


W. G. D. I.

Memorandum Date: March 12, 2009
 Order Date: April 1, 2009

TO: Board of County Commissioners

DEPARTMENT: Public Works, Land Management Division

PRESENTED BY: D. Michael Jackson, Lane County Surveyor 

AGENDA ITEM TITLE: IN THE MATTER OF SETTING A PUBLIC HEARING FOR THE PROPOSED SURRENDER OF A PORTION OF OLD COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF EUGENE

I. MOTION

TO APPROVE THE RESOLUTION AND ORDER TO SET A PUBLIC HEARING DATE OF APRIL 29, 2009 AT 1:30 P.M. TO CONSIDER THE SURRENDER OF A PORTION OF OLD COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF EUGENE

II. DISCUSSION

A. Background / Analysis

The portion of Old Coburg Road (County Road No. 180) herein proposed for surrender was originally established in 1856. Portions of County Road 180 have already been surrendered to the City of Eugene. The portion of this road now being proposed for surrender was annexed to the City in 2009 by Eugene City Council Resolution No. 4965, Annexation No. A 08-7. The surrender of this portion of road will help facilitate the city's planned extension of Chad Drive to North Game Farm Road, including a relocated and improved intersection with North Game Farm Road which will replace the existing intersection of Old Coburg Road with North Game Farm Road.

ORS 373.270 provides for the transfer of jurisdiction over county roads within a city and that legal notice of hearing be posted or published. The portion of right-of-way described in Exhibit "A" was annexed into the City of Eugene in 2009. The City of Eugene has enacted Resolution Number 4967 formally requesting that jurisdiction over the portion of the above mentioned county road, all within the city limits and described in Exhibit "A" of the attached Order, be transferred from Lane County to the City of Eugene. The City is requesting this surrender without a Partnership Program Agreement. Setting a date for the hearing will allow time for public posting or notice and is recommended as being appropriate.

The attached Resolution and Order will set a public hearing to consider the merits of the request for transfer of jurisdiction of the described portion of road from Lane County to the City of Eugene as requested by the City.

B. Recommendation

The Public Works Director's Preliminary Report recommends that the Board of Commissioners approve the Resolution and Order to set a public hearing date for the proposed surrender of a portion of Old Coburg Road (County Road No. 180), as described in the Resolution and Order.

III. ATTACHMENTS

Resolution and Order w/attachments:

Legal Descriptions - Exhibit "A"

Director's Preliminary Report - Exhibit "B"

Vicinity Map - Attachment "A"

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

IN THE MATTER OF SETTING A PUBLIC HEARING FOR)
THE PROPOSED SURRENDER OF A PORTION OF OLD) RESOLUTION AND
COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF) ORDER
EUGENE)
)
)

WHEREAS, Old Coburg Road (County Road No. 180) was originally established in 1856, and portions of it have already been surrendered to the City of Eugene; and

WHEREAS, the portion of Old Coburg Road (County Road No. 180) proposed for surrender was annexed to the City in 2009 by Eugene City Council Resolution No. 4965, Annexation No. A 08-7; and

WHEREAS, the City of Eugene, by its Resolution Number 4967 has requested that jurisdiction over the portion of County Road No. 180, as described in Exhibit "A" attached to and made a part hereof by this Resolution and Order, be transferred to the City of Eugene; and

WHEREAS, the surrender of this portion of road will help facilitate the city's planned extension of Chad Drive to North Game Farm Road, including a relocated and improved intersection with North Game Farm Road which will replace the existing intersection of Old Coburg Road with North Game Farm Road; and

WHEREAS, the City of Eugene is requesting this surrender without a Partnership Program Agreement; and

WHEREAS, ORS 373.270 provides for the transfer from county jurisdiction to city jurisdiction of county roads within the corporate limits of a city whenever the county governing body deems it necessary, expedient or for 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 parts thereof to the same extent as it has over other public streets and alleys of the city; and

WHEREAS, the Public Works Director of Lane County has recommended a public hearing date be established to consider the offer of surrender to the City of Eugene the portion of said Old Coburg Road as described herein, and has provided a written report attached hereto and made a part hereof by this Order, and marked as Exhibit "B"; 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 transfer of jurisdiction over the portion of the county road described in the attached Exhibit "A"; now, therefore, it is hereby

ORDERED, that a public hearing be set for April 29, 2009 at 1:30 p.m. at the Lane County Courthouse, 125 East 8th Avenue, Eugene, Oregon, to formally consider the surrender to the City of Eugene the portion of Old Coburg Road (County Road No. 180) as described in the attached Exhibit "A", and that legal notice of hearing be posted or published in accordance with ORS 373.270; and further, it is hereby

ORDERED, that the Director of the Lane County Department of Public Works prepare and provide a final report on the proposed surrender.

