

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

PASSED

File No. 4064

IN THE MATTER OF THE ALTERATION AND RELOCATION)	
OF A PORTION OF SOUTH RIVER ROAD (COUNTY ROAD NO.)	FINAL ORDER
295 AND 163) FROM THE FORMER 1997 COTTAGE GROVE CITY)	OF
LIMITS, SOUTHERLY, TO HIGHWAY 99, BEING LOCATED)	ALTERATION
WITHIN SECTION 32, TOWNSHIP 20 SOUTH, RANGE 3 WEST)	NO.
OF THE WILLAMETTE MERIDIAN.)	03-1-29-6

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 a portion of the road commonly known as South River Road, (County Road Number 295 and 163); and

WHEREAS, the South River Road project lies within the city limits of Cottage Grove, but maintenance of the road, since it is a County Road, is still in the jurisdiction of Lane County; and

WHEREAS, a Public Hearing was held on October 23, 1997 at the Cottage Grove City Hall by the County and the city of Cottage Grove regarding the proposed road improvements and upon consideration of public testimony and recommendations, decisions were made that the Public Works Department proceed with the final road designs and begin right of way acquisitions; and

WHEREAS, through adoption of the Capital Improvement Programs for FY 1998/99 through FY 2002/03; Order No. 99-2-10-3, the Board of Commissioners authorized the Lane County Department of Public Works to prepare a right-of-way plan necessary to construct the road, pursue all necessary planning actions, acquire right-of-way and prepare plans for the improvement of South River Road, from the Cottage Grove city limits to Highway 99; 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, in coordination with the City and local transportation plans, has completed the construction of this portion of South River Road in accordance with the plans and specifications prepared and administered by the County Engineer and the Public Works Director; and

WHEREAS, it has been determined necessary to legally alter this portion of South River 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 road surveys numbered CSF 36513 and 37639 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>LANE COUNTY RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>TAX LOT NUMBER</u>	
Alex Madonna	Aug. 3, 2000	Deed Instrument No. 2000-044558	20-03-32-14	900
South Lane School District 45J3	June 16, 1999	Reel 2561R RR 99053734	20-03-32-00	601
Dorothy H. Oczkus	May 20, 1999	Reel 2550R RR 99045465	20-03-32-41	600
Lael O. Stock	May 20, 1999	Reel 2550R RR 99045466	20-03-32-41	600
David S. Oczkus	June 14, 1999	Reel 2560R RR 99052995	20-03-32-41	600

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as South River 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 all portions of County Road Number 295 and 163, lying between the termini specified herein above which are not included within the limits of the road herein above described; specifically excepting therefrom:

1. That portion of the existing right of way of County Road No. 295 lying easterly of the above described right of way from opposite station L2 2+974, southerly approximately 113 m (370 feet, more or less) to the westerly projection of the north line of the tract of land conveyed to the State of Oregon by that certain deed recorded in Book 396, Page 417, Lane County, Oregon Deed Records.

are HEREBY DECLARED VACATED in accordance with ORS Chapter 368.126, retaining, however, unto any and all existing public utilities the right to preserve, maintain, repair, replace, remove or reinstall any public utility that may now exist within the bounds of the portions of County Road Number 295 and 163, herein described by these proceedings as vacated; and it is further

ORDERED, that road plats depicting the right of way limits of this project be prepared from specifications of the County Surveyor and filed with the County Clerk, for public record in the County Surveyor's Office and in the County Road Files in compliance with ORS 368; 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 the said portion of road and to accept the altered road as County Road Number 2224, herein known as South River Road.

DATED this 29th day of January, 2003.

APPROVED AS TO FORM

Date 1-15-03 lane county,





Chair, Lane County Board of Commissioners

EXHIBIT "A"

