

AGENDA COVER MEMO

W8 D3
04-8-25-9

DATE: July 7, 2004
TO: LANE COUNTY BOARD OF COMMISSIONERS
FROM: Bill Robinson, Lane County Surveyor *BR*
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A PORTION OF PRAIRIE ROAD (COUNTY ROAD NUMBER 203) FROM CAROL AVENUE, NORTHERLY TO ENID ROAD, BEING LOCATED WITHIN SECTIONS 3 AND 10, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN

I. MOTION:

In the Matter of Alteration of a Portion of Prairie Road (County Road Number 203), from Carol Avenue, Northerly to Enid Road, Being Located within Sections 3 and 10, Township 17 South, Range 4 West of the Willamette Meridian.

II. ISSUE:

Right of way acquisition and improvements associated with this road reconstruction project have been completed under the administration of the Lane County Department of Public Works on a portion of Prairie Road (County Road Number 203). 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

Prairie Road (County Road No. 203) was formally established in 1858 as a Territorial Road which led from Monroe, in Benton County, to Eugene City. Portions of the road were altered in 1919 and 1979. The portion of the road to be altered at this time is from Carol Avenue, northerly to Enid Road, approximately 2330 feet in length.

Prairie Road is within the Urban Growth Boundary of Eugene and is an Urban Minor Arterial that connects residents living in the Santa Clara area to Beltline Road and serves a heavy industrial area in the northwest Eugene metropolitan area. The project is identified as an urban standards project in the Eugene-Springfield Metropolitan Area Transportation Plan. The improvements are consistent with this plan and the Lane County Master Road Plan and are needed for the safety of the traveling public in this area.

A Public Hearing was held on January 22, 2001 at the Irvington Grange Hall regarding the proposed road improvements for Prairie Road. Through Capital Improvement Programs from FY 2000-01 through FY 2004-05; and Board Order No. 01-5-16-1 and No. 01-12-12-6, 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 Prairie Road. The construction project has been completed.

B. Analysis

The report by the Director of the Department of Public Works, attached to the Order as Exhibit "B", notes that the alteration and construction of Prairie Road has been completed and the road 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 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 Order as Exhibit "A".

The Lane County Public Works Department has filed a road survey numbered as CSF 38418 with the County Surveyor which includes 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 Order altering a portion of Prairie Road.
2. Have staff review and alter any component of the Order altering the aforementioned portion of Prairie Road.
3. Continue the matter for further consideration

D. Recommendations

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

E. Timing

Timing is important, as ORS 368.106 requires that property acquired for public road purposes and the Order of Alteration be recorded.

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval by the Board of County Commissioners, the 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 Order will be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

V. ATTACHMENTS

Order With Attachments:

Exhibit "A" - Legal Description

Exhibit "B" - Director's Report

Attachment "A" - Vicinity Map

Contact person: Bill Robinson, x4198

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

File No. 4101

**IN THE MATTER OF THE ALTERATION OF A PORTION)
OF PRAIRIE ROAD (COUNTY ROAD NUMBER 203) FROM) ORDER OF
CAROL AVENUE, NORTHERLY TO ENID ROAD, BEING) ALTERATION
LOCATED WITHIN SECTIONS 3 AND 10, TOWNSHIP 17) NO.
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 County Road Number 203, commonly known as Prairie Road; and

WHEREAS, a Public Hearing was held on January 22, 2001 at the Irvington Grange Hall regarding the proposed road improvements for Prairie Road; and through adoption of the Capital Improvement Programs FY 2000-01 through FY 2004-05 and Board Order No. 01-5-16-1 and No. 01-12-12-6, 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 Prairie Road from Carol Avenue, northerly to Enid Road; and

