

AGENDA COVER MEMO

W9BZ
ORIGINAL

DATE: January 8, 2003
TO: LANE COUNTY BOARD OF COMMISSIONERS
FROM: K. Robert Ezell, Lane County Surveyor *KR Ezell*
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION AND RELOCATION OF A PORTION OF SOUTH RIVER ROAD, (COUNTY ROAD NO. 295 AND 163), FROM THE FORMER 1997 COTTAGE GROVE CITY LIMITS, SOUTHERLY, TO HIGHWAY 99, BEING LOCATED WITHIN SECTION 32, TOWNSHIP 20 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN.

I. MOTION: MOVE TO APPROVE AN ORDER ALTERING AND RELOCATING A PORTION OF SOUTH RIVER ROAD, AS IT IS COMMONLY KNOWN (COUNTY ROAD NUMBER 295 AND 163), BEING MORE PARTICULARLY DESCRIBED IN THE FINAL ORDER.

II. ISSUE: Right of way acquisition and improvements associated with reconstruction have been completed by the Lane County Department of Public Works on a portion of South River Road, as it is commonly known (being part of County Road No. 295 and 163) from the former 1997 Cottage Grove city limits, southerly, to Highway 99. It is now necessary for the Lane County Board of Commissioners to decide whether the completed road project and its alignment should be legally altered as provided by ORS Chapter 368.

III. DISCUSSION:

A. Background

South River Road, as it is commonly known, is a portion of County Road Number 295 originally established in 1873, with subsequent additional right of way dedications. This road also being a change in the Territorial Road (County Road No. 163) enacted by the Legislative Assembly of the Territory of Oregon and established by the County Commissioners of Lane County in 1855. The altered and relocated road lies within the city limits of Cottage Grove, but the maintenance of the road, since it is a County Road, is still in the jurisdiction of Lane County.

South River Road is a major collector in southwest Cottage Grove. The City has requested extension of urban improvements on South River Road to Highway 99. The road met Highway 99 at an extreme angle, making visibility and turning to the north difficult. These conditions indicated a need for improvement for the safety of the traveling public in this area.

A Public Hearing was held on October 23, 1997 at the Cottage Grove City Hall, regarding the proposed road improvements for the South River Road Project. Further, through adoption of Capital Improvement Programs for FY 1998/99 through FY 2002/03 and Board Order No. 99-2-10-3, the Lane County Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to prepare a right-of-way plan necessary to construct the road; pursue all necessary planning actions; acquire right-of-way and prepare plans and specifications for the improvement of South River Road, from the Cottage Grove City limits southerly to Highway 99. Under the administration of the Director of the Lane County Department of Public Works and in coordination with the City and local transportation plans, the construction project has been completed.

B. Analysis

The South River Road project from the Cottage Grove city limits to Highway 99 has been completed and is open for public travel.

The final phase of the project is to complete the legal alteration of the road in accordance with ORS Chapter 368. The Final Order of Alteration accomplishes that action, including the acceptance of land acquired for right of way as a part of this project and vacates portions 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 CSF 36513 and 37639 with the County Surveyor, which include road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106. Upon approval of the Final Order of Alteration, the County Surveyor will provide road plats depicting the right of way limits of the project to be filed with the County Clerk and maintain a public record in the county road plats.

C. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Final Order altering and relocating the portion of South River Road from the Cottage Grove City Limits to Hwy 99.
2. Have staff review and alter any component of the Final Order altering the aforementioned portion of South River Road.
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 this portion of South River Road 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 file the road plats depicting the right-of-way limits of the project 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

<u>GRANTOR'S</u>	<u>LANE COUNTY RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>TAX LOT NUMBER</u>	
Alex Madonna	Aug. 3, 2000	Deed Instrument No. 2000-044558	20-03-32-14	900
South Lane School District 45J3	June 16, 1999	Reel 2561R RR 99053734	20-03-32-00	601
Dorothy H. Oczkus	May 20, 1999	Reel 2550R RR 99045465	20-03-32-41	600
Lael O. Stock	May 20, 1999	Reel 2550R RR 99045466	20-03-32-41	600
David S. Oczkus	June 14, 1999	Reel 2560R RR 99052995	20-03-32-41	600

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as South River Road, 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 Number 295 and 163, lying between the termini specified herein above which are not included within the limits of the road herein above described; specifically excepting therefrom:

1. That portion of the existing right of way of County Road No. 295 lying easterly of the above described right of way from opposite station L2 2+974, southerly approximately 113 m (370 feet, more or less) to the westerly projection of the north line of the tract of land conveyed to the State of Oregon by that certain deed recorded in Book 396, Page 417, Lane County, Oregon Deed Records.

