

Memorandum Date: June 11, 2007
Order Date: July 11, 2007

TO: Board of County Commissioners

DEPARTMENT: Public Works/Land Management

PRESENTED BY: Bill Robinson, Lane County Surveyor³²

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF SEGMENTS OF ALDERWOOD DRIVE (COUNTY ROAD NUMBER 809) AND HALL ROAD (COUNTY ROAD NUMBER 428), LOCATED WITHIN SECTION 21, TOWNSHIP 16 SOUTH, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN

I. MOTION

To approve an Order Altering segments of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428), located within Section 21, Township 16 South, Range 6 West of the Willamette Meridian.

II. AGENDA ITEM SUMMARY

Right of way acquisition and improvements associated with reconstruction have been completed on segments of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428). It is now necessary for the Board of Commissioners to decide whether the completed road project and its alignment should be legally altered.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

County Road Number 809 (commonly known as Alderwood Drive) was established in 1917 and County Road 428 (Commonly known as Hall Road) was established in 1888. In 1983, the Board of County Commissioners adopted a five-year Public Works Capital Improvement Project and initiation of property acquisitions for FY 83-84 (Order No. 83-4-27-29). Part of this Capital Improvement Project required segments of Alderwood and Hall Road to be altered. This project began at their intersection 800 feet northeasterly from the intersection of Highway 36 and County Road 944 (also commonly known as Hall Road) and extended southerly for 400 feet along Alderwood Drive and northeasterly 600 feet along Hall Road.

B. Policy Issues

The acquisition of property and the construction of a portion of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428) was part of a five year Capital Improvement Program from FY 1983-84 through FY 1987-88. This program was supported by the Roads Advisory Committee which sought to provide needed improvements to existing transportation networks and to improve bridges that were vital to harvesting timber. This appears to be consistent with Oregon Revised Statute 368, which allows for the initiation and acquisition of property, and Lane Code Chapter 15, which provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan.

C. Board Goals**GOALS****Lane County's Goals**

Lane County Government exists to ensure the safety and well being of the people who live, work and visit our communities. That includes personal safety, security of property, preservation of infrastructure, health safety, and assisting in providing for our citizens' basic needs. One such goal is to protect the public's assets by maintaining, replacing or upgrading the County's investments in systems and capital infrastructure. (GOALS, LANE COUNTY STRATEGIC PLAN 2001-2005, Page 13)

D. Financial and/or Resource Considerations

The acquisition of property and the construction of a portion of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428) have been completed. Therefore, no additional cost will be incurred as a result of completing the legal alteration of the roads.

E. Analysis

The Public Works Director's Report, attached to the Order as Exhibit "B", notes that the alteration and construction of a portion of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428) have been completed and the roads are open for public travel. The final phase of the project is to complete the legal alteration of this road in accordance with ORS Chapter 368. The 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 and expressed in Bargain and Sale Deed Reel 1274R, Reception No. 8345141, recorded December 6, 1983, Lane County Official Records. The centerline description of the new alignment including right of way widths is attached to the Order of Alteration as Exhibit "A".

The Lane County Public Works Department has filed County Survey File No. CSF 40247 with the County Surveyor, which includes road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

F. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Order of Alteration of Alderwood Drive and Hall Road
2. Have staff review and alter any component of the Order of Alteration of said portion of Alderwood Drive and Hall Road, or
3. Continue the motion for further consideration.

IV. TIMING/IMPLEMENTATION

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

V. RECOMMENDATION

It is recommended that the Board of Commissioners approve Option 1. This will approve the Order of Alteration of this portion of Alderwood Drive and Hall Road, as proposed and supported by the Public Works Director.

VI. FOLLOW-UP

Upon approval by the Board of County Commissioners, the Order of Alteration and related attachments will be forwarded to the County Clerk for filing and entering into the Board of Commissioners' Journal of Administration. The Order of Alteration and the road survey will be entered into the Road Index Books and County Road Files administered by the Department of Public Works and the County Surveyor for public record.

VII. ATTACHMENTS

Order with Attachments:

- Exhibit "A" - Legal Descriptions
- Exhibit "B" - Director's Report
- Attachment "A" - Vicinity Map

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

File No. 4147

| | | |
|--|---|-------------------|
| IN THE MATTER OF THE ALTERATION OF |) | |
| SEGEMENTNS OF ALDERWOOD DRIVE (COUNTY |) | ORDER OF |
| ROAD NO. 809) AND HALL ROAD (COUNTY ROAD |) | ALTERATION |
| NO. 428) LOCATED WITHIN SECTION 21, TOWNSHIP 16 |) | NO. |
| RANGE 6 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 segments of Alderwood Drive and Hall Road that run from their intersection, 800 feet northeasterly from the intersection of Highway 36 and County Road 944 (also commonly known as Hall Road), and extended southerly for 400 feet along Alderwood Drive and northeasterly 600 feet along Hall Road; and

WHEREAS, a public hearing was held on April 27, 1983 at Harris Hall, Lane County Courthouse regarding the proposed road improvements, and through adoption of the Capital Improvement Programs from FY 1983-84 through FY 1987-88, and Board Order No. 83-4-27-29, the Board of Commissioners ordered that proceedings be initiated in accordance with ORS 368.073 for property acquisition for road improvement projects listed in the Capital Improvement Program for FY 1983-84 and for right-of way acquisition identified as necessary for future projects FY 1983-84 through 1985-86 which included Alderwood Drive.

