

AGENDA COVER MEMO

DATE: January 17, 2003
TO: LANE COUNTY BOARD OF COMMISSIONERS
FROM: K. Robert Ezell, Lane County Surveyor *K.R. Ezell*
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A PORTION OF THE LORANE HIGHWAY (COUNTY ROADS NUMBER 444 AND 2252) FROM BAILEY HILL ROAD, EASTERLY, TO MCBETH ROAD, BEING LOCATED WITHIN SECTIONS 21 AND 22, TOWNSHIP 18 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN

I. MOTION: MOVE TO APPROVE AN ORDER ALTERING A PORTION OF THE LORANE HIGHWAY (COUNTY ROADS NUMBER 444 and 2252), FROM BAILEY HILL ROAD, EASTERLY, TO MCBETH ROAD, BEING LOCATED WITHIN SECTIONS 21 AND 22, TOWNSHIP 18 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN, BEING MORE PARTICULARLY DESCRIBED IN THE FINAL ORDER.

II. ISSUE: Right of way acquisition and improvements associated with this road reconstruction project have been completed under the administration of the Director of the Lane County Department of Public Works on a portion of the Lorane Highway (County Roads Number 444 and 2252). It is now necessary to decide whether the completed road project and its alignment should be legally altered as provided by ORS 368.

III. DISCUSSION:

A. Background

The Lorane Highway, as it is commonly known, is a portion of County Road No. 444 which was originally established in 1889 with the portion of road at the intersection with Bailey Hill Road being altered as County Road No. 2252 in 1998. The portion of the road to be altered at this time is the portion between Bailey Hill Road and McBeth Road. The existing road was a narrow and winding roadway. Increased use by vehicles, bicycles and pedestrians indicated a need for realignment of low-speed curves and widening to provide paved shoulders for the safety of the traveling public in this area.

Public Hearings were held on September 23, 1993 and February 24, 1994 at Twin Oaks Elementary School regarding the proposed road improvements for the Lorane Highway. Further, through Capital Improvement Programs from FY 93-94 to FY 97-98, and Board Order No. 95-10-18-2, the Lane County Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to prepare right of way plans, pursue necessary planning actions, acquire right of way and prepare plans and specifications for the improvement of this section of the Lorane Highway. The construction project has been completed.

B. Analysis

The report by the Director of the Department of Public Works, attached to the Final Order as Exhibit "B", notes that the alteration and construction of this portion of the Lorane Highway has been completed and the road is open for public travel. Upon approval of the alteration order, road plats depicting the alignment and right of way limits will be prepared and filed with the County Clerk by the County Surveyor with a copy placed in the County Road File Number 2252. The alteration order will be indexed into the County Road Index Books and legal road files administered by the Department of Public Works and the County Surveyor.

The final phase of the project is to complete the legal alteration of the road in accordance with ORS Chapter 368. The Final Order accomplishes that action by providing for the acceptance of land acquired for right of way as a part of this project and the vacation of the former right of way determined to be in excess. The centerline description of the new alignment including right of way widths is attached to the Final Order as Exhibit "A".

The Lane County Public Works Department has filed road surveys numbered as CSF 35892-35897 with the County Surveyor which include road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

C. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Final Order altering the portion of the Lorane Highway from Bailey Hill Road to McBeth Road.
2. Have staff review and alter any component of the Final Order altering the aforementioned portion of the Lorane Highway.
3. Continue the motion for further consideration

D. Recommendations

It is recommended that the Board of Commissioners approve Option Number 1. This will approve the Final Order altering the Lorane Highway as proposed and supported by the Public Works Director.

E. Timing

Timing is important, as ORS 368.106 requires that the Final Order of Alteration and deeds, or other documents establishing an interest in real property for public road purposes, be recorded.

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval by the Board of County Commissioners, the Final Order of Alteration and related attachments will be forwarded to the Lane County Clerk for filing and entering into the Board of Commissioners' Journal of Administration. The County Surveyor will provide road plats depicting the right-of-way limits of the project to be filed with the County Clerk. The Final Order and road plats will be entered into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor for public record.