Inquiries regarding these proceedings may be directed to D. Michael Jackson, Lane County Surveyor, Public Service Building, 125 East 8th Avenue, Eugene, Oregon 97401, telephone (541) 682-4195.

DATED this _____ day of _____, 2009.

Chair
LANE COUNTY BOARD OF COMMISSIONERS

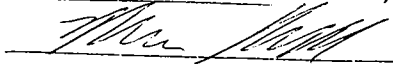
APPROVED AS TO FORM
Date 3-19-09 lane county

OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

OLD COBURG ROAD (COUNTY ROAD NUMBER 180)

0.37

All that portion of Old Coburg Road (County Road Number 180) from a westerly extension of the north right of way line of County Road Number 209, Northerly 0.37 miles, more or less, to a point 182.64 feet northerly from an easterly extension of the south line of Lot 20 of Hawthorne Estates P.U.D., as recorded on Reception Number 2004-058044 in the Lane County, Oregon Deed Records, all in the Southeast One Quarter (SE1/4) of Section 16, Township 17 South, Range 3 West of the Willamette Meridian in Lane County, Oregon.

The above description for Old Coburg Road is shown on Attachment "A" attached hereto and made a part hereof.

EXHIBIT "B"

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

IN THE MATTER OF SETTING A PUBLIC HEARING FOR)	
THE PROPOSED SURRENDER OF A PORTION OF OLD)	DIRECTOR'S PRELIMINARY
COBURG ROAD (CO. RD. NO. 180) TO THE CITY OF)	REPORT
EUGENE)	
)	

The portion of Old Coburg Road (County Road No. 180) herein proposed for surrender was originally established in 1856. Portions of County Road 180 have already been surrendered to the City of Eugene. The portion of this road now being proposed for surrender was annexed to the City in 2009 by Eugene City Council Resolution No. 4965, Annexation No. A 08-7. The surrender of this portion of road will help facilitate the city's planned extension of Chad Drive to North Game Farm Road, including a relocated and improved intersection with North Game Farm Road which will replace the existing intersection of Old Coburg Road with North Game Farm Road.

The City of Eugene has enacted Resolution Number 4967 formally requesting that jurisdiction over the portion of the above mentioned county road, all within the city limits and described in Exhibit "A" of the attached Order, be transferred from Lane County to the City of Eugene. The City is requesting this surrender without a Partnership Program Agreement. Setting a date for the hearing will allow time for public posting or notice and is recommended as being appropriate.

The proposed surrender includes approximately 0.37 miles of Old Coburg Road.

ORS 373.270 provides for the transfer from county jurisdiction to city jurisdiction of county roads within the corporate limits of a city whenever the county governing body deems it necessary, expedient or for 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 parts thereof to the same extent as it has over other public streets and alleys of the city.

Legal notice for the public hearing to consider the matter of the surrender of this portion of Old Coburg Road (County Road No. 180) is required by ORS 373.270.