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

WHEREAS, the Public Works Department has completed the construction of the Alderwood Drive Road project, 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 Alderwood Drive and Hall Road, and accept the alignments including acquisitions made as a part of this project, as county road right of way; and

WHEREAS, the Department of Public Works has filed road survey numbered County Survey File 40247 with the County Surveyor for public record all in compliance with ORS 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>GRANTORS</u> | <u>RECORDING DATE</u> | <u>LANE COUNTY DEED RECORDS</u> | <u>LANE COUNTY TAX LOT NUMBER</u> |
|---|---------------------------|-------------------------------------|---------------------------------------|
| Eldon L. Bamford and Sandra D. Bamford | Dec. 6, 1983 | Reel 1274R RR 8345141 | 16-06-21 1900 (Alderwood) |
| Eldon L. Bamford and Sandra D. Bamford | Dec. 6, 1983 | Reel 1274R RR 8345142 | 16-06-21 1900 (Hall) |

and, it is further

ORDERED, that the portions of said county road referred to above and commonly known as Alderwood Drive and Hall Road be hereby altered as described in the legal descriptions 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 809 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 368.126, and retaining 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 809 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 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 said segments of Alderwood Drive and Hall Road, and to accept it as County Road Number 809 and 428 respectively.

DATED this _____ day of _____, 2007.

Chair

Lane County Board of Commissioners

APPROVED AS TO FORM

Date 6-27-07 lane county

OFFICE OF LEGAL COUNSEL

ALDERWOOD DRIVE
CENTERLINE DESCRIPTION

A strip of land variable feet in width lying on each side of the centerline of Alderwood Drive in Section 21, Township 16 South, Range 6 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1983; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L2 0+00.00 POT, Alderwood Drive = L2 8+90.01 POT, Hall Road, said station being 562.74 feet North and 28.76 feet East of the Oregon State Parks Department Steel Cap marking the South one-quarter Corner of Section 21, Township 16 South, Range 6 West of the Willamette Meridian, Lane County, Oregon; run thence South 23° 55' 45" East, 103.54 feet; thence along a 238.73 foot radius curve right (the long chord of which bears South 6° 01' 43" East, 146.76 feet) a distance of 149.17 feet; thence South 11° 52' 19" West, 118.37 feet; thence along a 572.96 foot radius curve right (the long chord of which bears South 14° 22' 19" West, 49.98 feet) a distance of 50.00 feet to Engineers' Centerline Station L2 4+21.08 PT, 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 WEST'LY SIDE OF C/LINE</u> | <u>WIDTH ON EAST'LY SIDE OF C/LINE</u> |
|---------------------------|----------------|---|---|
| L2 0+29.80 POT | L2 0+50.00 POT | | 45.5 ft tapering on a straight line to 35 ft |
| L2 0+30.20 POT | L2 0+50.00 POT | 48.9 ft tapering on a straight line to 25 ft | |
| L2 0+50.00 POT | L2 2+52.71 PT | 25 ft | 35 ft |
| L2 2+52.71 PT | L2 3+71.08 PC | 25 ft tapering on a straight line to 30 ft | 35 ft tapering on a straight line to 30 ft |
| L2 3+71.08 PC | L2 4+21.08 PT | 30 ft | 30 ft |

The bearings used herein are based on recovered monuments as shown in County Survey File number 22839.

