

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

BOOK 157 PAGE 0749

ORIGINAL

IN THE MATTER OF THE SURRENDER OF)
SEVEN COUNTY ROADS, OR PORTIONS)
THEREOF, TO THE CITY OF EUGENE)

FINAL ORDER
NO. 96-1-17-3

WHEREAS, the City of Eugene, by enacting Ordinance Number 19986 has formally requested the surrender of jurisdiction of the County Roads or portions thereof, as listed and described in said Exhibit "A", to further an agreement on Urban Transition; and the Board of County Commissioners on March 8, 1995 at 1:30 P.M. conducted a public hearing on the matter of surrendering certain County Roads or portions thereof to the City of Eugene; and

WHEREAS, there were objections to the surrender of some roads by property owners in the area of the proposed surrender and it appears that surrender of the County Roads or portions thereof as listed and described in Exhibit "A" attached hereto, and made a part hereof, by this Order, would best be addressed in further discussion by the County; and

WHEREAS, the time limit set by the City Ordinance Number 19986 for the County to surrender the seven County roads was exceeded; and

WHEREAS, the Board of County Commissioners on April 18, 1995 have conducted a work session to discuss the proposed surrender; and

WHEREAS, on May 2, 1995 the Board of County Commissioners completed an oral report on the surrender of the above county roads, or portions thereof, to the City of Eugene, and approved Order Number 95-4-18-2 to offer the surrender of those seven described roads to the City of Eugene; and

WHEREAS, the City of Eugene inadvertently did not formally act to accept the seven county roads described herein, and the time limit was exceeded; and

WHEREAS, the Board of Commissioners will, by these proceedings, again approve an order to offer to the City of Eugene, these same named and described county roads; and

WHEREAS, all legal notice has been provided regarding this matter as required by law as witnessed by an Affidavit of Posting by the Lane County Surveyor on Exhibit "C" attached hereto and made a part hereof, and the Public Works Director of Lane County recommends that the County Roads or portions thereof listed and described in Exhibit "A" be surrendered; as shown on the Director's Report, Exhibit "B" attached hereto, and made a part hereof, by this Order; and now therefore it is hereby

ORDERED, that Lane County, in accordance with ORS 373.270, hereby offers and proposes to surrender jurisdiction over the County Roads or portions thereof listed and described on Exhibit "A" attached hereto, and made a part hereof by this Order, to the City of Eugene; and said offer shall stand until accepted or for 150 days.

DATED this 17th day of January 1996

FILED

JAN 18 1996

Bobby Green Sr.
Chair

COUNTY CLERK - SURRENDER TO CITY OF EUGENE
URBAN TRANSITION - 1995

Pam DeWille

APPROVED AS TO FORM

Date 1-9-96 Lane County

Stephen J. Decker
OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEGAL DESCRIPTIONS	MILEAGE

