

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 22-12-06-04

IN THE MATTER OF SETTING A PUBLIC HEARING
FOR THE SURRENDER OF FIVE COUNTY ROADS
OR PORTIONS THEREOF TO THE CITY OF
COTTAGE GROVE

WHEREAS, the City of Cottage Grove, pursuant to Resolution 2082, dated November 14, 2022, has requested the jurisdiction over six sections of five County Roads be transferred to the City of Cottage Grove; and

WHEREAS, the portions of County Roads herein proposed for surrender are those portions described in attached Exhibit "A," and depicted on Exhibit "D;" and

WHEREAS, the County Roads herein proposed for surrender lie entirely within the city limits of Cottage Grove; and

WHEREAS, ORS 373.270 provides for the surrender and transfer of jurisdiction over County Roads within a city, the County may transfer jurisdiction over County Roads or parts 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 in the best interest of the city to acquire jurisdiction over the County Roads or portions thereof and to the same extent as it has over public streets and alleys of the City; and

WHEREAS, ORS 373.270 requires the governing body to give notice either by posting or publishing the time and place of the public hearing the County governing body shall hear the matter, consider any objections or testimony offered by any person interested and determine whether it is necessary, expedient or for the best interests of the County to surrender jurisdiction over the County Road or portion thereof to the City; and

WHEREAS, the Public Works Director of Lane County has recommended a Public Hearing date be established to consider the offer of surrender to the City of Cottage Grove the six sections of five County Roads as described in attached Exhibit "A," and has provided a written report attached hereto and made a part hereof by this Order marked as Exhibit "B," and

WHEREAS, the Board is of the opinion that setting a date to hold a Public Hearing to consider the request to surrender the County Roads to the City of Cottage Grove is in the best interest of the public; and

NOW, THEREFORE, the Board of Commissioners of Lane County **ORDERS** as follows:

1. A Public Hearing shall be held on **January 24, 2023 at 1:30 p.m.**, time certain, to formally consider the surrender of portions of the six sections of the five County Roads, as described in Exhibit "A," attached and made a part of this Order, to the City of Cottage Grove.
2. Legal notice of the Public Hearing be posted or published, in accordance with ORS 373.270;
3. The Director of the Lane County Department of Public Works to prepare and provide a Final Report on the proposed surrender.

ADOPTED this 6th day of December 2022.



Pat Farr, Chair
LANE COUNTY BOARD OF COMMISSIONERS

EXHIBIT "A"

LEGAL DESCRIPTION	MILEAGE

AIRPORT ROAD (COUNTY ROAD NUMBER 728)	0.05
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All that portion of Thornton Road South (County Road Number 728), commonly known as Airport Road, beginning at the easterly end of that portion of County Road No. 728 as surrendered to the City of Cottage Grove per Board of County Commissioners Final Order No. 02-05-1-16; thence in a northeasterly direction ending at that portion of County Road No. 728 vacated by Lane County pursuant to Vacation Order No. 3409, and there ending, all located in the East one-half (E 1/2) of Section 27, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

COTTAGE GROVE-LORANE ROAD (COUNTY ROAD NUMBER 2272)	0.08
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Beginning at the Southerly projection of the West line of Lot 1, one-half Block 5, D.G. McFarland's Fifth Addition to Cottage Grove, Oregon, as platted and recorded in Book 3, Page 65, Lane County Oregon Plat Records; thence Westerly and Southwesterly 443 feet, more or less, to the beginning point of that portion of Cottage Grove-Lorane Road as surrendered to the City of Cottage Grove per Board of County Commissioner's Final Order No. 07-11-7-7, all in Section 29, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

COTTAGE GROVE-LORANE ROAD (COUNTY ROAD NUMBER 2272)	0.02
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Beginning at the ending point of that portion of Cottage Grove-Lorane Road as surrendered to the City of Cottage Grove per Board of County Commissioner's Final Order No. 07-11-7-7, said beginning point also being the center of the channel of what is commonly known as Silk Creek; thence in a westerly direction to the current city limit line in the vicinity of the easterly margin of Cemetery Road, all in Section 29, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

N. DOUGLAS STREET (COUNTY ROAD NUMBER 1220)	0.28
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All of Lane County's interest in Conner Road (County Road No. 1220), commonly known as N. Douglas Street, beginning at the South line of Lot 1 of the Plat of the Division of the Robert Cochran Estate, platted and recorded in Book 2, Page 41, Lane County Oregon Plat Records; thence in a Northeasterly direction 1465.9 feet, more or less, to the North line of Lot 4 of said plat, all located in the Northeast one-quarter (NE 1/4) of Section 28, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "A"