HALL ROAD**CENTERLINE DESCRIPTION**

A strip of land variable feet in width lying on each side of the centerline of Hall Road in Section 21, Township 16 South, Range 6 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1983; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L 5+00.00 POT = L2 5+00.00 POT, said station being 403.32 feet North and 327.18 feet West of the Oregon State Parks Department Steel Cap marking the South one-quarter Corner of Section 21, Township 16 South, Range 6 West of the Willamette Meridian, Lane County, Oregon; run thence North 65° 52' 22" East, 435.51 feet; thence along a 204.63 foot radius curve left (the long chord of which bears North 45° 55' 25" East, 139.63 feet) a distance of 142.49 feet; thence North 25° 58' 28" East, 127.59 feet; thence along a 477.46 foot radius curve right (the long chord of which bears North 38° 19' 40" East, 204.30 feet) a distance of 205.89 feet; thence North 50° 40' 52" East, 88.52 feet to Engineers' Centerline Station L2 15+00.00 POT, 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 WEST'LY SIDE OF C/LINE</u> | <u>WIDTH ON EAST'LY SIDE OF C/LINE</u> |
|---------------------------|-----------------|--|--|
| L2 8+64.80 POT | L2 8+67.50 POT | 24.09 ft tapering on a straight line to 30 ft | |
| L2 8+67.50 POT | L2 9+35.51 PC | 30 ft tapering on a straight line to 40 ft | 30 ft |
| L2 9+35.51 PC | L2 10+78.00 PT | 40 ft | 30 ft |
| L2 10+78.00 PT | L2 12+05.59 PC | 40 ft tapering on a straight line to 50 ft | 30 ft |
| L2 12+05.59 PC | L2 12+50.00 POC | 50 ft tapering on a straight line to 45 ft | 30 ft |
| L2 12+50.00 POC | L2 13+00.00 POC | 45 ft tapering on a straight line to 30 ft | 30 ft |
| L2 13+00.00 POC | L2 15+00.00 POT | 30 ft | 30 ft |

The bearings used herein are based on recovered monuments as shown in County Survey File number 22839.

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

File No. 4147

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| IN THE MATTER OF THE ALTERATION OF SEGMENTS OF ALDERWOOD DRIVE (COUNTY ROAD NO. 809) AND HALL ROAD (COUNTY ROAD NO. 428) LOCATED WITHIN SECTION 21, TOWNSHIP 16 RANGE 6 WEST OF THE WILLAMETTE MERIDIAN |)))))) | DIRECTOR'S REPORT |
|--|----------------------------|--------------------------|

Hall Road and Alderwood Drive, as they are commonly known, are a rural minor collector road and a rural local road respectively. The roads begin at their intersection 800 feet northeasterly from the intersection of Highway 36 and County Road 944 (also commonly known as Hall Road) and extend southerly for 400 feet along Alderwood Drive and northeasterly 600 feet along Hall Road.

The acquisition of property and the construction of a portion of Alderwood Drive (County Road Number 809) and Hall Road (County Road Number 428) was part of a five year Capital Improvement Program from FY 1983-84 through FY 1987-88. This program was supported by the Road Advisory Committee which sought to provide needed improvements to existing transportation networks and to improve bridges that were vital to harvesting timber.

The Board of County Commissioners adopted a process for annual review and development of a Five-Year Public Works Capital Improvement Program being developed through a process which included staff analysis, citizen involvement, the conducting of public hearings and review by the Roads Advisory Committee. A hearing was held on April 27, 1983 at Harris Hall, Lane County Courthouse, Eugene, Oregon. The Board of County Commissioners, by Board Order No. 83-4-27-29, adopted the Road Advisory Committee's Five Year Capital Improvement Program FY 83-84 through 87-88. The Department of Public Works initiated proceedings and acquired property for the Alderwood Drive road improvement project listed in Capital Improvement Program for FY 83-84.

The Alderwood Drive and Hall Road project construction plans were prepared and all necessary surveying, alignment design and mapping, additional right of way acquisition and reconstruction have been completed. All construction of these portions of roads was completed in accordance with plans and specifications administered by the Department of Public Works and they are now open for public travel.

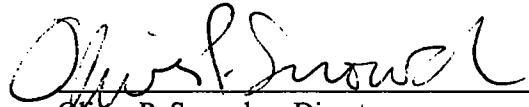
An Order of Alteration to legally alter these segments of Alderwood Drive and Hall Road has been prepared. The Order provides for acceptance of parcels of land and a portion thereof acquired as right of way in conjunction with this project, and vacates portions of the former rights of way determined 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 of Alteration.

The Department of Public Works has filed County Survey File No. 40247 with the County Surveyor, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

EXHIBIT "B"**ORIGINAL**

The public interest will be served by the alteration of these roads. It is therefore recommended that the Order of Alteration and related attachments be approved and that it be filed with the County Clerk and entered in the Board of Commissioners Journal of Administration. The Order of Alteration and the road surveys will then 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 27th day of June, 2007.



Oliver P. Snowden, Director
Department of Public Works

ATTACHMENT "A"

ORIGINAL

IN THE MATTER OF THE ALTERATION OF SEGEMENTS OF
ALDERWOOD DRIVE (COUNTY ROAD NO. 809) AND HALL ROAD
(COUNTY ROAD NO. 428) LOCATED WITHIN SECTION 21, TOWNSHIP
16, RANGE 6 WEST OF THE WILLAMETTE MERIDIAN

VICINITY MAP

NOT TO SCALE

