

AGENDA COVER MEMO

DATE: April 17, 2003
TO: Lane County Board of Commissioners
FROM: K. Robert Ezell, Lane County Surveyor
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A PORTION OF GREEN HILL ROAD (COUNTY ROAD NO. 465), AT THE INTERSECTION OF BARGER DRIVE (COUNTY ROAD NO. 32), BEING LOCATED WITHIN SECTIONS 17, 18, 19 AND 20, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN.

- I. MOTION: MOVE TO APPROVE AN ORDER ALTERING A PORTION OF GREEN HILL ROAD AT THE INTERSECTION OF BARGER DRIVE, 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 Green Hill Road at the intersection of Barger Drive. It is now necessary to decide whether the completed road project and its alignment should be legally altered.
- III. DISCUSSION:**

A. Background

Green Hill Road (County Road No. 465) was originally established in 1905, with a portion of the road being altered in 1964. It is a major Collector and provides connections to the Eugene Airport. Barger Drive (County Road No. 32) was originally established in 1895, with widening approved in 1951. Portions of these roads lie within the City Limits of Eugene, but maintenance of the road is still in the jurisdiction of Lane County.

Numerous traffic accidents and the increased use of the intersection due to the housing development and a proposed new school in the area justified the need for improvement of the intersection. The Roads Advisory Committee at its January 27, 1999 meeting recommended a roundabout design for the Green Hill Road/Barger Drive intersection for the improvement of the intersection and for the safety of the traveling public in the area.

Through Capital Improvement Programs for FY 1998-99 through FY 2002-03 and Board Order 99-2-24-2, the Lane County Board of Commissioners authorized the Lane County Department of Public Works to proceed with the preparation of a right of way plan for construction; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for the improvement of Green Hill Road /Barger Drive intersection.

Further through Order No. 99-2-24-2, the board resolved that under authority granted in ORS Chapter 35 and consistent with ORS Chapter 281, that there existed a necessity and it was in the public's interest to acquire and immediately occupy fee or other interests in certain real properties or portions thereof as necessary for the improvement of said intersection.

B. Analysis

The Green Hill Road/Barger Drive intersection project construction plans were prepared and all necessary surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed in accordance with the specifications administered by the Director of the Department of Public Works and the intersection 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 accomplishes that action by providing for the acceptance of land and portions thereof acquired as right of way in conjunction with this project. 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 a road survey (County Survey File 37723) 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 Final Order of Alteration for the Green Hill Road/Barger Drive Intersection.
2. Have staff review and alter any component of the Final Order of Alteration of the Green Hill Road/Barger Drive intersection.
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 of Alteration of the Green Hill Road/Barger Drive intersection as proposed and supported by the Public Works Director.

E. Timing

Timing is important, as ORS 368.106 requires that deeds or other documents establishing an interest in property acquired 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 Final Order and road survey 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

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

File No. 4087

**IN THE MATTER OF THE ALTERATION OF A PORTION OF)
GREEN HILL ROAD (COUNTY ROAD NO. 465), AT THE) FINAL ORDER
INTERSECTION OF BARGER DRIVE (COUNTY ROAD NO.) OF
32), BEING LOCATED WITHIN SECTIONS 17, 18, 19 AND) ALTERATION
20, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE) NO.
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 the intersection at Green Hill Road and Barger Drive; and

WHEREAS, the Roads Advisory Committee at its January 27, 1999 meeting recommended a roundabout design for the Green Hill Road/Barger Drive intersection for the improvement of the intersection and for the safety of the traveling public in the area; and

WHEREAS, portions of Green Hill Road are within the city limits of Eugene, however the maintenance of the road is still under the jurisdiction of Lane County; and

WHEREAS, through adoption of the Capital Improvement for FY 1998-99 through FY 2002-03 and Board Order No. 99-2-24-2, the Board of Commissioners 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 Green Hill Road/Barger Drive intersection; and

WHEREAS, through Board Order No. 99-2-24-2, the Board resolved that under authority granted in ORS Chapter 35 and consistent with ORS Chapter 281, that there existed a necessity and it was in the public's interest to acquire and immediately occupy fee or other interests in certain real properties or portions thereof as necessary for the improvement of said intersection; and

WHEREAS, the Department of Public Works has 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 altered Green Hill Road/Barger Drive intersection 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 Green Hill Road and accept the alignment including acquisitions of areas of land 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 (County Survey File No. 37723) 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>GRANTOR'S</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u> <i>(New Tax Lot Number)</i>	
Stingray Development, Inc.	May 24, 1999	Reel 2551R RR 99046338	17-04-20-00	1600
Brian M. Humphreys Wendi M. Humphreys DBA Humphrey's Construction Co.	Jan. 26, 2001	Deed Instrument No. 2001-004505	17-04-20-22 (17-04-20-22)	100 14200)
Stingray Development, Inc.	Dec. 18, 2000	Deed Instrument No. 2000-071403	17-04-20-22 (17-04-20-22)	100 14300)
Fredrick D. Haase Linda S. Haase Eugene Cascade, Inc Bankers Land Co.	Jan. 20, 2000	Deed Instrument No. 2000003429	17-04-19-00	100
Verda Jean Bowerman	June 8, 1999	Reel 2558R RR 99051293	17-04-18-00	500

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as Green Hill 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 because all portions of the existing County Road No. 465 lying between the termini specified herein above, lie within the limits of the road herein above described, these proceedings DO NOT VACATE any portion of County Road No. 465; 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 said portion of County Road No. 465, herein known as Green Hill Road.