V. ATTACHMENTS

Final Order With Attachments:
Exhibit "A" - Legal Description
Exhibit "B" - Director's Report
Attachment "A" - Vicinity Map

Contact person: K. Robert Ezell, x3626

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

File No. 4079

IN THE MATTER OF THE ALTERATION OF A PORTION OF)	
THE LORANE HIGHWAY (COUNTY ROADS NUMBER 444)	FINAL ORDER
AND 2252) FROM BAILEY HILL ROAD, EASTERLY, TO)	OF ALTERATION
MCBETH ROAD, BEING LOCATED WITHIN SECTIONS 21)	NO.
AND 22, TOWNSHIP 18 SOUTH, RANGE 4 WEST OF THE)	
WILLAMETTE MERIDIAN)	

THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and the Board through adoption of the Capital Improvement Program for the Department of Public Works has determined that it was necessary to alter and reconstruct a portion of the Lorane Highway, as it is commonly known, consisting of County Roads Number 444 and 2252 from Bailey Hill Road, easterly, to McBeth Road; and

WHEREAS, Public Hearings were held on September 23, 1993 and February 24, 1994 at the Twin Oaks Elementary School regarding the proposed road improvements for this portion of the Lorane Highway and through adoption of the Capital Improvement Programs FY 1993/94 through FY 1997/98 and Board Order No. 95-10-18-2, the Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans, and acquisition of right of way of the portion of the Lorane Highway from Bailey Hill Road , Easterly, to McBeth Road; and

WHEREAS, the Department of Public Works completed the final road design and has acquired all necessary right of way on and over which the project has been laid out; and

WHEREAS, the Public Works Department completed the construction of this portion of the Lorane Highway in accordance with the plans and specifications prepared and administered by the Public Works Director; and

WHEREAS, it has been determined necessary to legally alter this portion of the Lorane Highway and accept the alignment including acquisitions of property made as a part of this project, as county road right of way; and

WHEREAS, the Department of Public Works has filed road surveys numbered as CSF 35892 - 35897 with the County Surveyor for public record all in compliance with ORS chapters 209.250 and 368.106; and

WHEREAS, the Board of County Commissioners is satisfied that necessary road construction and improvements have been completed and will be of public utility and benefit; now therefore, it is hereby

ORDERED that the deeds, or portions thereof, which lie within the road right of way specified herein, presented to the said Board of County Commissioners through purchase, donation, or agreement, as herein set forth below, on the dates set after the names of the Grantors, and before the recording information in the Lane County Deed Records, are hereby accepted as County road right of way:

<u>LANE COUNTY GRANTOR'S</u>	<u>LANE COUNTY RECORDING DATE</u>	<u>DEED RECORDS</u>	<u>TAX LOT NUMBER</u>
Otto J. Glausi E. Jean Glausi	Nov. 1, 1996	Reel 2232R RR 9673852	18-04-21-00 1202
Leona E. Voze	Aug. 2, 1996	Reel 2201R RR 9652361	18-04-21-00 203
Gene A. Swan Paula M Swan	June 17, 1998	Reel 2430R RR 9846771	18-04-21-00 204
Marcia H. Stachowiak	Feb. 24, 1997	Reel 2267R RR 9711537	18-04-21-00 222
Robert M. Brezsny Felice J. Brezsny, etal.	Aug. 1, 1997	Reel 2321R RR 9752017	18-04-21-00 201
Charles G. Janz	Sept. 22, 1997	Reel 2337R RR 9763783	18-04-21-00 100
Charles G. Janz Angela T. Janz	Sept. 22, 1997	Reel 2337R RR 9763784	18-04-22-00 500
Victor R. Rudek Karen J. Rudek	Apr. 2, 1998	Reel 2403R RR 9823411	18-04-22-00 2400
Steven A. Raymen	Feb. 9, 1998	Reel 2383R RR 9808270	18-04-22-00 2000
James E. Michaud Paula B. Michaud	Oct. 28, 1997	Reel 2350R RR 9773505	18-04-22-00 1900
Raymond W. Morse Phyllis J. Helland	Jan. 19, 1999	Reel 2505R RR 99004040	18-04-22-00 300 301
Brooke Ellen Stone	Sept. 24, 1996	Reel 2218R RR 9664504	18-04-22-00 800

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as the Lorane Highway be hereby altered as described in the legal description attached hereto, made a part hereof and marked Exhibit 'A' by this Order; and it is further

ORDERED, that all portions of County Road No. 444 lying between the termini specified herein above, which are not included within the limits of the road herein above described, are HEREBY DECLARED VACATED in accordance with ORS Chapter 368.126, retaining, however, unto any and all existing public utilities the right to preserve, maintain, repair, replace, remove or reinstall any public utility that may now exist within the bounds of the portions of County Road No. 444 herein described by these proceedings as vacated; and it is further

