BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER 13-09-10-08

IN THE MATTER OF SURRENDER OF
PORTIONS OF COUNTY ROAD NUMBERS
1043, 537, 2269, 2254, 540, 1421, 200, 1529,
131, 307, 388 AND 531, TO THE CITY OF
EUGENE

WHEREAS, the Board of Commissioners approved Order Number 13-07-30-04 setting September 10, 2013 at 1:30 P.M. to conduct a public hearing on the matter of the surrender and transfer of jurisdiction of County Road Numbers 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388 and 531, or portions thereof, to the City of Eugene; and

WHEREAS, the City of Eugene, by Ordinance Number 20509, dated December April 8, 2013, marked Exhibit “D”, attached hereto and made a part of this Order, formally requested the jurisdiction over the aforementioned roads, or portions thereof, which lie within the city limits, be transferred to the City of Eugene; and

WHEREAS, the roads, or portions thereof, proposed for surrender are described in Exhibit “A” attached hereto and made a part of this Order; and

WHEREAS, ORS 373.270 provides for the surrender and transfer of jurisdiction over county roads within a city. The county may transfer jurisdiction over county roads or parts thereof within a city when it is considered to be necessary, expedient, or in the best interest of the county to do so; and the governing body of the city deems it necessary or expedient and in the best interest of the city to acquire jurisdiction over the county roads or portions thereof and to the same extent as it has over public streets and alleys of the city; and

WHEREAS, Lane County and the City of Eugene deem it necessary and expedient and in the best interest of each governing body to proceed with the surrender and transfer of jurisdiction over the above described county roads; and

WHEREAS, the Public Works Director of Lane County has recommended these roads be surrendered, as stated in the Final Director’s Report, marked as Exhibit “B”, attached hereto and made a part hereof by this Order; and

WHEREAS, all legal notice has been provided regarding this matter as required by law as witnessed by an Affidavit of Posting by the Lane County Surveyor marked as Exhibit “C”, attached hereto and made a part hereof; and

WHEREAS, there are no known objections to the proposed surrender, and it appears the surrender of the described roads, or portions thereof, would be in the best interest of the county.
NOW, THEREFORE, the Board of County Commissioners of Lane County ORDERS as follows:

1. Lane County, in accordance with ORS 373.270, hereby surrenders jurisdiction of portions of County Road Numbers 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388 and 531, as described in Exhibit "A", attached hereto and made a part hereof by this Order, to the City of Eugene.

2. This Order to be filed with the Lane County Clerk in the Commissioner’s Journal of Administration and copies forwarded to the Lane County Surveyor and Department of Public Works for updating appropriate indexes and County Road records.

ADOPTED this 10th day of September, 2013

[Signature]
Sid Leiken, Chair
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM
Date: 9-4-13
[Signature]
LANE COUNTY OFFICE OF LEGAL COUNSEL