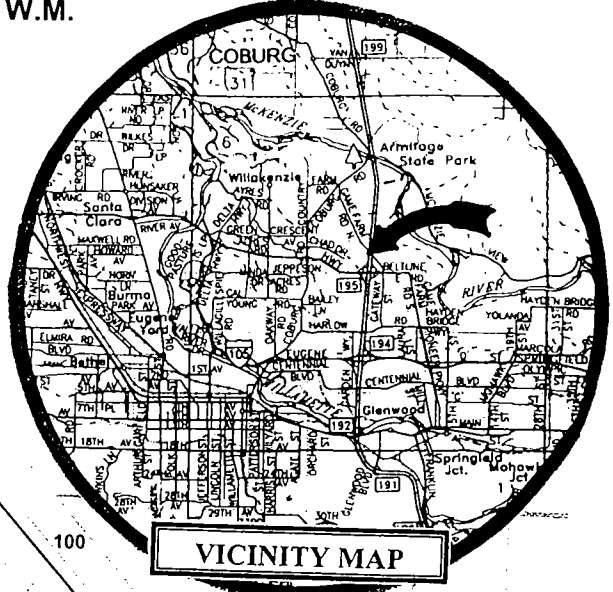
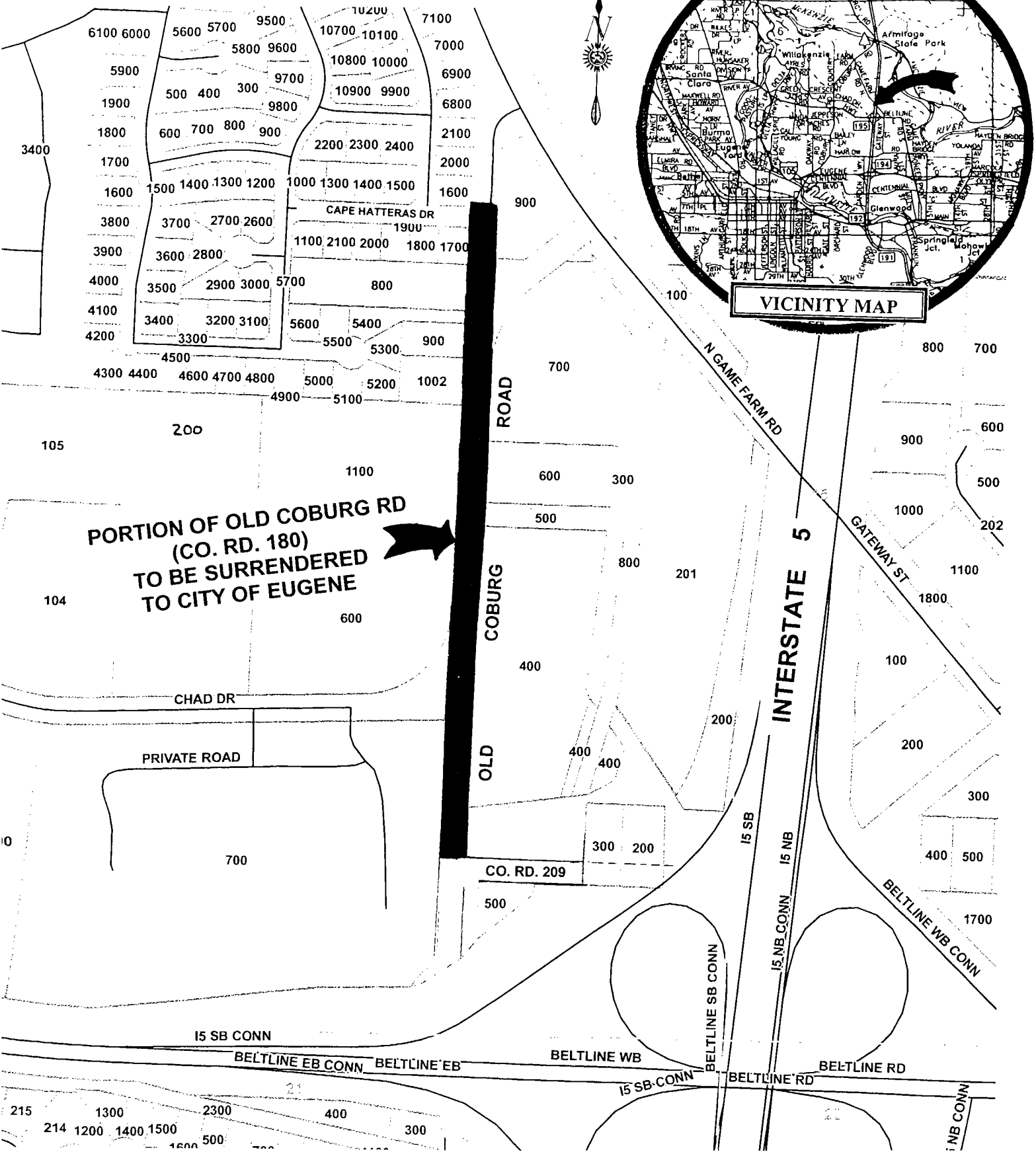
The proposed surrender of this portion of road will allow the City to have full jurisdiction of this portion of road and to maintain, develop and improve it and the surrounding area to their own specifications, standards and timetables. It is therefore recommended that a public hearing date be established and that legal notice of hearing be posted or published for the proposal to surrender to the City of Eugene the portion of Old Coburg Road (County Road No. 180), as described in Exhibit "A."

DATED this _____ day of _____, 2009.

Director
Department of Public Works

ATTACHMENT "A"

SURRENDER OF PORTION OF OLD COBURG ROAD (CO. RD. 180)
TO THE CITY OF EUGENE
SE1/4 Section 16, T. 17 S. R. 3W., W.M.
LANE COUNTY
NO SCALE



**PORTION OF OLD COBURG RD
(CO. RD. 180)
TO BE SURRENDERED
TO CITY OF EUGENE**