ORDERED, that a road plat depicting the right of way limits of this project be prepared by the County Surveyor and filed for public record with the County Clerk and in the County Surveyors Office in the County Road Files in compliance with ORS 368; and, it is further

ORDERED, that in support of this action, the said Board of County Commissioners does hereby adopt the report of the Director of Public Works as set forth in Exhibit "B", which is attached hereto, and made a part hereof, by this Order; and, it is further

ORDERED, that this Order be filed with the Lane County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration and into the Road Index Books and County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor and that said Order be, and is hereby final and does operate to alter and accept said portion of the Lorane Highway as a public highway, and as a county road, numbered 2252.

DATED this _____ day of _____, 2003

Chair
Lane County Board of Commissioners

EXHIBIT "A"

LORANE HIGHWAY

CENTERLINE DESCRIPTION

A strip of land variable feet in width lying on each side of the centerline of Lorane Highway, in Sections 21 and 22, Township 18 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1994; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station $A^2 90+87.48$ PC Bk = $L^2 10+00.00$ Ah, said station being 65.43 feet North and 1,808.69 feet West of the 1 1/2 inch aluminum cap marking the East one-quarter corner of Section 21, Township 18 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence South $87^\circ 55' 42''$ East, 1,690.61 feet; thence along a 2864.79 foot radius curve right (the long chord of which bears South $86^\circ 21' 10''$ East, 157.52 feet) a distance of 157.55 feet; thence South $84^\circ 46' 39''$ East, 372.86 feet; thence along a 1909.86 foot radius curve left (the long chord of which bears South $88^\circ 38' 49''$ East, 257.77 feet) a distance of 257.96 feet; thence North $87^\circ 29' 01''$ East, 166.47 feet to Engineers' Centerline Station $L^2 36+45.44$ POST Bk = $L^3 36+45.44$ PC Ah; thence along a 2864.79 foot radius curve right (the long chord of which bears North $89^\circ 42' 40''$ East, 222.66 feet) a distance of 222.72 feet; thence South $88^\circ 03' 43''$ East, 512.82 feet; thence along a 954.93 foot radius curve right (the long chord of which bears South $81^\circ 40' 40''$ East, 212.36 feet) a distance of 212.80 feet; thence South $75^\circ 17' 38''$ East, 135.83 feet; thence along a 190.99 foot radius curve left (the long chord of which bears North $52^\circ 31' 08''$ East, 301.76 feet) a distance of 347.91 feet; thence North $00^\circ 19' 54''$ East, 231.06 feet; thence along a 327.40 foot radius curve right (the long chord of which bears North $27^\circ 33' 08''$ East, 299.52 feet) a distance of 311.08 feet to Engineers' Centerline Station $L^3 56+19.66$ PT Bk = $L^2 56+56.86$ POT Ah; thence North $54^\circ 46' 18''$ East, 338.83 feet; thence along a 763.94 foot radius curve left (the long chord of which bears North $47^\circ 12' 58''$ East, 200.89 feet) a distance of 201.48 feet; thence North $39^\circ 39' 39''$ East, 1313.83 feet; thence along a 572.96 foot radius curve right (the long chord of which bears North $53^\circ 41' 12''$ East, 277.72 feet) a distance of 280.52 feet; thence North $67^\circ 42' 45''$ East, 290.62 feet to Engineers' Centerline Station $L^2 80+82.12$ PC and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
$A^2 90+87.48$ PC Bk = $L^2 10+00.00$ Ah	$L^2 10+87.48$ POT	45 ft tapering on a straight line to 35 ft	
$L^2 10+87.48$ POT	$L^2 26+90.61$ PC	35 ft	
$L^2 26+90.61$ PC	$L^2 28+08.17$ POC	35 ft tapering on a straight line to 37.44 ft	
$A^2 90+87.48$ PC Bk = $L^2 10+00.00$ Ah	$L^2 12+00.00$ POT		40 ft tapering on a straight line to 35 ft
$L^2 12+00.00$ POT	$L^2 26+90.61$ PC		35 ft