Attachments: Vicinity Maps
## Legal Descriptions

<table>
<thead>
<tr>
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<td><strong>COBURG ROAD</strong> (County Road Number 1043) from the northerly end of that portion of Coburg Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending northeasterly approximately 4359 feet more or less to the intersection of Coburg Road with County Farm Road and Game Farm Road, said point being Engineer’s Centerline Station L⁴ 4+248.598 POC as shown on County Survey File No. 37049 of the Lane County Surveyor’s Office, including the “A-line” that connects Coburg Road with County Farm Road beginning at Engineer’s Centerline Station L⁴ 3+000.582 of said survey and extending northwesterly 178 feet more or less to County Farm Road all in Sections 9, 16 and 17, Township 17 South, Range 3 West of the Willamette Meridian.</td>
<td>0.86</td>
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<td><strong>COUNTY FARM ROAD</strong> (County Road Number 537) from the easterly right of way of the of the northerly terminus of the north-south portion of County Farm Road (County Road Number 636), extending easterly 2750 feet, more or less, to its intersection with Coburg Road, all in Sections 8 and 9, Township 17 South, Range 3 West of the Willamette Meridian.</td>
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<td><strong>CROCKER ROAD</strong> (County Road Number 2269) from the southerly right of way of Irvington Drive extending southerly 1027 feet, more or less, to the southerly right of way of Blackfoot Avenue, all in Sections 2 and 11, Township 17 South, Range 4 West of the Willamette Meridian.</td>
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<td><strong>IRVINGTON DRIVE</strong> (County Road Number 540) from the easterly right of way of Northwest Expressway extending easterly 6864 feet, more or less, to a point 3461.5 feet easterly of the southeast corner of the Marion Scott DLC No. 56, said point being on a southerly extension of the easterly line of that property described in Warranty Deed recorded October 21, 2003 on Reception Number 2003-103360, Lane County, Oregon Deed Records, all in Sections 2 and 3, Township 17 South, Range 4 West of the Willamette Meridian.</td>
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<td><strong>NOTTINGHAM AVENUE</strong> (County Road Number 1421) from the easterly right of way of Scenic Drive extending easterly 750 feet, more or less, to the east boundary of the First Addition to Nottingham Park, as platted and recorded in Book 51, Page 2, including the two cul-de-sacs extending northerly from the northerly right of way of said Nottingham Avenue serving lots 4 through 15 in Block 2 of Nottingham Park, as platted and recorded in Book 43, Page 17, Lane County, Oregon Plat Records, all in Sections 1 and 2, Township 17 South, Range 4 West of the Willamette Meridian.</td>
<td>0.22</td>
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<td><strong>RIVER ROAD</strong> (County Road Number 200) from the southerly right of way of Maynard Avenue extending southeasterly 700 feet, more or less, to the northerly right of way of Merry Lane, all in Section 13, Township 17 South, Range 4 West of the Willamette Meridian.</td>
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<td><strong>RIVER ROAD</strong> (County Road Number 200) from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1 described as the westerly extension of the northerly right of way line of Azalea Drive, thence extending northwesterly 2300 feet, more or less, to the existing Eugene City Limits at Wedgewood Drive, all in Section 11, Township 17 South, Range 4 West of the Willamette Meridian.</td>
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ROSY TURN (County Road Number 1529) from the westerly right of way of Horn Lane extending westerly 350 feet, more or less, to its westerly terminus as platted and recorded in Rosy Turn Subdivision, Book 32, Page 29, Lane County, Oregon Plat Records, all in Section 23, Township 17 South, Range 4 West of the Willamette Meridian.

ROYAL AVENUE (County Road Number 131) from the easterly right of way of Green Hill Road extending easterly 5300 feet, more or less, to the west line of that portion of Royal Avenue surrendered to the City of Eugene in Lane County Board Order approved on May 4th, 1966, said point also being the east line of Sections 20 and 29, all in Sections 20 and 29, Township 17 South, Range 4 West of the Willamette Meridian.

SOUTH GARDEN WAY (County Road Numbers 307, 388 and 531) from the southerly end of that portion of South Garden Way (County Road Number 307 and 388) surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 04-2-25-1, said point described as being 1525 feet, more or less, southerly of the southwesterly right of way line of Interstate 105/Interstate 5, thence extending southerly 238 feet, more or less, to the angle point in County Road Number 388, thence westerly 420 feet, more or less, to the easterly right of way of the portion of South Garden Way (County Road Number 531) surrendered to the City of Eugene in the aforementioned Board Order, all in Section 28, Township 17 South, Range 3 West of the Willamette Meridian.

Total Mileage 4.95
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR’S FINAL REPORT

IN THE MATTER OF SURRENDER OF PORTIONS OF COUNTY ROAD NUMBERS 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388 AND 531, TO THE CITY OF EUGENE

The City of Eugene has passed Ordinance Number 20509, dated April 8, 2013, formally requesting the transfer of jurisdiction of portions of County Road Numbers 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388 and 531 located within the city limits.

By previous action, the Board of County Commissioners approved Order No. 13-07-30-04, setting a Public Hearing for September 10, 2013.