N. LANE STREET (COUNTY ROAD NUMBER 862)

0.47

All of Lane County's interest in Walker-Cottage Grove Change in the Pacific Highway (County Road No. 862), commonly known as N. Lane Street, beginning at the ending point of said County Road No. 862; thence in a northeasterly direction 2470 feet, more or less, to the current city limit line for the City of Cottage Grove in the vicinity the southerly right of way margin of N. River Road at its intersection with U.S. Highway No. 99, all in the Northeast one-quarter (NE 1/4) of Section 28, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

SWEET LANE (COUNTY ROAD NUMBER 860)

0.57

All that portion of J.H. Chambers Road (County Road No. 860), commonly known as Sweet Lane, located between the westerly right of way margin of U.S. Highway No. 99 and the current City Limits and Urban Growth Boundary for the City of Cottage Grove at Blue Sky Drive, all located in the South one-half (S 1/2) of Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "B"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S PRELIMINARY
REPORT

IN THE MATTER OF SETTING A PUBLIC HEARING
FOR THE SURRENDER OF FIVE COUNTY ROADS
OR PORTIONS THEREOF TO THE CITY OF
COTTAGE GROVE

The City of Cottage Grove has adopted Resolution No. 2082, dated November 14, 2022, formally requesting the transfer of six sections of five County Roads within their city limits.

The combined portions of the County Roads consist of approximately 1.47 miles of right of way as described on Exhibit "A," and depicted on Exhibit "D," attached to and made a part of the Order setting a Public Hearing on the proposed surrender of said roads. The subject portions of roads are currently under the jurisdiction of Lane County, and the transfer of jurisdiction over these County Roads would enable the City to maintain, develop, and improve the roads to the City's own specifications, standards, and timetables.

ORS 373.270 provides for the transfer of jurisdiction over a County Road within a city. The County may transfer jurisdiction over a County Road or portion thereof within a City when it is considered to be necessary, expedient, or for 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 Road or part thereof to the same extent as it has over public streets and alleys of the City. ORS 373.270 also requires a public hearing for these proceedings, with notice to the public provided by posting or publication.

It is recommended the Order be approved setting a Public Hearing date of January 24, 2022 at 1:30 p.m. time certain to consider the proposed surrender of jurisdiction of the portion of County Roads as described in Exhibit "A" of said Order.

DATED this _____ day of _____, 2022.

Dan Hurley, Director
Department of Public Works

RESOLUTION NO. 2082

A RESOLUTION REQUESTING THE BOARD OF COMMISSIONERS OF LANE COUNTY
TO SURRENDER JURISDICTION OF VARIOUS ROAD SECTIONS WITHIN THE
INCORPORATED CITY LIMITS OF COTTAGE GROVE

WHEREAS, The City Council of the City of Cottage Grove has determined that it is in the public interest to seek surrender of jurisdiction from the Board of Commissioners of Lane County for various road sections within the incorporated city limits of Cottage Grove as described in Exhibit A; and

WHEREAS, in the event that such a surrender occurs, the City of Cottage Grove assumes all jurisdiction of said road sections in their existing conditions and all maintenance responsibilities; and

WHEREAS, the Board of Commissioners of Lane County, Oregon has authority under provision of ORS 373.270 to release jurisdiction over county roads within the limits of the City of Cottage Grove, and should be requested to do so.

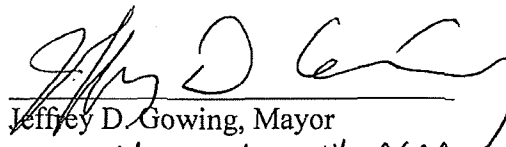
NOW, THEREFORE, BE IT RESOLVED by the City of Cottage Grove that:

Section 1. The Board of County Commissioners of Lane County is hereby requested to surrender to the City of Cottage Grove the road sections described in Exhibit A.

Section 2. City of Cottage Grove personnel are hereby directed to provide Lane County all information and documentation requested in order to support this Resolution to the Board of Commissioners of Lane County.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 14TH DAY OF
NOVEMBER 2022.