IRVING ROAD (COUNTY ROAD NUMBER 189) from a point on the existing city limits line being East 951 feet from the Southwest corner of Lot 1 of Ferndale Addition to Santa Clara as platted and recorded in Book 4, Page 6, Lane County Oregon Plat Records; Easterly 118 feet more or less, all in Section 11, Township 17 South, Range 4 West of the Willamette Meridian.	00.02
LABONA DRIVE (COUNTY ROAD NUMBER 1589) from the northerly right of way of Maxwell Road, Northerly 750 feet more or less, to the existing city limits line, all in Section 14, Township 17 South, Range 4 West of the Willamette Meridian.	00.14
LABONA STREET AND STUB (COUNTY ROAD NUMBER 1416) from the existing city limits line on the easterly right of way of Labona Street, Easterly 120 feet more or less, along Molly Lane, all in Section 14, Township 17 South, Range 4 West of the Willamette Meridian.	00.02
MAXWELL ROAD (COUNTY ROAD NUMBER 1109) from the easterly right of way of Labona Drive, Westerly 1200 feet more or less, to the easterly right of way Northwest Expressway, all in Section 14 and Section 15, Township 17 South, Range 4 West of the Willamette Meridian.	00.23
OLD MAXWELL ROAD (COUNTY ROAD NUMBER 1008) from westerly end of Old Maxwell Road East, Westerly 500 feet more or less, to the End of County Maintenance, all in Section 15, Township 17 South, Range 4 West of the Willamette Meridian.	00.09
OLD MAXWELL ROAD EAST (COUNTY ROAD NUMBER 1008) from Maxwell Road, Easterly 500 feet more or less, to the existing city limits line, all in Section 15, Township 17 south, Range 4 West of the Willamette Meridian.	00.09
NORTH PARK AVENUE (COUNTY ROAD NUMBER 1008) from the southerly right of way of Virgil Avenue, Southerly 925 feet more or less, to the existing city limits line, all in Section 23, Township 17 South, Range 4 West of the Willamette Meridian.	00.18
NORTH PARK AVENUE (COUNTY ROAD NUMBER 1008) from the northerly right of way of Kelly Lane, Northerly 1650 feet more or less, to the northerly right of way of Howard Avenue, all in Section 23, Township 17 South, Range 4 West of the Willamette Meridian.	00.31

EXHIBIT "A"

LEGAL DESCRIPTIONS	MILEAGE
NORTHWEST EXPRESSWAY (COUNTY ROAD NUMBER 1772) from the southerly right of way of Maxwell Connector, Northerly 1200 feet more or less, to the southerly right of way of Maxwell Road Over Crossing, all in Section 15, Township 17 South, Range 4 West of the Willamette Meridian.	00.23
NORTHWEST EXPRESSWAY (COUNTY ROAD NUMBER 1772) from the southerly right of way of Maxwell Connector, Southerly 3200 feet more or less, to the existing city limits line, all in Section 15, Section 22 and Section 23, Township 17 South, Range 4 West of the Willamette Meridian.	00.61
RIVER ROAD (COUNTY ROAD NUMBER 200) from the northerly right of way line of Fir Lane, Southerly 450 feet more or less, to the southerly right of way of Thomason Lane, all in Section 25, Township 17 South, Range 4 West of the Willamette Meridian.	00.09
RIVER ROAD (COUNTY ROAD NUMBER 200) from the northerly right of way line of Fir Lane, Northerly 320 feet more or less, to the southerly right of way of Briarcliff Avenue, all in Section 25, Township 17 South, Range 4 West of the Willamette Meridian.	00.06

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY
STATE OF OREGON

IN THE MATTER OF THE SURRENDER OF)
SEVEN COUNTY ROADS OR PORTIONS) DIRECTOR'S REPORT
THEREOF TO THE CITY OF EUGENE)

The City of Eugene has passed Ordinance Number 19986 requesting that jurisdiction over seven County Roads, or portions thereof, be transferred from Lane County to the City. The listed County Roads are within the current city limits, and have been the subject of an agreement between Lane County and the City for Urban Transition.

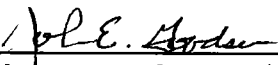
The listed County Roads, or portions thereof, as shown on Exhibit "A" attached to the Final Order are under the jurisdiction of Lane County. The proposed transfer of jurisdiction would allow the City to develop or improve these roads as they need to, to the City's standards and specifications.

ORS 373.270 provides for the transfer of jurisdiction over County Roads within a city. The County may transfer jurisdiction over County Roads or portions thereof within a city when it is considered to be necessary, expedient or in the best interest of the County to do so; and the governing body of the city deems it necessary or expedient and for the best interest of the city to acquire jurisdiction over the County Roads, or portions thereof, to the same extent as it has over public streets and alleys of the city.

The portions of County Roads proposed to be surrendered can serve the needs of the transportation system under the jurisdiction of either the City or County. In this case the City has requested that jurisdiction be transferred, and it is recommended that the request be complied with as it will be in the best interest of the County, and the City will be able to improve and maintain the roads and structures on a schedule that is suitable to the City.

