and updates on the City's Current Projects website: <https://www.newbergoregon.gov/engineering/project/n-main-street-illinois-street-hwy-240-intersection-study>. If you have any questions or concerns about this work, please contact me.

Sincerely,
Brett Musick, PE
Senior Engineer
(503)554-1631
Brett.musick@newbergoregon.gov



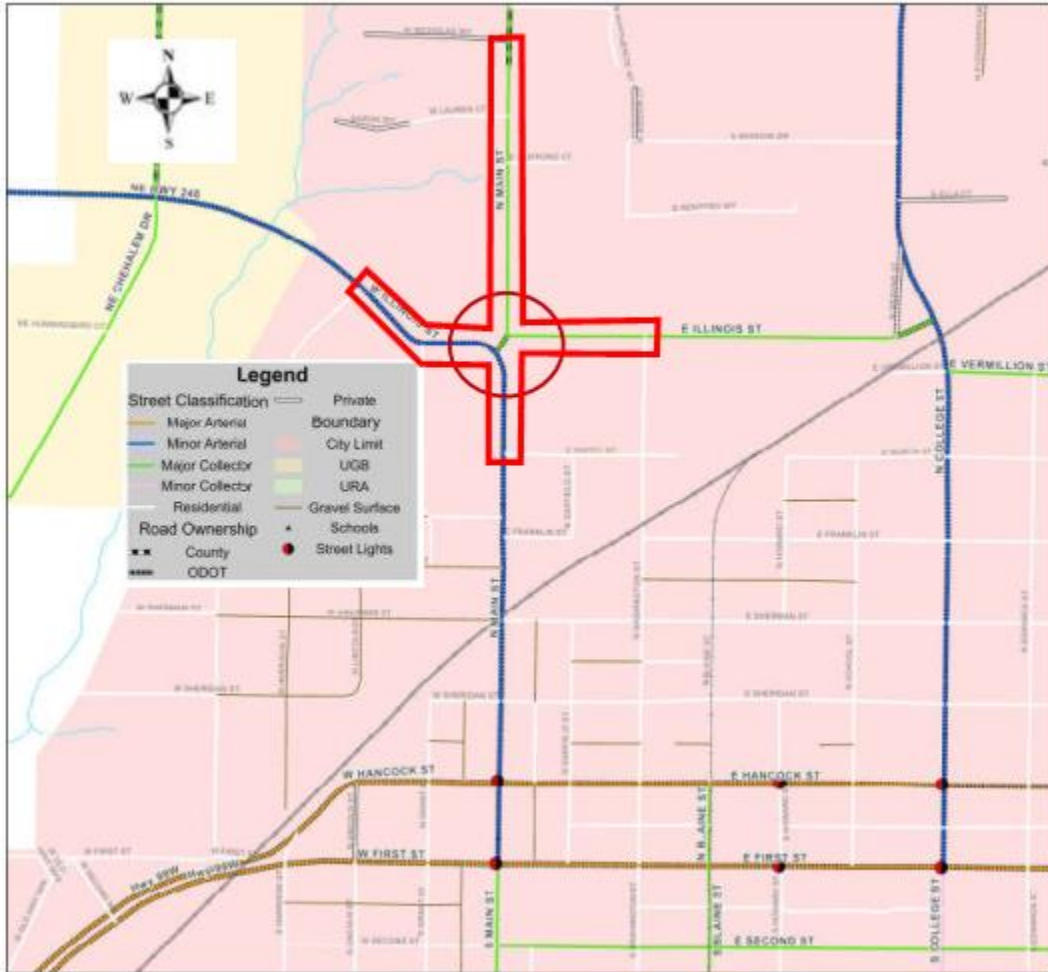
cc: Tony Roos, PE, Kittelson & Associates
Paul Kohn, PLS, PACE

Enclosed: Project Map of Effected Area, Example Survey Door Hanger

Engineering Division • P.O. Box 970, Newberg, OR 97132 • engineering@newbergoregon.gov • (503) 537-1273

Project Vicinity Map and Study Area

N Main Street and Illinois Street (HWY 240) Intersection Study



The study area for this project is the intersection of the following streets:

City of Newberg jurisdiction

- N Main Street, Major Collector north of Illinois Street
- E Illinois Street, Major Collector east of N Main Street

ODOT jurisdiction

- N Main Street (Highway 240), Minor Arterial south of Illinois Street,
- W Illinois Street (Highway 240), Minor Arterial west of N Main Street

This project is named I-14 in the Transportation System Plan (TSP).

