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ORIGINAL

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 Surveyor *BR*

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A SEGMENT OF
SEAVEY WAY (COUNTY ROAD NO. 1084 AND 1092)
(18-02-07)

I. MOTION

To approve an Order Altering a segment of Seavey Way (County Road No. 1084 and 1092)
(18-02-07)

II. AGENDA ITEM SUMMARY

Right of way acquisition and improvements associated with reconstruction have been completed on a segment of Seavey Way (County Road No. 1084 & 1092) (18-02-07). 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

Seavey Way (County Road No. 1084 & 1092) was established in 1931 beginning at Seavey Loop and extending northeasterly to the intersections of Buford Park Road and Frank Parrish Road (County Road No. 1092). In 1999, the Board of County Commissioners adopted a five-year Public Works Capital Improvement Program for FY 99/00 through FY 03/04 (Order No. 99-5-5-19). Part of this Capital Improvement Program required a segment of Seavey Way to be altered. This project included a segment of right of way approximately 1,000 feet long; being 860 feet along Seavey Way and 140 feet along Frank Parish Road from their intersection.

B. Policy Issues

The initiation and acquisition of property and the construction of a segment of Seavey Way (County Road No. 1084 & 1092) was part of a five year Capital Improvement Program, FY 99/00 through FY 03/04. It has been in the Capital Improvement Program since 1997 and was introduced by the Parks Manager through implementation of the Howard Buford Recreation Area Master Plan. The project was supported by the Roads Advisory Committee.

This project 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 segment of Seavey Way (County Road No. 1084 and 1092) including bridge improvements have been completed. 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 segment of Seavey Way (County Road No. 1084) has been completed and the road is 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 segments 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 County Survey File No. 40248 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 Seavey Way (County Road No 1084 and 1092) as presented in Exhibit A.
2. Have staff review and alter any component of the Order of Alteration of said segment of Seavey Way, 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 segment of Seavey Way, 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

Contact Person: Bill Robinson, x4198

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

File No. 4142

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| IN THE MATTER OF THE ALTERATION OF A) SEGMENT OF SEAVEY WAY (COUNTY ROAD) NO. 1084 AND 1092) (18-02-07)) | ORDER OF ALTERATION NO. |
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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 segment of Seavey Way (County Road No. 1084 and 1092). The segment of right of way is approximately 1000 feet in length and includes the intersection with Frank Parrish Road (County Road No. 1092); and

WHEREAS, a public hearing was held on February 24, 1999 at Harris Hall, Lane County Courthouse regarding the proposed road improvements, and through the adoption of the Capital Improvement Programs for FY 99/00 through FY 03/04, and Board Order No. 99-5-5-19, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with right of way plans, pursue all necessary planning actions, acquire right of way and prepare plans and specifications for the improvement of Seavey Way; and

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 Seavey Way 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 segment of Seavey Way, 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 40248 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>GRANTOR'S</u> | <u>RECORDING DATE</u> | <u>LANE COUNTY DEED RECORDS</u> | <u>LANE COUNTY TAX LOT NUMBER</u> |
|-----------------------------------|---------------------------|-------------------------------------|---------------------------------------|
| W. G Saunders and Ina Saunders | October 01, 1972 | Reel 597R RR 11557 | 18-02-18 301 |
| Ina M. Saunders, Trustee | June 13, 2001 | Deed Instrument 2001- 035876 | 18-02-18 301 |

and, it is further

ORDERED that the portion of County Owned land, acquired by Lane County as set forth below, included within the limits of Frank Parish Road (County Road No. 1092), as described herein, be hereby dedicated to the public for road purposes and accepted as County Road right of way:

| <u>GRANTOR'S</u> | <u>RECORDING DATE</u> | <u>LANE COUNTY DEED RECORDS</u> | <u>LANE COUNTY TAX LOT NUMBER</u> |
|------------------|---------------------------|-------------------------------------|---------------------------------------|
| State of Oregon | May 05, 1982 | Reel 1191R RR 82-13090 | 18-02-18 100 |

and, it is further

ORDERED, that the segment of said county road referred to above and commonly known as Seavey Way 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 Numbers 1084 and 1092 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 segment of County Road Numbers 1084 and 1092 herein described by these proceedings as vacated; and it is further

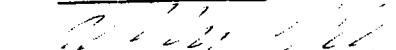
ORDERED, that in support of this action, the said Board of County Commissioners does hereby adopt the report of the Director of Public Works as set forth in Exhibit "B", which is attached hereto, and made a part hereof, by this Order; and, it is further

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 segment of Seavey Way, and to accept it as County Road Number 1084.

DATED this _____ day of _____, 2007.