The various roads, consisting of a total of 4.95 miles of right of way are listed in Exhibit “A”, attached to and made a part of the Final Order on the proposed surrender of said roads. The subject roads are currently under the jurisdiction of Lane County, and the transfer of jurisdiction over these county roads would enable the City to maintain, develop, and improve the roads to the City’s own specifications, standards, and timetables.

ORS 373.270 provides for the transfer of jurisdiction over county roads within a city. The county may transfer jurisdiction over county roads or portions thereof within a city when it is considered to be necessary, expedient, or in the best interest of the county to do so; and the governing body of the city deems it necessary or expedient and for the best interest of the city to acquire jurisdiction over the county roads, or portions thereof, to the same extent as it has over public streets and alleys of the city.

Legal notice for the public hearing to consider the surrender of the described roads has been provided as required by ORS 373.270.

The surrender of the described roads, or portions thereof, can serve the needs of the transportation system under the jurisdiction of either the City or the County. In this case, the City of Eugene has requested jurisdiction be transferred, and it is recommended the Final Order to surrender the roads, or portions thereof, as described in Exhibit “A” of the Final Order, be approved, as it will be in the best interest of the County.

DATED this 22 day of AUGUST, 2013.

For Marsha Miller, Director
Department of Public Works
BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF POSTING

IN THE MATTER OF SURRENDER OF PORTIONS OF COUNTY ROAD NUMBERS 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388 AND 531, TO THE CITY OF EUGENE

I, Mike Jackson, Lane County Surveyor, certify as follows:

On the 14th and 15th day of August, 2013, and in accordance with ORS 373.270, I caused to be posted twenty-two (22) copies of the Notice of Hearing in the above entitled matter in twenty-two places, positioned to be visible to the traveling public, as follows:

1. Posted on EWEB power pole #1480 on the south side of County Farm Road near the west end of the portion proposed for surrender.

2. Posted on an unmarked power pole on the north side of County Farm Road approximately 100' northwest of the intersection with Coburg Road.

3. Posted on City light pole #96985 on the west side of Coburg Road near the south end of the portion proposed for surrender.

4. Posted on EWEB power pole #33812 on the north side of Irvington Drive near the intersection of Countryside Drive.

5. Posted on EWEB power pole #34034 on the south side of Irvington Drive approximately 50' west of the intersection of Arrowhead Street.

6. Posted on an unmarked light pole on the east side of Crocker Road approximately 50' north of the intersection of Blackfoot Avenue.

7. Posted on EWEB power pole #30748 on the west side of River Road at the intersection of Blazer Avenue.

8. Posted on EWEB power pole #6947 on the east side of River Road at the intersection of Azelea Drive.

9. Posted on a Stop sign on Maynard Avenue where it intersects the westerly right of way of River Road.

10. Posted on EWEB power pole #687 on the east side of River Road at the intersection of Merry Lane.

11. Posted on EWEB power pole #33180 on the north side of Irving Road across from the intersection of Newcastle Street.
12. Posted on EWEB power pole #932 on the south side of Irving Road at the intersection of Dover Drive.

13. Posted on EWEB power pole # 18883 on the south side of Rosy Turn approximately 175' west of the intersection with Horn Lane.

14. Posted on EWEB power pole # 1103 on the west side of Scenic Drive, near the intersection with Nottingham Drive.

15. Posted on an unmarked light pole on the north side of Nottingham Avenue approximately 115' west of the intersection of Scenic Drive.

16. Posted on a street name sign labeled “Nottingham Ave.” and “Wendover St.” at the intersection of the two streets.

17. Posted on EWEB power pole #20413 on the north side of Royal Avenue near the entrance to Prairie Mountain School.

18. Posted on EWEB power pole #20398 below a “Slow Children Playing” sign on the north side of Royal Avenue approximately 0.5 miles east of the intersection of Green Hill Road.

19. Posted on a sign labeled “Fern Ridge Path” facing Green Hill Road approximately 40' south of the intersection with Royal Avenue.

20. Posted on EWEB power pole # 34148 on the east/west portion of S. Garden Way proposed for surrender.

21. Posted on a yellow street sign (indicating curve ahead, 20 mph) near intersection of realigned S. Garden way and the east/west portion of S. Garden Way.