Example Survey Door Hanger

N Main Street and Illinois Street (HWY 240) Intersection Study

SORRY WE MISSED YOU!

It is necessary for us to enter upon your property to conduct a survey.

Pursuant to ORS 672.047, as contained on the reverse herein, we are conducting a survey for the following purpose: _____

Locate existing property lines and collect topographic data.

This survey primarily involves surveying:

- This property
- Neighboring property
- Other _____

Several visits may be necessary for us to accomplish the required work. Temporary and/or permanent flagging, stakes or other materials may be placed on your property during the course of our work.

N. Main Street and Illinois Street

Project: (Hwy 240) Intersection Study

Date: _____

Contact: _____

If a request is made in writing in a timely manner, a copy of the survey will be provided in a timely manner to any landowner who owns property lying outside an urban growth boundary, if it is affected by the entry. (See (3) on the reverse side of this hanger.) Please include the project information (listed above) for our reference.

THANK YOU FOR YOUR COOPERATION!

If you have any questions, please contact us:

Paul Kohn, PLS

Principal Surveyor

4500 Kruse Way | Suite 250

Lake Oswego OR 97035

p. 503.597.3222



Learn more about surveying at www.plso.org

ENTRY NOTIFICATION

Under ORS 672.047, the Oregon Registered Land Surveyor listed on the reverse side of this card or his/her employee(s) is entering your land for the purpose of surveying or conducting surveying work. The following is a reprint of the applicable statute for your information:

ORS 672.047. (1) Subject to subsection (4) of this section, a registered professional land surveyor, or any employee or agent of the land surveyor, may enter on foot, where practicable, upon any land for the purpose of surveying or performing any survey work and may establish permanent survey monuments as allowed by rule of the State Board of Examiners for Engineering and Land Surveying.

(2) Any person exercising the right of entry granted under subsection (1) of this section shall do so with no unnecessary damage to the land entered upon. Damages to trees, shrubs and other vegetation intentionally caused by the land surveyor shall be subject to compensation and penalties as provided in ORS 105.810. The land surveyor shall compensate the landowner for all other actual monetary damages, or \$100, whichever is greater. Actual monetary damages may include but are not limited to all costs in time, labor and materials incurred by the landowner to return the property to the condition it was in prior to the damage.

(3) If land that is entered and surveyed under this section is located outside of an urban growth boundary and the landowner makes a timely request in writing, the registered professional land surveyor shall provide a copy of the survey in a timely manner to the landowner.

(4) A registered professional land surveyor, or any employee or agent of the land surveyor, may not enter upon land for the purpose of surveying, performing other survey work or establishing a permanent survey monument without first providing notice to the landowner by first class mail or by personal notice. If the land is occupied by a person other than the landowner, notice must also be given to the occupant by first class mail or by personal notice. Notice that is given by first class mail must be mailed at least seven days prior to the entry onto the land. Notice that is given by personal notice must be hand-delivered to the landowner or occupant or be posted in a conspicuous place where the landowner or occupant may reasonably be expected to see the notice. The notice shall give the professional land surveyor's name, address, telephone number, purpose, availability of the survey and the presence of any temporary or permanent monuments or other markers to be left on the land.

(5) A registered professional land surveyor, or any employee or agent of the land surveyor, who enters land as allowed under this section is owed no greater duty of care than that owed by a landowner to a trespasser.

(6) Notwithstanding the provisions of subsection (1) of this section, a registered professional land surveyor, or any employee or agent of the land surveyor, may use a vehicle to enter upon land provided that the vehicle remains on existing roadways where practicable.

(7) The land surveyor shall remove all flagging, stakes and other temporary materials that are above ground if leaving the materials in place creates an unreasonable risk of harm to persons or property. Except for forestland as defined in ORS 527.620, the land surveyor shall remove all temporary above ground materials within 60 days of placement unless written authorization to leave the materials in place is received from the landowner or occupant.