APPROVED AS TO FORM

Date 6-27-07 lane county



OFFICE OF LEGAL COUNSEL

Chair

Lane County Board of Commissioners

**SEAVEY WAY
CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of Seavey Way in Section 7, Township 18 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 2000; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 0+326.336 POT, said station being 35.364 meters North and 886.101 meters East of the Brass Cap marking the One Quarter Corner common to Sections 12 and 13, Township 18 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; run thence North 76° 19' 25" East, 21.546 meters to Engineers' Centerline Station L 0+347.882 POT Bk = L2 0+347.882 PC Ah; thence along a 1200.000 meter radius curve right (the long chord of which bears North 78°56'40" East, 109.743 meters) a distance of 109.781 meters; thence North 81°33'55" East, 107.716 meters to Engineers' Centerline Station L2 0+565.380 POT Bk = L3 0+565.380 PC Ah; thence along a 25.000 meter radius curve left (the long chord of which bears North 27°35'38" East, 40.436 meters) a distance of 47.099 meters; thence North 26°22'39" West, 17.522 meters to Engineers' Centerline Station L3 0+630.000 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 NORTH'LY SIDE OF C/LINE</u> | <u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u> |
|--|--|--|---|
| L 0+326.336 POT | L 0+347.882 POT Bk = L2 0+347.882 PC Ah | 6.096 meters | |
| L 0+347.882 POT Bk = L2 0+347.882 PC Ah | L2 0+403.352 POC | 6.096 meters tapering on a straight line to 7.386 meters | |
| L2 0+403.352 POC | L2 0+467.412 POT | 7.386 meters tapering on a 704.646 meter curve right to 9.096 meters | |
| L2 0+467.412 POT | L2 0+545.000 POT | 9.096 meters | |
| L2 0+545.000 POT | L2 0+555.000 POT | 9.096 meters tapering on a straight line to 13 meters | |
| L2 0+555.000 POT | L3 0+580.000 POC | 13 meters tapering on a straight line to 13 meters | |
| L3 0+580.000 POC | L3 0+595.000 POC | 13 meters tapering on a straight line to 11 meters | |
| L3 0+595.000 POC | L3 0+630.000 POT | 11 meters | |

| <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 0+326.336 POT | L 0+347.882 POT Bk = L2 0+347.882 PC Ah | | 6.096 meters |
| L 0+347.882 POT Bk = L2 0+347.882 PC Ah | L2 0+360.000 POC | | 6.096 meters tapering on a straight line to 6.035 meters |
| L2 0+360.000 POC | L2 0+378.000 POC | | 6.035 meters tapering on a straight line to 7.5 meters |
| L2 0+378.000 POC | L2 0+425.000 POC | | 7.5 meters tapering on a straight line to 9 meters |
| L2 0+425.000 POC | L2 0+457.664 PT | | 9 meters tapering on a straight line to 12.5 meters |
| L2 0+457.664 PT | L2 0+470.000 POT | | 12.5 meters tapering on a straight line to 10 meters |
| L2 0+470.000 POT | L2 0+555.000 POT | | 10 meters |
| L2 0+555.000 POT | L3 0+571.056 POC | | 10 meters tapering on a straight line to 14.001 meters |
| L3 0+571.056 POC | L3 0+605.000 POC | | 14.001 meters tapering on a straight line to 22.731 meters |
| L3 0+605.000 POC | L3 0+607.500 POC | | 22.731 meters tapering on a straight line to 12 meters |
| L3 0+607.500 POC | L3 0+612.478 PT | | 12 meters tapering on a straight line to 11 meters |
| L3 0+612.478 PT | L3 0+630.000 POT | | 11 meters |

The bearings used herein are based on a bearing of North 6°06'00" West between Engineers' Centerline Stations L 40+45.87 PC and L 33+70.49 PT as shown on County Survey File Number 30513.

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

File No. 4142

| | | |
|--|-------------|------------------------------|
| IN THE MATTER OF THE ALTERATION OF A SEGMENT OF SEAVEY WAY (COUNTY ROAD NO. 1084 AND 1092) (18-02-07) |))) | DIRECTOR'S REPORT |
|--|-------------|------------------------------|

Seavey Way, as it is commonly known, is a rural local road providing access to the Howard Buford County Recreation Area. The segment proposed to be altered is in the vicinity of the Coast Fork approximately 1.2 mile northeast of its intersection with Seavey Loop and being approximately 1,000 feet long (860 feet along Seavey Way and 140 feet along Frank Parish Road from their intersection).

The Seavey Way improvement project was originally introduced by the Parks Manager to improve the bridge that crosses the Coast Fork of the Willamette River and had been in the Capital Improvement Program since 1997. The project became delayed by a few years due to regulations that restricted the type of bridge that could be constructed.

A Public Hearing was held on February 24, 1999 at Harris Hall, Lane County Courthouse, Eugene, Oregon. Upon consideration of public testimony and recommendations, and further through Capital Improvement Programs from FY 99/00 through FY 03/04, and Board Order No. 99-5-5-1910, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with the right of way plans; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for the improvement of Seavey Way.

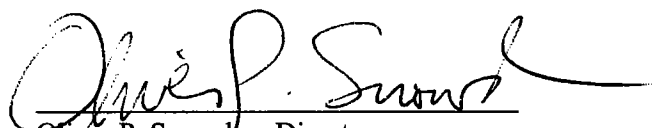
The Seavey Way project construction plans were prepared and all necessary surveying, alignment design and mapping, additional right of way acquisition and reconstruction have been completed. All construction of these segments of roads was completed in accordance with plans and specifications administered by the Department of Public Works.

An Order of Alteration to legally alter this segment of Seavey Way has been prepared. The Order provides for acceptance of parcels of land and a segment thereof acquired as right of way in conjunction with this project, and vacates segments 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. 40248 with the County Surveyor, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

The public interest will be served by the alteration of this road. 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"

SEAVEY WAY
IN THE MATTER OF THE ALTERATION
OF SEAVEY WAY (COUNTY ROAD NO. 1084 & 1092)
(18-02-07)



NOT TO SCALE