WHEREAS, the road is within the Urban Growth Boundary of Eugene and the improvements to this road are consistent with the Eugene-Springfield Metropolitan Area Transportation Plan and the Lane County Master Road Plan; 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 Prairie Road 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 Prairie Road 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 a road survey numbered CSF No. 38418 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> (New Tax Lot Numbers)	
Joe Everall	Jan. 2, 2002	Deed Instrument No. 2002-000258	17-04-10-22	3300
Joe Everall	Dec. 3, 2003	Deed Instrument No. 2003-116765	17-04-10-22	3300
Glenn Nyseth Joe Everall	Dec. 4, 1975	Reel 771R RR 7553220	17-04-10-22	3300
Margaret Holvey Ross	Aug. 28, 2002	Deed Instrument No. 2002-066696	17-04-10-22	2402
Richard A. Mosier Mary E. Mosier	Jan. 15, 2002	Deed Instrument No. 2002-003611	17-04-10-22	2400 2300 2200
Weyerhaeuser Company	Dec. 3, 2002	Circuit Court Case No. 16-02-02413	17-04-10-22 17-04-03-30 (17-04-03-33)	1800 2300 3400)
James E. Yelton	Jan. 11, 2002	Deed Instrument No. 2002-002986	17-04-03-30 (17-04-03-33)	2100 3300)
William N. Slaughter	Nov. 20, 2001	Deed Instrument No. 2001-077443	17-04-03-30 (17-04-03-33)	2000 3200)
Shiloh Forestry, Inc.	May 9, 2002	Deed Instrument No. 2002-036533	17-04-03-30 (17-04-03-33)	1900 3100)
Delbert A. Chastain, TE Betty J. Chastain, TE	Aug. 16, 2001	Deed Instrument No. 2001-052201	17-04-03-30 (17-04-03-33)	1800 3000)
Lane Rural Fire/Rescue	Oct. 2, 2001	Deed Instrument No. 2001-064782	17-04-03-30 (17-04-03-33)	1700 2900)
Gary R Kennedy Cathy L. Kennedy	Feb. 6, 2002	Deed Instrument No. 2002-010111	17-04-03-30 (17-04-03-33)	1500 2800)
Jessie E. Coakes, TE	Aug. 28, 2001	Deed Instrument No. 2001-055942	17-04-03-30 (17-04-03-33)	1000 2000)
Nina Lee Billick	Feb. 21, 2002	Deed Instrument No. 2002-013766	17-04-03-30 (17-04-03-33)	700 1600)
George E. Leetch Estate	June 16, 1994	Reel 1962R RR 9445084	17-04-03-30 (17-04-03-33)	600 1500)

Daniel R. Swanson Margaret Swanson	Nov. 15, 2002	Circuit Court Case No. 16-02-01070	17-04-03-30 (17-04-03-33 17-04-03-30 (17-04-03-33	600 1500) 400 1400)
Eugene Water and Electric Board	Jan. 7, 2002	Deed Instrument No. 2002-001285	17-04-03-30 (17-04-03-33	300 1300)

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as Prairie 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

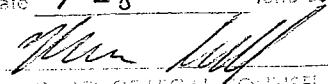
ORDERED, that all portions of County Road Number 203 lying between the termini specified herein above which are not included within the limits of the road herein above described are **HEREBY DECLARED VACATED** in accordance with ORS Chapter 368.126, retaining, however, unto any and all existing public 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 Number 203 herein described by these proceedings as vacated; 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 is hereby final and does operate to alter and accept said portion of County Road Number 203, herein known as Prairie Road.

DATED this _____ day of _____, 2004

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM
Date 7-28-04 lane county


CHIEF OF LEGAL COUNSEL

EXHIBIT "A"

**PRAIRIE ROAD
CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of Prairie Road in Sections 3 and 10, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as resurveyed by Lane County in 2001; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 2+287.540 POT, said station being 824.132 meters South and 826.523 meters East of the Brass Cap marking the Northwest Corner of the James Peek Donation Land Claim Number 50, located in Section 4, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence North 10° 50' 27" West, 972.460 meters to Engineers' Centerline Station L 3+260.000 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 2+535.896 POT	L 2+539.622 POT	9.144 meters tapering on a straight line to 12.116 meters	
L 2+539.622 POT	L 2+556.500 POT	12.116 meters tapering on a straight line to 17.582 meters	
L 2+556.500 POT	L 2+558.500 POT	17.582 meters tapering on a straight line to 12.500 meters	
L 2+558.500 POT	L 2+563.000 POT	12.500 meters tapering on a straight line to 10.500 meters	
L 2+563.000 POT	L 2+835.000 POT	10.500 meters	
L 2+835.000 POT	L 2+839.000 POT	10.500 meters tapering on a straight line to 12.500 meters	
L 2+839.000 POT	L 2+844.000 POT	12.500 meters tapering on a straight line to 23.522 meters	
L 2+844.000 POT	L 2+855.154 POT	23.522 meters tapering on a straight line to 16 meters	
L 2+855.154 POT	L 2+858.000 POT	16 meters	
L 2+858.000 POT	L 2+859.000 POT	16 meters tapering on a straight line to 13 meters	

EXHIBIT "A"

