BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

RESOLUTION AND ORDER NO. 16-03-29-11

IN THE MATTER OF INITIATING PROCEEDINGS TO WITHDRAW COUNTY ROAD STATUS (BUT NOT THE PUBLIC ROAD STATUS) OF A PORTION OF COUNTY ROAD NUMBER 269, LOCATED BETWEEN BEYMER ROAD AND SHER KHAN ROAD (18-03-29 & 32, 19-03-05 & 08)

WHEREAS, the Board of County Commissioners has determined the portion of County Road Number 269 located between the county-maintained portions of Beymer Road and Sher Khan Road is no longer needed as part of the County's road system and it is beneficial to the public to withdraw the county road status (but not the public road status) of said portion of right of way; and

WHEREAS, the portion of County Road Number 269 herein proposed for withdrawal of county road status is approximately 2.35 miles in length and is not constructed or maintained by the County; and

WHEREAS, this road meets the criteria for withdrawing county road status per Lane Manual 15.300 (3), roads that are undeveloped right-of-ways, are dirt roads, or are not currently maintained by County forces; and

WHEREAS, no one will be denied access if the road is reduced in status from being a county road to a public road; and

WHEREAS, various public and private agencies and neighboring landowners were notified by mail regarding the proposed withdrawal of county road status; and

WHEREAS, three neighboring landowners responded to the referral, but ultimately did not object to the proposed withdrawal of county road status; and

WHEREAS, ORS 368.026 states a governing body may initiate proceedings by having the county road official prepare a report stating reasons for the proposed withdrawal and the effects the proposed withdrawal may have on land abutting the county road proposed to be withdrawn, and a Preliminary Director's Report has been prepared to address these issues; and

WHEREAS, ORS 368.026 requires a public hearing to withdraw county road status from a county road and the Board deems it appropriate to conduct a public hearing to decide whether to withdraw the county road status (but not the public road status) from a portion of County Road Number 269. The Public Works Director has prepared a Preliminary Report recommending proceedings be initiated to consider withdrawal of county road status on the described segment of County Road Number 269, marked Exhibit "A" attached hereto and made a part hereof by these proceedings; and
NOW, THEREFORE, the Board of County Commissioners of Lane County RESOLVES and ORDERS as follows:

1. In accordance with Oregon Revised Statutes, Chapter 368, proceedings be undertaken to withdraw the county road status (but not the public road status) of a portion of County Road Number 269, and being more particularly described as follows:

   All that portion of County Road No. 269 beginning at a point marking the End of County Maintenance of Beymer Road, said point being North 926.20 feet and West 202.00 feet, more or less, from a 1975 brass cap marking the Southeast corner of Section 29, Township 18 South, Range 3 West of the Willamette Meridian; thence in a southerly direction ending at a point marking the End of County Maintenance of Sher Khan Road, said point being North 1482.70 feet and East 13.30 feet, more or less, from a 1996 brass cap marking the Southwest corner of the James Gay Donation Land Claim No. 69, Township 19 South, Range 3 West of the Willamette Meridian, all in Lane County, Oregon.

   The bearings for the above described are based on the Oregon Coordinate Reference System (OCRS), Eugene Zone, NAD 83 (CORS2011) Epoch 2010.00.

2. May 3, 2016 is established as the date for conducting a public hearing regarding the proposed withdrawal of county road status (but not the public road status) from said portion of County Road Number 269, and the hearing will be held at 1:30 p.m. in the Lane County Courthouse, 125 E. 8th Avenue, Eugene, Oregon.

3. The Director of the Lane County Department of Public Works cause the Lane County Surveyor to examine the road proposed to be withdrawn from county road status and that the Director provide a written Final Report of his findings, as required by ORS 368.026, which are to be incorporated into the Final Order.

4. Notice of the public hearing will be provided by service, posting and publication in accordance with ORS Chapter 368.401 to 368.426.

   ADOPTED this 29th day of March, 2016.

   Faye Stewart, Chair
   Lane County Board of Commissioners

   APPROVED AS TO FORM
   Date