Jeffrey D. Gowing, Mayor
Date: November 14, 2022

ATTEST:

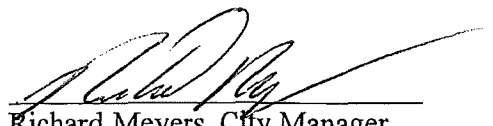

Richard Meyers, City Manager
Date: November 14, 2022

EXHIBIT "A" of Exhibit "C"

LEGAL DESCRIPTION

MILEAGE

AIRPORT ROAD (COUNTY ROAD NUMBER 728)

0.05

All that portion of Thornton Road South (County Road Number 728), commonly known as Airport Road, beginning at the easterly end of that portion of County Road No. 728 as surrendered to the City of Cottage Grove per Board of County Commissioners Final Order No. 02-05-1-16; thence in a northeasterly direction ending at that portion of County Road No. 728 vacated by Lane County pursuant to Vacation Order No. 3409, and there ending, all located in the East one-half (E 1/2) of Section 27, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

COTTAGE GROVE-LORANE ROAD (COUNTY ROAD NUMBER 2272)

0.08

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COTTAGE GROVE-LORANE ROAD (COUNTY ROAD NUMBER 2272)

0.02

Beginning at the ending point of that portion of Cottage Grove-Lorane Road as surrendered to the City of Cottage Grove per Board of County Commissioner's Final Order No. 07-11-7-7, said beginning point also being the center of the channel of what is commonly known as Silk Creek; thence in a westerly direction to the current city limit line in the vicinity of the easterly margin of Cemetery Road, all in Section 29, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

N. DOUGLAS STREET (COUNTY ROAD NUMBER 1220)

0.28

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EXHIBIT "A" of Exhibit "C"

N. LANE STREET (COUNTY ROAD NUMBER 862)

0.47

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SWEET LANE (COUNTY ROAD NUMBER 860).

0.57

All that portion of J.H. Chambers Road (County Road No. 860), commonly known as Sweet Lane, located between the westerly right of way margin of U.S. Highway No. 99 and the current City Limits and Urban Growth Boundary for the City of Cottage Grove at Blue Sky Drive, all located in the South one-half (S 1/2) of Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "D"
PORTION OF AIRPORT ROAD (CO. RD. NO 728)
TO BE SURRENDERED TO THE CITY OF COTTAGE GROVE.

