


W4.F.2.

ORIGINAL

Memorandum Date: December 17, 2007
Order Date: February 13, 2008

TO: Board of County Commissioners

DEPARTMENT: Public Works/Land Management/Surveyors

PRESENTED BY: D. Michael Jackson, Lane County Surveyor 

AGENDA ITEM TITLE: IN THE MATTER OF DEDICATING LAND OWNED BY LANE COUNTY AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES FOR GREEN HILL ROAD, (COUNTY ROAD NUMBER 465), (17-04-07, 08, 17 & 18)

I. MOTION

TO APPROVE THE ORDER DEDICATING LAND OWNED BY LANE COUNTY AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES FOR GREEN HILL ROAD (COUNTY ROAD NUMBER 465), (17-04-07, 08, 17 & 18)

II. AGENDA ITEM SUMMARY

The Board is being asked to decide whether or not to dedicate land owned by Lane County and accept it as a public road easement for Green Hill Road (County Road Number 465), (17-04-07, 08, 17 & 18)

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

County Road 465 (Green Hill Road) is a Rural Major Collector road originally established in 1964 as a 60.00 foot wide County Road. The adoption of Capital Improvement Program FY 92/93-FY 96/97 authorized Lane County to initiate property acquisitions for the Green Hill Road, mp 3.31 Bridge Project.

Property was acquired by Lane County for the purpose of widening the right of way of County Road Number 465 (Green Hill Road) in the vicinity of County Bridge #17-4W-7C. Additionally, a Record of Survey was filed with Lane County Surveyors Office, County Survey File No. 31852, but no final order establishing additional right-of-way for the Green Hill Road was completed.

The Surveyor's Office has received a request from the Right of Way Management program of the Department of Public Works to dedicate land owned by Lane County and dedicate it as a public road easement for County Road Number 465 (Green Hill Road).

B. Policy Issues

Lane Code Chapter 15 provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan. Also, the Capital Improvement Program FY 92/93-FY 96/97 authorized Lane County to initiate property acquisitions for the Green Hill Road, mp 3.31 Bridge Project.

C. Board 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

This acquisition was part of a Lane County Capital Improvement Project. All improvements have been made. Moreover, no additional cost will be incurred as a result of completing the dedication and acceptance of right of way for Green Hill Road.

E. Analysis

Through the adoption of FY 92/93-FY 96/97 Capital Improvement Program, Order No. 92-4-28-10, Lane County Public Works was granted authority to acquire real property in order to make bridge improvements. The land owned by Lane County was acquired for the purposes of widening Green Hill Road. The dedication and acceptance of land owned by Lane County will ensure that adjacent land owners and the public have access to the County road and that it be maintained as such.

F. Alternatives/Options

The Board of County Commissioners has the options to:

1. Dedicate land owned by Lane County and accept it as right of way to be used for Public and County road purposes
2. Not dedicate land owned by Lane County and/or deny the acceptance of it for Public and County road purposes as referred to in the Order.
3. Continue the matter for further consideration.

IV. TIMING/IMPLEMENTATION

Implementation of the proposed order will ensure that adjacent landowners have legal access and that the land is maintained as a County Road.

V. RECOMMENDATION

It is recommended by the Public Works Director that the Board support Alternative Number 1, approving the Dedication of County owned land and accept it for public road purposes and as County Road.

VI. FOLLOW-UP

If the Board of County Commissioners approves the order dedicating land owned by Lane County and accepts it as a public road easement as part of County Road Number 465 (Green Hill Road), it is to be entered in the records of the Board of County Commissioners Journal of Administration after which it is to be forwarded to the Lane County Recorder for filing in the Commissioners Journal, after which copies are to be forwarded to the County Surveyor and County Assessor for appropriate action.

VII. ATTACHMENTS

Order with Attachments:

Dedication of Public Road Easement
Attachment "A"—Site Map

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON**

**IN THE MATTER OF DEDICATING LAND OWNED)
BY LANE COUNTY AND ACCEPTING IT FOR) ORDER NO.
PUBLIC AND COUNTY ROAD PURPOSES FOR)
GREEN HILL ROAD (COUNTY ROAD NO. 465))
(17-04-07, 08, 17 & 18))**

THIS MATTER now coming before the Board of County Commissioners of Lane County, Oregon and the said Board deeming it in the best interest of Lane County to dedicate to the public the real property conveyed to Lane County by those certain deeds from Don J. Freeman and Clara A. Freeman, recorded on reel 1766R, Recorder's Reception number 9230387; Clayton C. Bryan, recorded on reel 1766R, Recorder's Reception number 9230388; Alvin W. Jackson and Lola Jackson, recorded on reel 1795R, Recorder's Reception number 9256129; and Marvin Earl Ringsdorf and Ruby Ringsdorf, recorded on reel 1803R, Recorder's Reception number 9263328, Lane County, Oregon Deed Records, a surveyed alignment of which is filed under County Survey File Number 31852, Lane County Surveyor's Office, and