DATED this _____ day of _____, 2003.

Peter Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 4-24-03 lane county

[Handwritten Signature]

OFFICE OF LEGAL COUNSEL

EXHIBIT "A"
GREEN HILL ROAD @ BARGER DRIVE
CENTERLINE DESCRIPTION

A strip of land variable meters in width lying on each side of the centerline of Green Hill Road, in Sections 17, 18, 19, and 20, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1997; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 0+000.037 POT, said station being 1609.541 meters South and 54.636 meters West of the Brass Cap marking the Section Corner common to Sections 17, 18, 19, and 20, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence North 01° 56' 39" East, 1610.468 meters to Engineers' Centerline Station L 1+610.505 PI (Green Hill Road) = LB 4+206.423 POT (Barger Drive); thence North 01° 54' 54" East, 805.585 meters to Engineers' Centerline Station L 2+416.090 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 1+480.000 POT	L 1+500.000 POT	6.096 meters tapering on a straight line to 13 meters	
L 1+500.000 POT	L 1+570.000 POT	13 meters	
L 1+570.000 POT	L 1+600.000 POT	13 meters tapering on a straight line to 30 meters	
L 1+600.000 POT	L 1+620.000 POT	30 meters	
L 1+620.000 POT	L 1+650.000 POT	30 meters tapering on a straight line to 12 meters	
L 1+650.000 POT	L 1+720.000 POT	12 meters tapering on a straight line to 8 meters	
L 1+720.000 POT	L 1+740.000 POT	8 meters tapering on a straight line to 6.096 meters.	
L 1+480.000 POT	L 1+569.322 POT		12.192 meters
L 1+569.322 POT	L 1+588.600 POT		12.192 meters tapering on a straight line to 23.800 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 1+588.600 POT	L 1+598.062 POT		23.800 meters tapering on a straight line to 35.390 meters
L 1+598.062 POT	L 1+617.930 POT		35.390 meters tapering on a straight line to 25.688 meters
L 1+617.930 POT	L 1+631.866 POT		25.688 meters tapering on a straight line to 12.192 meters
L 1+631.866 POT	L 1+740.000 POT		12.192 meters.

The bearings used herein are based on a bearing of North 1° 56' 39" East along the centerline of Green Hill Road (County Road Number 465) as defined in the centerline description referenced in the Order of Alteration No. 2490 filed July 8, 1964 in the County Road File in Lane County Surveyor's Office.

EXHIBIT "B"

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

File No. 4087

IN THE MATTER OF THE ALTERATION OF A PORTION OF GREEN HILL ROAD (COUNTY ROAD NO. 465), AT THE INTERSECTION OF BARGER DRIVE (COUNTY ROAD NO. 32), BEING LOCATED WITHIN SECTIONS 17, 18, 19 AND 20, TOWNSHIP 17 SOUTH, RANGE 4 WEST OF THE WILLAMETTE MERIDIAN.)))))))	DIRECTOR'S REPORT
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Green Hill Road (County Road Number 465) was originally established in 1905, with a portion of the road being altered in 1964. It is a major collector and provides connections to the Eugene Airport. Barger Drive (County Road No. 32) was originally established in 1895 with widening approved in 1951. Portions of the roads lie within the city limits of Eugene, however, maintenance is still under the jurisdiction of Lane County.

Numerous traffic accidents and the increased use of the intersection due to the housing development and a proposed new school in the area justified the need for improvement of the intersection. The Roads Advisory Committee at its January 27, 1999 meeting recommended a roundabout design for the Green Hill Road/Barger Drive intersection for the improvement of the intersection and for the safety of the traveling public in the area.

Through Capital Improvement Programs from FY 1998-99 through FY 2002-03 and Board Order No. 99-2-24-2, the Lane County Board of Commissioners authorized the Lane County Department of Public Works to proceed with the preparation of the 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 the Green Hill Road/Barger Drive intersection.

Further, through Order No. 99-2-24-2, the Board resolved that under authority granted in ORS Chapter 35 and consistent with ORS Chapter 281, that there existed a necessity and it was in the public's interest to acquire and immediately occupy fee or other interests in certain real properties or portions thereof as necessary for the improvement of said intersection.

The project construction plans were prepared and all necessary 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.

A Final Order to legally alter the Green Hill Road/Barger Drive intersection 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. 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 a survey (County Survey File No. 37723) with the County Surveyor, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

It is recommended that the Board approve the alteration of the Green Hill Road/Barger Drive intersection and upon approval; the Final Order will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The Final Order and road survey 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 23rd day of April, 2003.



Oliver P. Snowden, Director
Department of Public Works

ATTACHMENT "A"

SEC. 17, 18, 19, 20, T17S, R4W, W.M.

LANE COUNTY, OREGON

NO SCALE