SE 1/4 SEC. 27 T. 20S. R.3W. W.M.
Cottage Grove, Lane County, Oregon

N

NO SCALE

 COTTAGE GROVE UGB

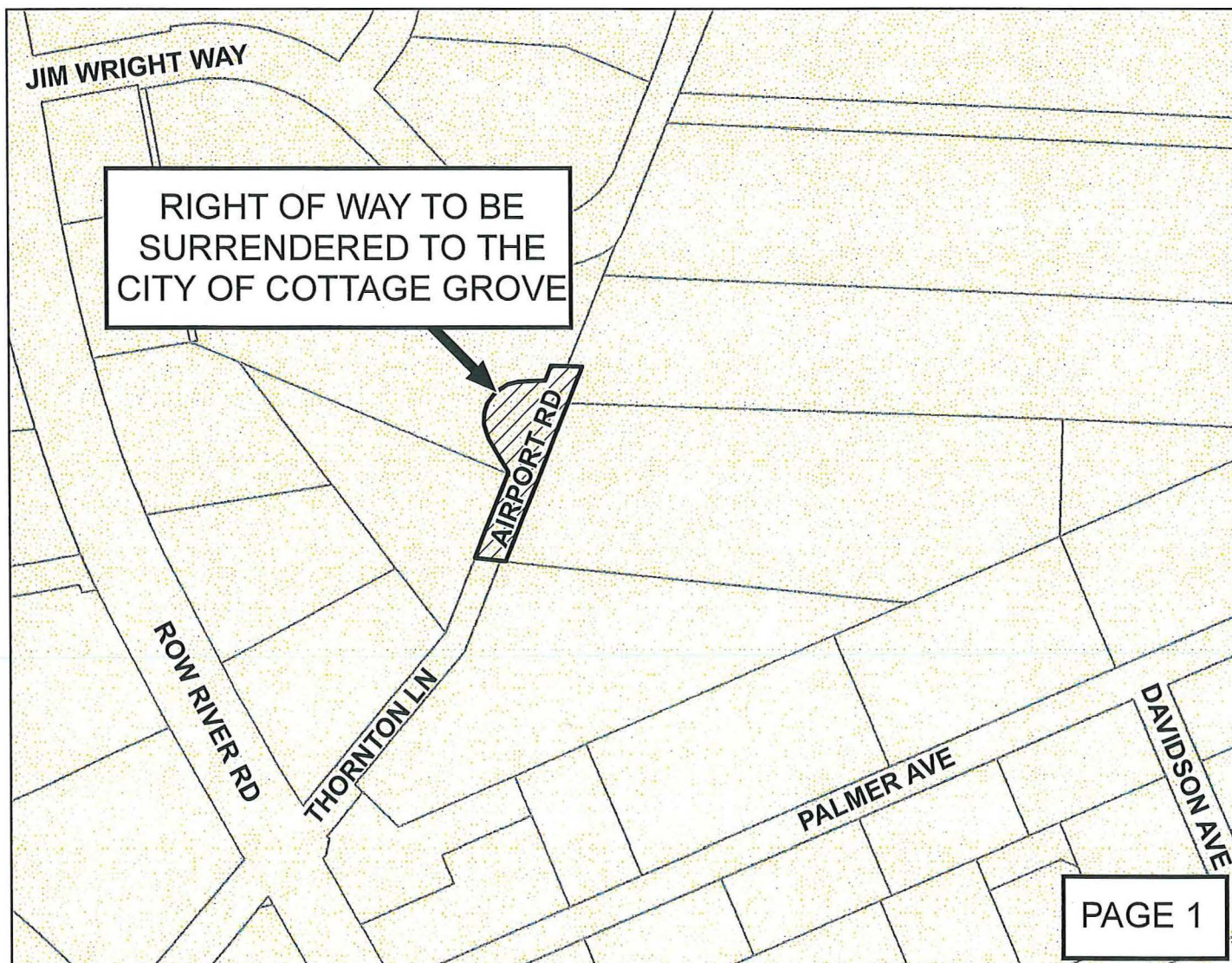
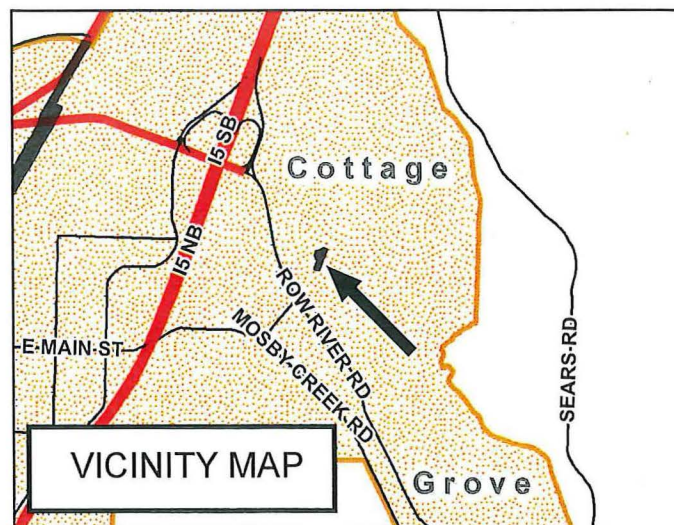


EXHIBIT "D"
PORTIONS OF W. MAIN STREET (CO. RD. NO 2272)
TO BE SURRENDERED TO THE CITY OF COTTAGE GROVE.