WHEREAS, the Department of Public Works acquired real property for Lane County for the purpose of widening the right of way of County Road Number 465 (Green Hill Road) in the vicinity of County Bridge #17-4W-7C, and

WHEREAS, The Board of County Commissioners of Lane County have been provided a good and sufficient deed, recorded on reception number _____, Lane County, Oregon Deed Records;

NOW, THEREFORE, IT IS HEREBY ORDERED that the said deed shall be and is hereby accepted by the Board of County Commissioners of Lane County as a public road easement, and is expressly accepted as a County Road, having a right of way width as noted on the deed marked "DEDICATION OF PUBLIC ROAD EASEMENT," attached hereto and made a part hereof by this Order; and

IT IS FURTHER ORDERED that this Order shall be entered in the records of the Board of County Commissioners' Journal of Administration and in the road records for County Road Number 465 in the regular numbered road files in the County Surveyor's Office;

DATED this _____ day of _____, 2008.

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

BOARD OF COUNTY
COMMISSIONERS
LANE COUNTY, OREGON

Approved January 9, 2008

By Matt Laird
Matt Laird, Division Manager

Chair

APPROVED AS TO FORM

Date 2-4-08 lane county
[Signature]
OFFICE OF LEGAL COUNSEL

DEDICATION OF PUBLIC ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Lane County, a political subdivision of the State of Oregon, is the owner of certain real property, and that Lane County acquired title by those certain deeds from Don J. Freeman and Clara A. Freeman, recorded on reel 1766R, Recorder's Reception number 9230387; Clayton C. Bryan, recorded on reel 1766R, Recorder's Reception number 9230388; Alvin W. Jackson and Lola Jackson, recorded on reel 1795R, Recorder's Reception number 9256129; and Marvin Earl Ringsdorf and Ruby Ringsdorf, recorded on reel 1803R, Recorder's Reception number 9263328, Lane County, Oregon Deed Records; and that said Lane County does hereby dedicate to the free use of the public, for public road and County road purposes and expressly for widening a County road, the following described tract of land, to-wit:

A strip of land variable feet in width lying on each side of the centerline of Green Hill Road in Sections 7, 8, 17 and 18, Township 17 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 Engineer's Centerline Station L 102+00.00 POT, said station being 367.84 feet South and 12.32 feet West of a Brass Cap marking the Southeast corner of Section 7, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence North 1° 55' 05" East, 368.05 feet to said Section Corner at Engineers' Centerline Station L 105+68.05 PI; thence North 1° 56' 05" East, 131.95 feet to Engineers' Centerline Station L 107+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 WESTERLY SIDE OF C/LINE</u>	<u>WIDTH ON EASTERLY SIDE OF C/LINE</u>
L 102+29.00 POT	L 103+00.00 POT	20 ft tapering on a straight line to 45 ft	45 ft tapering on a straight line to 65 ft
L 103+00.00 POT	L 105+00.00 POT		65 ft
L 105+00.00 POT	L 105+68.05 PI		65 ft tapering on a straight line to 47.99 ft
L 103+00.00 POT	L 105+25.00 POT	45 ft	
L 105+25.00 POT	L 105+68.05 PI	45 ft tapering on a straight line to 30.65 ft.	
L 105+68.05 PI	L 106+00.00 POT	30.65 ft tapering on a straight line to 20 ft.	47.99 ft tapering on a straight line to 40 ft.

The bearings used herein are based upon Survey number 31852 as filed in the office of the Lane County Surveyor.

It being the intent herein to widen County Road Number 465 to variable feet from centerline on both sides of the centerline as road was surveyed in 1994.

The consideration from this dedication is \$0.00

DATED this _____ day of _____, 2008

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

STATE OF OREGON)
COUNTY OF LANE) SS.

On _____, 2008, personally appeared the above named

_____, _____, _____,

_____, _____, _____, County Commissioners of Lane County, Oregon
and acknowledged the forgoing instrument to be their voluntary act before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

Department of Public Works
Land Management Division

Approved Jan. 9., 2008

By 
Matt Laird, Division Manager

The Board of County Commissioners hereby
accepts and approves for recording this dedication
as described herein,

LANE COUNTY BOARD OF
COMMISSIONERS

By _____
Chair

ATTACHMENT "A"

IN THE MATTER DEDICATING LAND OWNED BY LANE COUNTY
AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES
FOR GREEN HILL ROAD
(COUNTY ROAD NUMBER 465), 17-04-07, 08, 17 & 18