<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+859.000 POT	L 2+862.500 POT	13 meters tapering on a straight line to 10.500 meters	
L 2+535.029 POT	L 2+682.042 POT		10.668 meters tapering on a straight line to 10.500 meters
L 2+682.042 POT	L 2+804.475 POT		10.500 meters
L 2+804.475 POT	L 2+804.475 POT		10.500 meters tapering on a straight line to 9.144 meters
L 2+804.475 POT	L 2+831.275 POT		9.144 meters
L 2+831.275 POT	L 2+831.275 POT		9.144 meters tapering on a straight line to 10.065 meters
L 2+831.275 POT	L 3+007.930 POT		10.065 meters tapering on a straight line to 10.100 meters
L 3+007.930 POT	L 3+007.930 POT		10.100 meters tapering on a straight line to 10.500 meters
L 3+007.930 POT	L 3+084.000 POT		10.500 meters
L 2+862.500 POT	L 2+975.000 POT	10.500 meters	
L 2+975.000 POT	L 2+979.163 POT	10.500 meters tapering on a straight line to 14 meters	
L 2+979.163 POT	L 2+997.451 POT	14 meters	
L 2+997.451 POT	L 3+002.000 POT	14 meters tapering on a straight line to 10.500 meters	
L 3+002.000 POT	L 3+105.278 POT	10.500 meters	
L 3+105.278 POT	L 3+105.316 POT	10.500 meters tapering on a straight line to 10.688 meters	
L 3+105.316 POT	L 3+123.628 POT	10.668 meters	
L 3+123.628 POT	L 3+123.590 POT	10.668 meters tapering on a straight line to 10.500 meters	
L 3+123.590 POT	L 3+155.702 POT	10.500 meters	

EXHIBIT "A"

<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 3+155.702 POT	L 3+156.140 POT	10.500 meters tapering on a straight line to 15.240 meters	
L 3+156.140 POT	L 3+191.648 POT	15.240 meters	
L 3+191.648 POT	L 3+191.088 POT	15.240 meters tapering back on a straight line to 10.500 meters	
L 3+191.088 POT	L 3+237.000 POT	10.500 meters	
L 3+237.000 POT	L 3+242.000 POT	10.500 meters tapering on a straight line to 12 meters	
L 3+242.000 POT	L 3+248.000 POT	12 meters tapering on a straight line to 15.761 meters.	
L 3+084.000 POT	L 3+089.000 POT		10.500 meters tapering on a straight line to 13 meters
L 3+089.000 POT	L 3+091.500 POT		13 meters tapering on a straight line to 23.182 meters
L 3+091.500 POT	L 3+117.000 POT		23.182 meters tapering on a straight line to 14.579 meters
L 3+117.000 POT	L 3+125.000 POT		14.579 meters tapering on a straight line to 12 meters
L 3+125.000 POT	L 3+137.000 POT		12 meters tapering on a straight line to 10.500 meters
L 3+137.000 POT	L 3+251.043 POT		10.500 meters
L 3+251.043 POT	L 3+251.364 POT		10.500 meters tapering on a straight line to 9.144 meters.

The bearings used herein are based on a bearing of North 18° 52' 33" West between LCCM 336 and LCCM 372 set by the Lane County Surveyors Office, said bearing based upon the Oregon Coordinate System (NAD 83/91), South Zone, Lane County Network.

EXHIBIT "B"

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

File No. 4101

**IN THE MATTER OF THE ALTERATION OF A PORTION)
OF PRAIRIE ROAD (COUNTY ROAD NUMBER 203), FROM)
CAROL AVENUE, NORTHERLY TO ENID ROAD, BEING) DIRECTOR'S REPORT
LOCATED WITHIN SECTIONS 3 AND 10, TOWNSHIP 17)
SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN.)**

Prairie Road (County Road Number 203) was formally established in 1858 as a Territorial Road which led from Monroe, in Benton County, to Eugene City. Portions of the road were altered in 1919 and 1979. The portion of the road to be altered at this time runs from Carol Avenue, northerly approximately 2330 feet to Enid Road.

Prairie Road is within the Urban Growth Boundary of Eugene and is an Urban Minor Arterial that connects residents living in the Santa Clara area to Beltline Road and serves a heavy industrial area in the northwest Eugene metropolitan area. The project is identified as an urban standards project in the Eugene-Springfield Metropolitan Area Transportation Plan. The improvements are consistent with this plan and the Lane County Master Road Plan and are needed for the safety of the traveling public in this area.

A Public Hearing was held on January 22, 2001 at the Irvington Grange Hall regarding the proposed road improvements for Prairie Road. Through Capital Improvement Programs from FY 2000-01 through FY 2004-05 and Board Order No. 01-5-16-1 and No. 01-12-12-6, 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 Prairie Road.


The Prairie Road 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.

An Order to legally alter Prairie 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 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 Order.