S 1/2 SEC. 29 T. 20S. R.3W. W.M.
Cottage Grove, Lane County, Oregon

N
NO SCALE

COTTAGE GROVE UGB

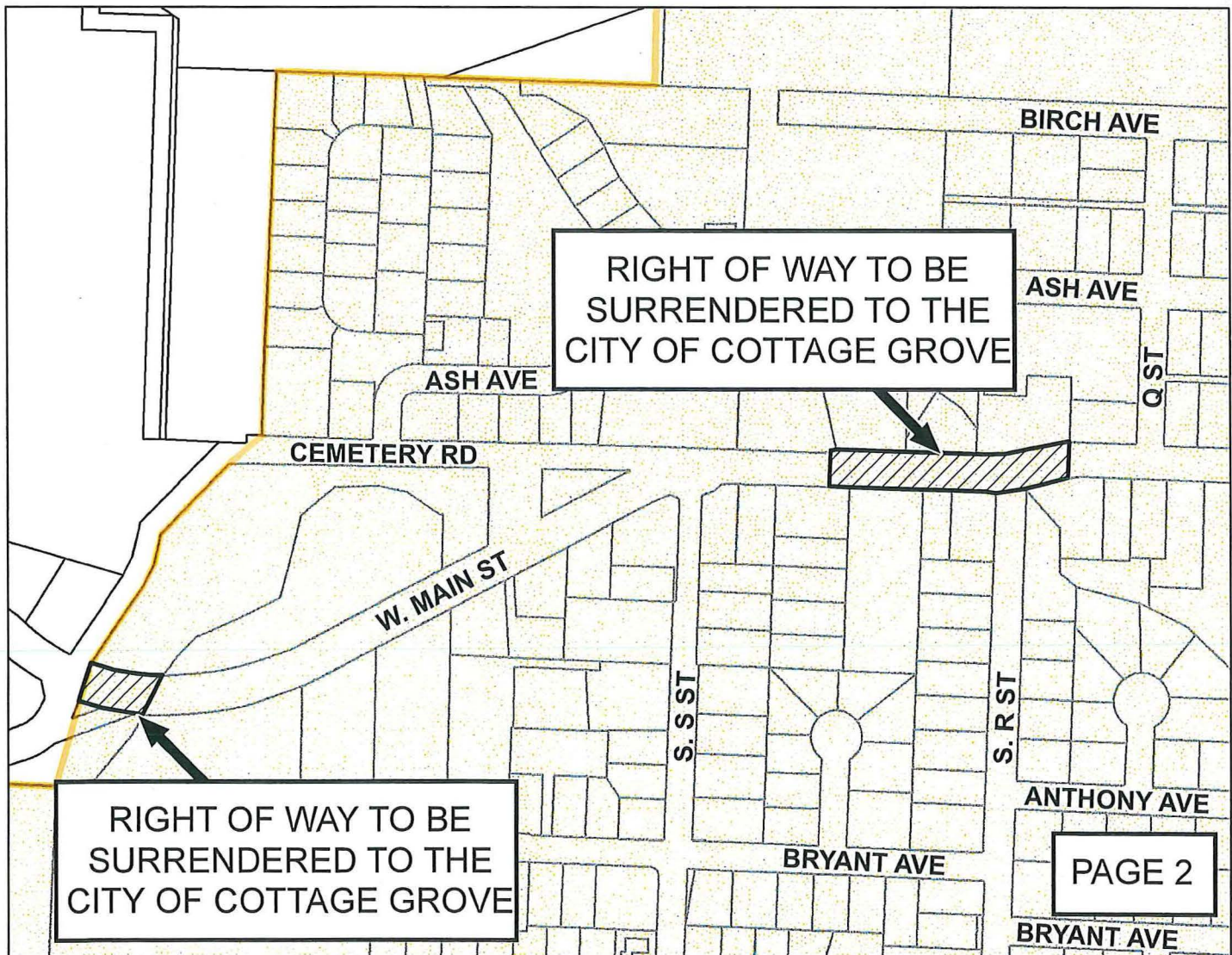
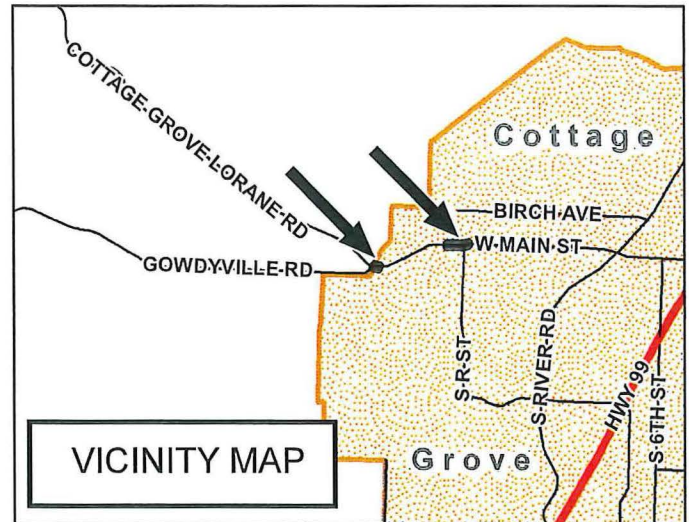


EXHIBIT "D"
PORTION OF N. DOUGLAS STREET (CO. RD. NO 1220) TO
BE SURRENDERED TO THE CITY OF COTTAGE GROVE.