22. Posted on EWEB power pole # 34149 near the north end of the north/south portion of S. Garden Way proposed for surrender.

Mike Jackson
Lane County Surveyor

Subscribed and sworn to before me this 21st day of August, 2013 by Mike Jackson, Lane County Surveyor.
ORDINANCE NO. 20509

AN ORDINANCE REQUESTING THAT JURISDICTION OVER PORTIONS OF COUNTY ROAD NOS. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, AND 531 BE TRANSFERRED TO THE CITY OF EUGENE WITHIN A SPECIFIED PERIOD OF TIME.

The City Council of the City of Eugene finds that:

A. The City Council finds it necessary and expedient and in the best interests of the City to acquire jurisdiction over portions of the following county roads: County Road Nos., 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, as are more particularly described in Exhibit A attached to this Ordinance and incorporated herein by reference, all of which lie within the corporate limits of the City of Eugene, to the same extent as it has over other public streets and alleys of the City.

B. The Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to release jurisdiction over county roads within the limits of the City of Eugene, and should be requested to do so.

NOW, THEREFORE,

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Based upon the above findings which are adopted, the City Council directs that a copy of this Ordinance be forwarded to the Board of County Commissioners of Lane County, Oregon, which Board is requested to release jurisdiction of the above described portions of County Road Nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, to the City of Eugene in accordance with the provisions of ORS 373.270.

Section 2. Immediately upon receipt by the City Manager, within one year from the date this Ordinance is adopted by the Council and approved by the Mayor, of a certified copy of an order of the Board of County Commissioners of Lane County, Oregon surrendering jurisdiction of the above described portions of County Road Nos. 1043, 537, 2269, 2254, 540, 1421, 200, 1529, 131, 307, 388, and 531, to the City of Eugene, the City shall have the same control, power and jurisdiction over the roads as it has over all other streets and alleys within the City of Eugene.

Section 3. If the Board of County Commissioners of Lane County fails to enter the order referred to in Section 2 and deliver it to the City Manager within one year from the date this
Ordinance is adopted by the Council and approved by the Mayor, the request and authorization contained herein shall terminate as though this Ordinance had not been adopted.

Passed by the City Council this 8th day of April, 2013

Approved by the Mayor this 1st day of April, 2013

Beth Jones
City Recorder

Kitty Peiley
Mayor
EXHIBIT "D"

**Legal Descriptions**

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EXHIBIT "D"

Rosy Turn Subdivision, Book 32, Page 29, Lane County, Oregon Plat Records, all in Section 23, Township 17 South, Range 4 West of the Willamette Meridian.

ROYAL AVENUE (County Road Number 131) from the easterly right of way of Green Hill Road extending easterly 5300 feet, more or less, to the west line of that portion of Royal Avenue surrendered to the City of Eugene in Lane County Board Order approved on May 4th, 1966, said point also being the east line of Sections 20 and 29, all in Sections 20 and 29, Township 17 South, Range 4 West of the Willamette Meridian.

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Total Mileage

4.95
Portions of Coburg Road and County Farm Road to be Surrendered to the City of Eugene

Sections 8, 9, 16 & 17  T. 17S. R. 3W. W.M.
Lane County
Portions of Irvington Drive, Crocker Road and River Road to be Surrendered to the City of Eugene

Sections 2, 3 & 11, T. 17S. R. 4W. W.M.

Lane County
Portions of Irving Road, River Road and Rosy Turn to be Surrendered to the City of Eugene

Sections 11, 13, & 23, T. 17S. R. 4W. W.M.

Lane County
Attachment ‘D’

Portion of Nottingham Avenue to be Surrendered to the City of Eugene

Sections 1 & 2, T. 17S. R. 4W. W.M.
Portion of Royal Avenue to be Surrendered to the City of Eugene

Sections 20 & 29, T. 17S. R. 4W. W.M.

Attachment ‘E’
Attachment ‘F’

Portion of South Garden Way to be Surrendered to the City of Eugene

Sections 28, T. 17S. R. 3W. W.M.