The Department of Public Works has filed a road survey numbered as CSF 38418 with the County Surveyor, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

Upon approval, the Order will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The Order will also be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

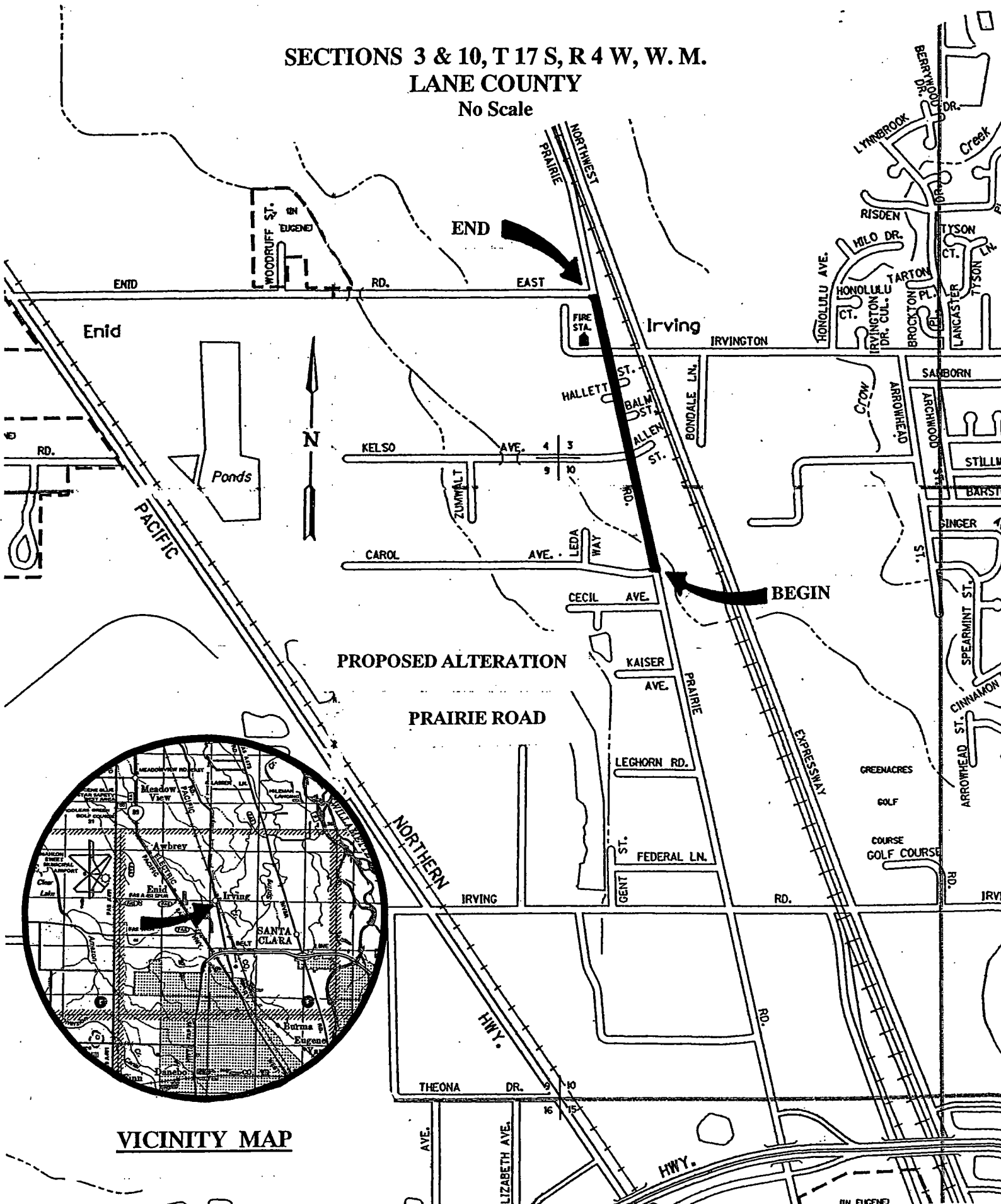
DATED this 28th day of July, 2004.


Oliver P. Snowden, Director
Department of Public Works

ATTACHMENT "A"

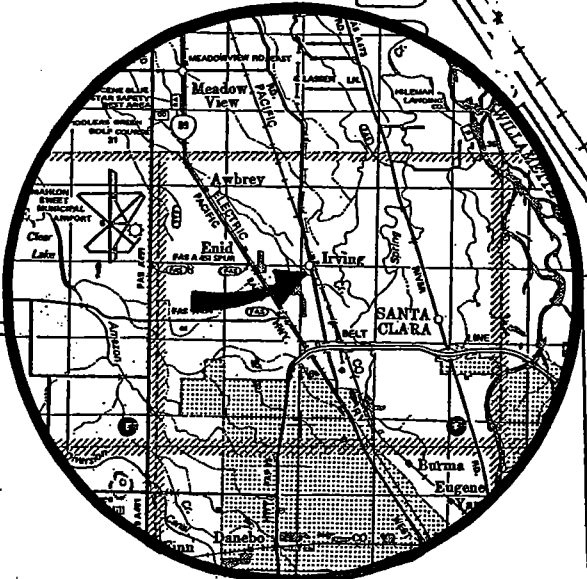
SECTIONS 3 & 10, T 17 S, R 4 W, W. M.
LANE COUNTY

No Scale



PROPOSED ALTERATION

PRAIRIE ROAD



VICINITY MAP