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
L ² 26+90.61 PC	L ² 28+11.73 POC		35 ft tapering on a straight line to 32.47 ft
L ² 28+11.73 POC	L ² 28+48.15 PT		32.47 ft tapering on a straight line to 30 ft
L ² 28+48.15 PT	L ² 30+00.00 POT		30 ft tapering on a straight line to 35 ft
L ² 30+00.00 POT	L ² 36+45.44 POST Bk = L ³ 36+45.44 PC Ah		35 ft
L ² 28+08.17 POC	L ² 28+48.15 PT	37.44 ft tapering on a straight line to 40 ft	
L ² 28+48.15 PT	L ² 29+50.00 POT	40 ft tapering on a straight line to 60 ft	
L ² 29+50.00 POT	L ² 30+50.00 POT	60 ft tapering on a straight line to 70 ft	
L ² 30+50.00 POT	L ² 32+21.01 PC	70 ft	
L ² 32+21.01 PC	L ² 33+50.00 POC	70 ft tapering on a straight line to 80 ft	
L ² 33+50.00 POC	L ² 34+78.97 PT	80 ft tapering on a straight line to 60 ft	
L ² 34+78.97 PT	L ² 36+45.44 POST Bk = L ³ 36+45.44 PC Ah	60 ft tapering on a straight line to 45 ft	
L ² 36+45.44 POST Bk = L ³ 36+45.44 PC Ah	L ³ 38+00.00 POC		35 ft tapering on a straight line to 40 ft
L ³ 38+00.00 POC	L ³ 38+68.16 PT		40 ft tapering on a straight line to 34.19 ft
L ³ 38+68.16 PT	L ³ 43+96.27 POC		34.19 ft tapering on a straight line to 31.43 ft
L ³ 43+96.27 POC	L ³ 46+37.66 POT		31.43 ft tapering along a 930.00 foot radius curve right to 27.37 ft
L ² 36+45.44 POST Bk = L ³ 36+45.44 PC Ah	L ³ 37+50.00 POC	45 ft tapering on a straight line to 35 ft	

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
L ³ 37+50.00 POC	L ³ 43+00.00 POT	35 ft	
L ³ 43+00.00 POT	L ³ 43+80.98 PC	35 ft tapering on a straight line to 40 ft	
L ³ 43+80.98 PC	L ³ 45+93.78 PT	40 ft	
L ³ 46+37.66 POT	L ³ 47+72.93 POC		27.37 ft tapering on a straight line to 36.81 ft
L ³ 47+72.93 POC	L ³ 50+46.48 POC		36.81 ft tapering along a 184.20 foot radius curve left to 40.54 ft
L ³ 50+46.48 POC	L ³ 50+77.52 PT		40.54 ft tapering on a straight line to 34.82 ft
L ³ 50+77.52 PT	L ³ 52+00.00 POT		34.82 ft tapering on a straight line to 35 ft
L ³ 52+00.00 POT	L ³ 53+08.58 PC		35 ft
L ³ 53+08.58 PC	L ³ 54+00.00 POC		35 ft tapering on a straight line to 45 ft
L ³ 45+93.78 PT	L ³ 47+29.61 PC	40 ft tapering on a straight line to 80 ft	
L ³ 47+29.61 PC	L ³ 50+77.52 PT	80 ft	
L ³ 50+77.52 PT	L ³ 52+50.00 POT	80 ft tapering on a straight line to 65 ft	
L ³ 52+50.00 POT	L ³ 53+08.58 PC	65 ft tapering on a straight line to 50 ft	
L ³ 53+08.58 PC	L ³ 54+45.00 POC	50 ft	
L ³ 54+45.00 POC	L ³ 54+52.99 POC	50 ft tapering on a straight line to 48.74 ft	
L ³ 54+00.00 POC	L ³ 55+50.00 POC		45 ft
L ³ 55+50.00 POC	L ³ 56+19.66 PT Bk = L ² 56+56.86 POT Ah		45 ft tapering on a straight line to 40 ft