NE 1/4 SEC. 28 T. 20S. R.3W. W.M.
Cottage Grove, Lane County, Oregon



NO SCALE



COTTAGE GROVE UGB

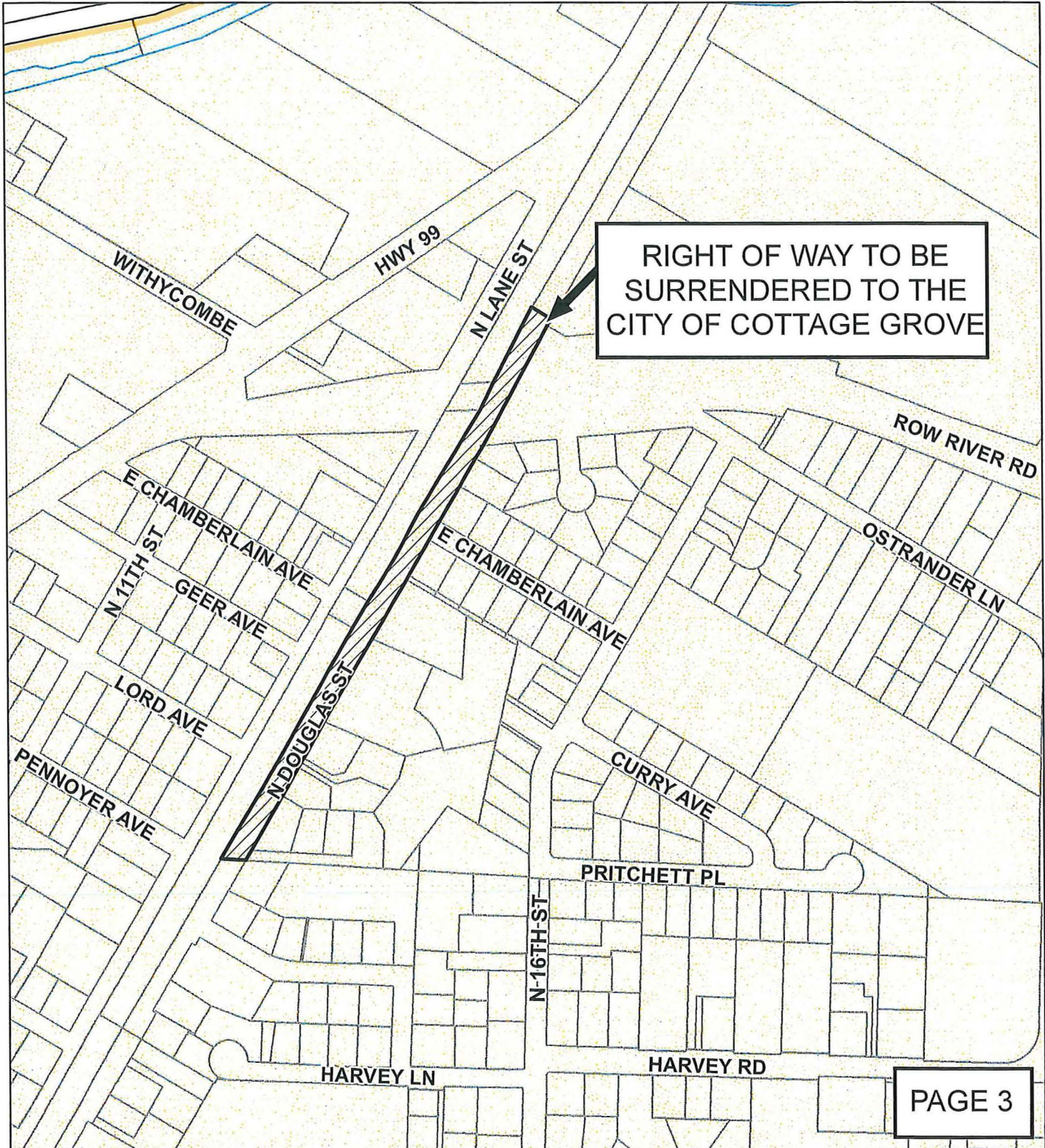


EXHIBIT "D"
PORTION OF N. LANE STREET (CO. RD. NO 862)
TO BE SURRENDERED TO THE CITY OF COTTAGE GROVE.