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 Number 295 and 163, herein described by these proceedings as vacated; and it is further

ORDERED, that road plats depicting the right of way limits of this project be prepared from specifications of the County Surveyor and filed with the County Clerk, for public record in the County Surveyor's Office and 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 the said portion of road and to accept the altered road as County Road Number 2224, herein known as South River Road.

DATED this _____ day of _____, 2003.

Chair, Lane County Board of Commissioners

EXHIBIT "A"

**SOUTH RIVER ROAD
COUNTY ROAD NUMBER 2224
CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of South River Road in Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1996; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 28+10.54 PC Bk = L² 2+673.018 POT Ah, said station being 524.479 meters North and 880.659 meters East of the 1988 Lane County Brass Cap marking the Southwest Corner of the Henry Small Donation Land Claim Number 57, located in Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; run thence South 5°55'56" East, 3.368 meters, thence along a 195.000 meter radius curve left (the long chord of which bears South 16°41'11" East, 72.773 meters) a distance of 73.202 meters; thence South 27°26'27" East, 103.748 meters; thence along a 140.000 meter radius curve right (the long chord of which bears South 4°24'24" West, 147.744 meters) a distance of 155.636 meters; thence South 36°15'15" West, 61.998 meters; thence along a 80.000 meter radius curve left (the long chord of which bears South 11°37'33" East, 118.679 meters) a distance of 133.706 meters; thence South 59°30'21" East, 27.481 meters to Engineers' Centerline Station L² 3+232.156 POT and there ending, all in Lane County, Oregon.

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

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L 28+10.54 PC Bk = L ² 2+673.018 POT Ah	L ² 2+753.013 POT	9.144 meters tapering along a 203.186 meter radius curve left to 7.725 meters	
L ² 2+753.013 POT	L ² 2+760.003 POT	7.725 meters tapering on a straight line to 7.487 meters	
L ² 2+760.003 POT	L ² 2+775.000 POT	7.487 meters tapering on a straight line to 7.382 meters	
L ² 2+775.000 POT	L ² 2+780.000 POT	7.382 meters tapering on a straight line to 9.200 meters	
L ² 2+780.000 POT	L ² 2+853.336 PC	9.200 meters tapering on a straight line to 10 meters	
L ² 2+853.336 PC	L ² 3+204.675 PT	10 meters	
L ² 3+204.675 PT	L ² 3+216.034 POT	10 meters tapering on a straight line to 20.983 meters	

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L ² 3+216.034 POT	L ² 3+223.926 POT	20.983 meters.	
L 28+10.54 PC Bk = L ² 2+673.018 POT Ah	L ² 2+752.391 POT		9.144 meters tapering along a 184.898 meter radius curve left to 10.552 meters
L ² 2+752.391 POT	L ² 2+759.327 POT		10.552 meters tapering on a straight line to 10.788 meters
L ² 2+759.327 POT	L ² 2+810.000 POT		10.788 meters tapering on a straight line to 9.341 meters
L ² 2+810.000 POT	L ² 2+858.476 POC		9.341 meters tapering on a straight line to 11.775 meters
L ² 2+858.476 POC	L ² 2+888.603 POC		11.775 meters tapering on a straight line to 10 meters
L ² 2+888.603 POC	L ² 2+925.997 POC		10 meters
L ² 2+925.997 POC	L ² 2+962.635 POC		10 meters tapering on a straight line to 20.856 meters
L ² 2+962.635 POC	L ² 2+974.021 POC		20.856 meters tapering on a straight line to 24.561 meters
L ² 2+974.021 POC	L ² 2+995.000 POC		24.561 meters tapering on a straight line to 18.701 meters
L ² 2+995.000 POC	L ² 2+995.000 POC		18.701 meters tapering on a straight line to 10 meters
L ² 2+995.000 POC	L ² 3+200.000 POC		10 meters
L ² 3+200.000 POC	L ² 3+204.675 PT		10 meters tapering on a straight line to 11.120 meters
L ² 3+204.675 PT	L ² 3+220.932 POT		11.120 meters tapering on a straight line to 20 meters.


The bearings used herein are based on a bearing of South 88° 23' 57.5" East between L.C.C.M. 749 and L.C.C.M. 750, set by the Lane County Surveyors Office. Said bearing based upon the Oregon Coordinate System (NAD 83), South Zone.

A Final Order of Alteration to legally alter this portion of South River Road has been prepared. The Order provides for acceptance of parcels of land, and portions thereof, acquired as right of way in conjunction with this project, and vacates portions 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 CSF 36513 and 37639 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 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 County Surveyor will file the road plats with the County Clerk. The Final Order and Road Book 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 13th day of JANUARY, 2003.



Oliver P. Snowden, Director
Department of Public Works

ATTACHMENT "A"

SECTION 32, T 20 S, R 3 W, W. M.
LANE COUNTY
No Scale