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
L ³ 56+19.66 PT Bk = L ² 56+56.86 POT Ah	L ² 57+25.00 POT		40 ft tapering on a straight line to 28.16 ft
L ² 57+25.00 POT	L ² 59+71.44 POT		28.16 ft tapering on a straight line to 34.19 ft
L ² 59+71.44 POT	L ² 61+77.14 POC		34.19 ft tapering along a 741.35 foot radius curve left to 31.12 ft
L ³ 54+52.99 POC	L ³ 55+16.38 POC	48.74 ft tapering along a 326.50 foot radius curve right to 46.16 ft	
L ³ 55+16.38 POC	L ³ 56+19.66 PT Bk = L ² 56+56.86 POT Ah	46.16 ft tapering on a straight line to 45 ft	
L ³ 56+19.66 PT Bk = L ² 56+56.86 POT Ah	L ² 57+50.00 POT	45 ft tapering on a straight line to 35 ft	
L ² 57+50.00 POT	L ² 64+50.00 POT	35 ft	
L ² 64+50.00 POT	L ² 65+50.00 POT	35 ft tapering on a straight line to 45 ft	
L ² 61+77.14 POC	L ² 75+76.00 POC		31.12 ft tapering on a straight line to 27.47 ft
L ² 75+76.00 POC	L ² 77+50.00 POC		27.47 ft tapering on a straight line to 25 ft
L ² 77+50.00 POC	L ² 77+91.50 PT		25 ft tapering on a straight line to 24 ft
L ² 77+91.50 PT	L ² 80+00.00 POT		24 ft tapering on a straight line to 22.44 ft.
L ² 65+50.00 POT	L ² 67+00.00 POT	45 ft	
L ² 67+00.00 POT	L ² 68+00.00 POT	45 ft tapering on a straight line to 35 ft	
L ² 68+00.00 POT	L ² 75+10.99 PC	35 ft	
L ² 75+10.99 PC	L ² 76+00.00 POC	35 ft tapering on a straight line to 35 ft	

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
L ² 76+00.00 POC	L ² 77+56.97 POC	35 ft tapering along a 417.00 foot radius curve right to 36.83 ft	
L ² 77+56.97 POC	L ² 80+00.00 POT	36.83 ft tapering on a straight line to 37.56 ft.	

The bearings used herein are based on a bearing of North 58° 22' 23.7" East between Lane County Brass Caps LCCM 657 and LCCM 660, said bearing based on the Oregon Coordinate System, NAD 83, South Zone.

EXHIBIT "B"

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

File No. 4079

IN THE MATTER OF THE ALTERATION OF A PORTION OF)
 THE LORANE HIGHWAY (COUNTY ROADS NUMBER 444)
 AND 2252), FROM BAILEY HILL ROAD, EASTERLY, TO) DIRECTOR'S REPORT
 MCBETH ROAD, BEING LOCATED WITHIN SECTIONS 21)
 AND 22, TOWNSHIP 18 SOUTH, RANGE 4 WEST OF THE)
 WILLAMETTE MERIDIAN.)

The Lorane Highway, as it is commonly known, (County Road Number 444) was originally established in 1889 with the portion of road at the intersection with Bailey Hill Road being altered as County Road No. 2252 in 1998. The portion of the road to be altered at this time is from Bailey Hill Road to McBeth Road. The existing road was a narrow winding roadway. Increased use by vehicles, bicycles and pedestrians indicated a need for realignment of low-speed curves and widening to provide paved shoulders for the safety of the traveling public in this area.

Public Hearings were held on September 23, 1993 and February 24, 1994 at the Twin Oaks Elementary School regarding the proposed road improvements for the Lorane Highway. Further, through Capital Improvement Programs from FY 93-94 to FY 97-98 and Board Order No. 95-10-18-2, the Lane County Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to prepare right of way plans, pursue necessary planning actions, acquire right of way and prepare plans and specifications for the improvement of the Lorane Highway.


The Lorane Highway project construction plans were prepared and all necessary re-surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed. All construction of this portion of road was completed in accordance with plans and specifications administered by the Department of Public Works and the road is open for public travel.

A Final Order to legally alter the Lorane Highway from Bailey Hill Road to McBeth Road has been prepared. The Order of Alteration provides for acceptance of parcels of land, and portions thereof, acquired as right of way in conjunction with this project and the vacation of the former right of way determined to be in excess. The legal description of the new alignment including right of way widths is marked Exhibit "A" and attached to the Final Order.

The Department of Public Works has filed road surveys numbered as CSF 35892-35897 with the County Surveyor, which include centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106. Road plats, depicting the alignment and right of way limits of this project, will be prepared by the County Surveyor.

The public interest will be served by the alteration of this road and it is therefore recommended that the Final Order of Alteration be approved. Upon approval, the Final Order and related attachments will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The road plats prepared by the County Surveyor will be filed with the County Clerk. The Final Order and road plats will be entered into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor for public record.