**SOUTH RIVER ROAD
COUNTY ROAD NUMBER 2224
CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of South River Road in Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1996; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 28+10.54 PC Bk = L² 2+673.018 POT Ah, said station being 524.479 meters North and 880.659 meters East of the 1988 Lane County Brass Cap marking the Southwest Corner of the Henry Small Donation Land Claim Number 57, located in Section 32, Township 20 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; run thence South 5°55'56" East, 3.368 meters, thence along a 195.000 meter radius curve left (the long chord of which bears South 16°41'11" East, 72.773 meters) a distance of 73.202 meters; thence South 27°26'27" East, 103.748 meters; thence along a 140.000 meter radius curve right (the long chord of which bears South 4°24'24" West, 147.744 meters) a distance of 155.636 meters; thence South 36°15'15" West, 61.998 meters; thence along a 80.000 meter radius curve left (the long chord of which bears South 11°37'33" East, 118.679 meters) a distance of 133.706 meters; thence South 59°30'21" East, 27.481 meters to Engineers' Centerline Station L² 3+232.156 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 28+10.54 PC Bk = L ² 2+673.018 POT Ah	L ² 2+753.013 POT	9.144 meters tapering along a 203.186 meter radius curve left to 7.725 meters	
L ² 2+753.013 POT	L ² 2+760.003 POT	7.725 meters tapering on a straight line to 7.487 meters	
L ² 2+760.003 POT	L ² 2+775.000 POT	7.487 meters tapering on a straight line to 7.382 meters	
L ² 2+775.000 POT	L ² 2+780.000 POT	7.382 meters tapering on a straight line to 9.200 meters	
L ² 2+780.000 POT	L ² 2+853.336 PC	9.200 meters tapering on a straight line to 10 meters	
L ² 2+853.336 PC	L ² 3+204.675 PT	10 meters	
L ² 3+204.675 PT	L ² 3+216.034 POT	10 meters tapering on a straight line to 20.983 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 ² 3+216.034 POT	L ² 3+223.926 POT	20.983 meters.	
L 28+10.54 PC Bk = L ² 2+673.018 POT Ah	L ² 2+752.391 POT		9.144 meters tapering along a 184.898 meter radius curve left to 10.552 meters
L ² 2+752.391 POT	L ² 2+759.327 POT		10.552 meters tapering on a straight line to 10.788 meters
L ² 2+759.327 POT	L ² 2+810.000 POT		10.788 meters tapering on a straight line to 9.341 meters
L ² 2+810.000 POT	L ² 2+858.476 POC		9.341 meters tapering on a straight line to 11.775 meters
L ² 2+858.476 POC	L ² 2+888.603 POC		11.775 meters tapering on a straight line to 10 meters
L ² 2+888.603 POC	L ² 2+925.997 POC		10 meters
L ² 2+925.997 POC	L ² 2+962.635 POC		10 meters tapering on a straight line to 20.856 meters
L ² 2+962.635 POC	L ² 2+974.021 POC		20.856 meters tapering on a straight line to 24.561 meters
L ² 2+974.021 POC	L ² 2+995.000 POC		24.561 meters tapering on a straight line to 18.701 meters
L ² 2+995.000 POC	L ² 2+995.000 POC		18.701 meters tapering on a straight line to 10 meters
L ² 2+995.000 POC	L ² 3+200.000 POC		10 meters
L ² 3+200.000 POC	L ² 3+204.675 PT		10 meters tapering on a straight line to 11.120 meters
L ² 3+204.675 PT	L ² 3+220.932 POT		11.120 meters tapering on a straight line to 20 meters.

The bearings used herein are based on a bearing of South 88° 23' 57.5" East between L.C.C.M. 749 and L.C.C.M. 750, set by the Lane County Surveyors Office. Said bearing based upon the Oregon Coordinate System (NAD 83), South Zone.

EXHIBIT "B"

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STATE OF OREGON

File No. 4064

IN THE MATTER OF THE ALTERATION AND RELOCATION)	
OF A PORTION OF SOUTH RIVER ROAD (COUNTY ROAD NO.)	DIRECTOR'S
295 AND 163) FROM THE FORMER 1997 COTTAGE GROVE CITY)	REPORT
LIMITS, SOUTHERLY, TO HIGHWAY 99, BEING LOCATED)	
WITHIN SECTION 32, TOWNSHIP 20 SOUTH, RANGE 3 WEST)	
OF THE WILLAMETTE MERIDIAN.)	

South River Road, as it is commonly known, (being portions of County Road Number 295) was originally established in 1873, with subsequent right of way dedications. This road also being a change in the Territorial Road (County Road No. 163) enacted by the Legislative Assembly of the Territory of Oregon and established by County Commissioners of Lane County in 1855. The altered and relocated road lies within the city limits of Cottage Grove, but maintenance of the road, since it is a County Road, is still in jurisdiction of Lane County.

South River Road is a major collector in southwest Cottage Grove. The City has requested extension of urban improvements on South River Road to Highway 99. The road met Highway 99 at an extreme angle, making visibility and turning to the north difficult. These conditions indicated a need for improvement for the safety of the traveling public in this area.

A Public Hearing was held on October 23, 1997 at the Cottage Grove City Hall, regarding the proposed road improvements for the South River Road Project. Upon consideration of public testimony and recommendations, a decision was made by the Board of County Commissioners that the Lane County Public Works Department was to proceed with the final road design and begin right of way acquisitions.

Through adoption of Capital Improvement Programs from FY 1998/99 through FY 2002/03 and Board Order No. 99-2-10-3, the Lane County Board of Commissioners authorized the Lane County Department of Public Works to prepare a 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 South River Road from the former 1997 city limits of Cottage Grove to Highway 99.

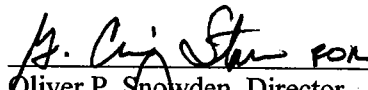
The South River Road project construction plans were prepared and all necessary re-surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed. All construction of this portion of road was completed in accordance with plans and specifications administered by the Department of Public Works and in coordination with the City and local transportation plans.

A Final Order of Alteration to legally alter this portion of South River Road 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, and vacates portions of the former right of way determined to be in excess. 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 road surveys numbered CSF 36513 and 37639 with the County Surveyor, which include centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106. Road plats, depicting the right of way limits of this project, will be prepared by the County Surveyor.

The public interest will be served by the alteration of this road and it is therefore recommended that the Final Order of Alteration be approved. Upon approval, the Final Order and related attachments will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The County Surveyor will file the road plats with the County Clerk. The Final Order and Road Book plats 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 13th day of JANUARY, 2003.



Oliver P. Snowden, Director
Department of Public Works