NE 1/4 SEC. 28 T. 20S. R.3W. W.M.
Cottage Grove, Lane County, Oregon



NO SCALE



COTTAGE GROVE UGB

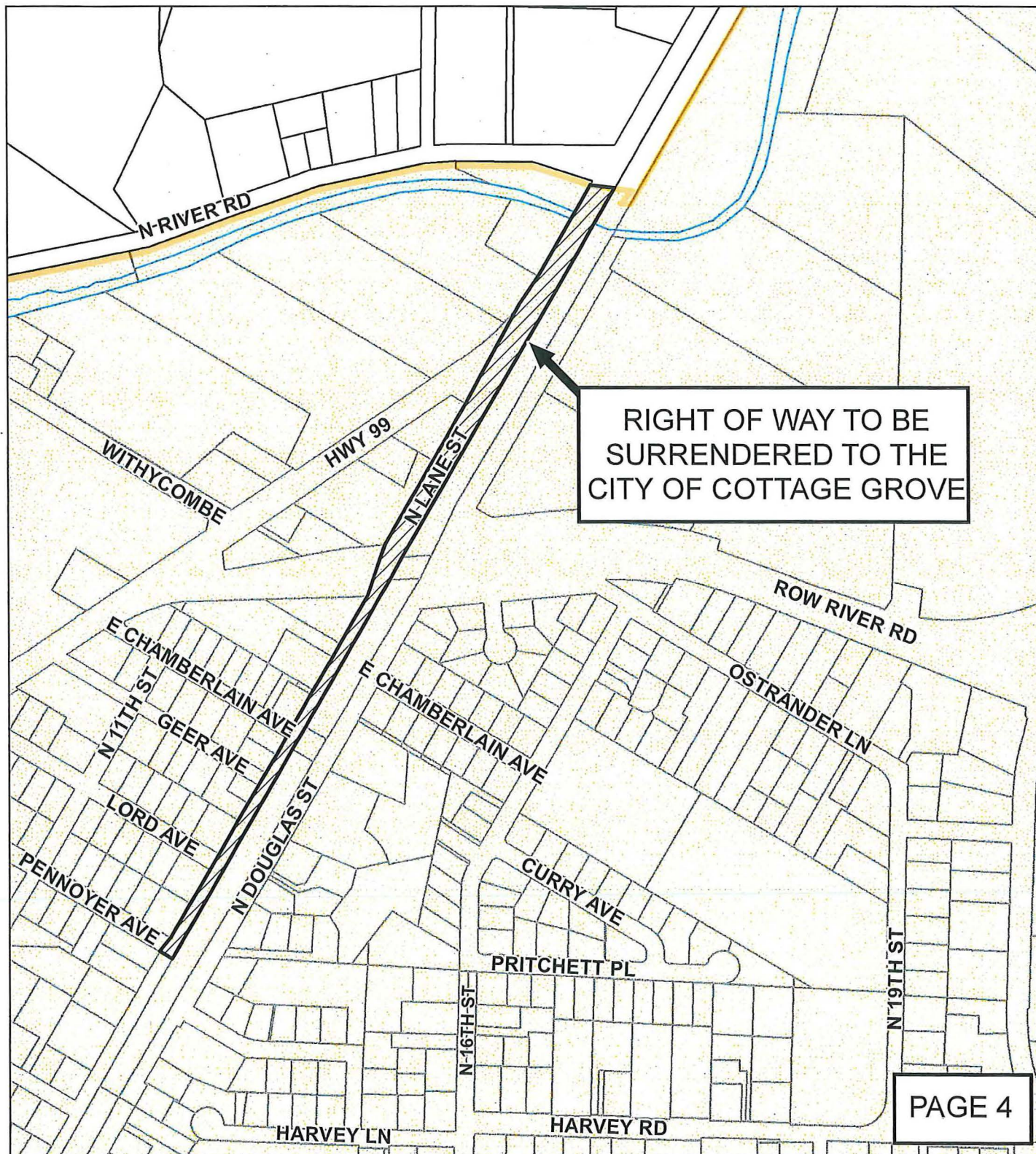


EXHIBIT "D"
PORTION OF SWEET LANE
TO BE SURRENDERED TO THE CITY OF COTTAGE GROVE.

NW 1/4 SEC. 32 T. 20S. R.3W. W.M.
Cottage Grove, Lane County, Oregon



NO SCALE



COTTAGE GROVE UGB