All legal notice for the public hearing to consider the matter of the surrender of these County Roads, or portions thereof, has been provided as required by law.

DATED this 3RD day of JANUARY, 1996



John E. Goodson, Director
Department of Public Works

EXHIBIT "C"
 IN THE BOARD OF COMMISSIONERS OF LANE COUNTY
 STATE OF OREGON

ORIGINAL

IN THE MATTER OF THE SURRENDER OF)
 SEVEN COUNTY ROADS OR PORTIONS) AFFIDAVIT OF POSTING
 THEREOF TO THE CITY OF EUGENE)

I, K. Robert Ezell, Lane County Surveyor, certify as follows:

On the 15th day of February, 1995, I caused to be posted twenty (20) copies of the Resolution, Notice of Hearing and Order Number 95-2-7-22 in the above entitled matter in twenty places, positioned to be visible to the traveling public, as follows:

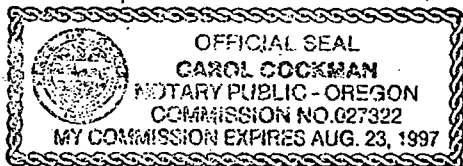
1. Posted on EWEB Power Pole #392 located on River Road at the Northeast Corner of Fir Lane.
2. Posted on EWEB Power Pole #395 located on River Road, 200 feet northerly more or less, of Fir Lane on the East side of the street.
3. Posted on EWEB Power Pole #420 located on River Road at the Southwest Corner of Briarcliff Avenue.
4. Posted on a "Stop" sign located on the East side of Northwest Expressway at the North side of N. Park Avenue.
5. Posted on a "Stop" sign located on the East side of Northwest Expressway at the North side of Cornwall Avenue.
6. Posted on a "Stop" sign located on the East side of Northwest Expressway at the North side of the Maxwell Connector.
7. Posted on EWEB Power Pole #22670 located on the East side of N. Park Avenue, 50 feet more or less, North of Virgil Avenue.
8. Posted on a "Stop" sign located on the East side of N. Park Avenue at the North side of Nadine Avenue.
9. Posted on a "Stop" sign located on the East side of N. Park Avenue at the North side of Hatton Avenue.
10. Posted on EWEB Power Pole #731 located on the East side of N. Park Avenue at the North side of Howard Avenue.
11. Posted on a street sign located on the North side of Old Maxwell Road at the East side of Allea Street.
12. Posted on a street sign located on the South side of Old Maxwell Road at the East end of road.

- 13. Posted on EWEB Power Pole #88_7 located on the North side of Old Maxwell Road East, 200 feet more or less, easterly of the West end of road.
- 14. Posted on EWEB Power Pole #8815 located on the westerly side of Labona Street on the North side of Maxwell Road.
- 15. Posted on EWEB Power Pole #1455 located on the westerly side of Labona Street at the North end of street.
- 16. Posted on EWEB Power Pole #31483 located on the easterly side of Labona Street at the West end of Molly Lane.
- 17. Posted on EWEB Power Pole (not numbered) located on the South side of Irving Road at the West side of Belmont Street.
- 18. Posted on EWEB Power Pole #917 located on the South side of Irving Road, 150 feet more or less, West of Belmont Street.
- 19. Posted on EWEB Power Pole (not numbered) located on the North side of Irving Road on the West side of River Road.
- 20. Posted on the Public Bulletin Board located in the basement of the Public Service Building, 125 East 8th Avenue, Eugene, Oregon 97401.

Legal Notice is scheduled to run in the Register Guard on March 1, 1995.

K. Robert Ezell
 K. Robert Ezell
 Lane County Surveyor

Subscribed and sworn to before me this 21st day of February, 1995.



Carol Cockman
 NOTARY PUBLIC FOR OREGON
 My Commission expires: 8/23/97

SURRENDER OF PORTIONS OF SEVEN COUNTY ROADS TO THE CITY OF EUGENE