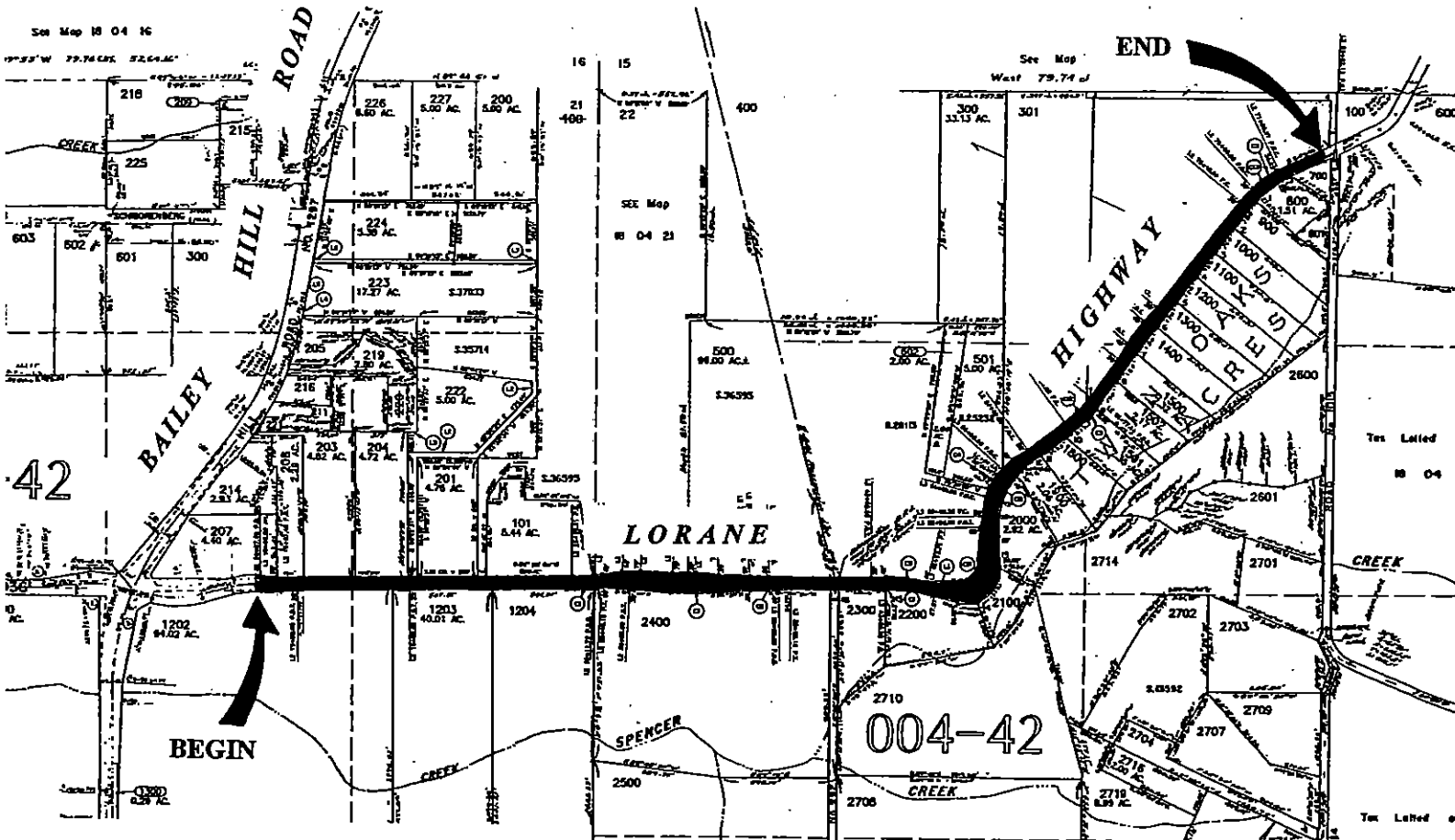
DATED this 17th day of JANUARY, 2003



 for Oliver P. Snowden, Director
 Department of Public Works

ATTACHMENT "A"

SECTIONS 21 & 22, T 18 S, R 4 W, W. M.
LANE COUNTY
No Scale



VICINITY MAP



PROPOSED ALTERATION
LORANE HIGHWAY