

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 14-04-22-03

IN THE MATTER OF ALTERATION OF
PORTIONS OF LEABURG DRIVE
(COUNTY ROAD NO. 627) (17-15-10)

WHEREAS, the Board of Commissioners, through adoption of a Capital Improvement Program for the Department of Public Works, determined that it was necessary to alter and make safety improvements at the two intersections of Leaburg Drive (County Road Number 627) and McKenzie Highway (State Highway 126); and

WHEREAS, the Board of Commissioners approved acquisitions of necessary right of way through the adoption of Capital Improvement Program FY 92/93-96/97 by Order No. 92-4-28-10, and

WHEREAS, the Board of Commissioners, through Order No. 92-10-13-11, agreed to enter into an agreement with the State of Oregon Department of Transportation (ODOT) for engineering and construction funding for the Leaburg Drive project and other intersections along the McKenzie Highway; and

WHEREAS, it has been determined necessary to legally alter these portions of Leaburg Drive and accept the alignment, including acquisitions made as a part of this project, as county road right of way; and

WHEREAS, no portions of the former right of way alignment of County Road Number 627 will be vacated by this action; and

WHEREAS, the Department of Public Works has filed a road survey numbered County Survey File 42576 with the County Surveyor for public record all in compliance with ORS 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, the Board of County Commissioners of Lane County **ORDERS** as follows:

1. The property described in the deeds, or portions thereof, that lie within the right of way described in Exhibit "A", presented to the Board of County Commissioners through purchase, donation, or agreement, as 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>GRANTORS</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>
William R. Wiebke Norma Joy Wiebke	Apr. 28, 1994	1945R / 9431793	17-15-10-24 1700
Richard G. Ward, Jr. Merrilyn E. Ward	Sept. 3, 1993	1876R / 9356198	17-15-10 600

2. The County Road referred to above and commonly known as Leaburg Drive (County Road No. 627) is hereby altered as described in the legal description, marked Exhibit "A", which is attached and made a part of this Order.
3. This Order of Alteration does not vacate any right of way lying outside the legal description described in Exhibit "A".
4. In support of this action, the Board of County Commissioners adopts the report of the Director of Public Works as set forth in Exhibit "B", which is attached and made a part of this Order.
5. This Order is to be filed with the County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration and into the County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor; and this Order is final and operates to alter portions of Leaburg Drive, and to accept it as County Road Number 627.

ADOPTED THIS 22nd day of April, 2014



Pat Farr, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 21-11-14

LANE COUNTY OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEABURG DRIVE

CENTERLINE DESCRIPTION
(Westerly Intersection)

A strip of land variable feet in width lying on the each side of the centerline of Leaburg Drive in Section 10, Township 17 South, Range 1 West of the Willamette Meridian, Lane County, Oregon, the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station 1059+07.69 POT (McKenzie Highway) =LBW 9+86.88 POT (Leaburg Drive West), said station being 136.61 feet North and 1,258.01 feet West of a stone marking the center quarter corner of Section 10, Township 17 South, Range 1 East of the Willamette Meridian, Lane County, Oregon; run thence South 19°02'35" East, 62.41 feet; thence along a 62.00 foot radius curve left (the long chord of which bears South 56°59'12.5" East, 76.25 feet) a distance of 82.12 feet to Engineers' Centerline LBW 11+31.41 PT Bk=Extg 3+57.38 POC Ah (Existing Leaburg Drive) and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON W'LY SIDE OF C/LINE</u>	<u>WIDTH ON E'LY SIDE OF C/LINE</u>
LBW 10+20.00 POT	LBW 10+49.29 PC	40 ft	35 ft tapering on a straight line to 20 ft
LBW 10+49.29 PC	LBW 11+17.12 POC	40 ft	20 ft tapering on a straight line to 18.81 ft

EXCEPT: That portion lying within the right of way of McKenzie Highway (State Highway 126) and that portion conveyed to the State of Oregon (ODOT) on Reel 1945R, Reception No. 9431792 and on Reel 1835, Reception No. 9318270, Lane County Oregon Deed Records.

CENTERLINE DESCRIPTION
(Easterly Intersection)

A strip of land variable feet in width lying on the each side of the centerline of Leaburg Drive in Section 10, Township 17 South, Range 1 West of the Willamette Meridian, Lane County, Oregon, the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station 1081+82.29 POT (McKenzie Highway) = LBE 10+00.00 POT (Leaburg Drive East), said station being 878.50 feet North and 892.20 feet East of a stone marking the center quarter corner of Section 10, Township 17 South, Range 1 East of the Willamette Meridian, Lane County, Oregon; run thence South 19°02'09" East, 79.00 feet; thence along a 67.00 foot radius curve right (the long chord of which bears South 15°55'22" West, 76.78 feet) a distance of 81.76 feet; thence South 50°52'53" West, 239.24 feet to Engineers' Centerline LBE 14+00.00 Bk=Extg 23.56.63 POT (Existing Leaburg Drive centerline 13 feet left) Bk and there ending, all in Lane County, Oregon

EXHIBIT "A"

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON W'LY SIDE OF C/LINE</u>
LBE 10+40.00 POT	LBE 10+60.00 POT	80 ft tapering on a straight line to 52 ft
LBE 10+60.00 POT	LBE 10+79.00 PC	52 ft tapering on a straight line to 35 ft
LBE 10+79.00 PC	LBE 11+20.00 POC	35 ft tapering on a straight line to 30 ft
LBE 11+20.00 POC	LBE 11+60.76 PT	30 ft tapering on a straight line to 25 ft
LBE 11+60.76 PT	LBE 12+00.00 POT	25 ft tapering on a straight line to 13 ft
LBE 12+00.00 POT	LBE 12+40.00 POT	13 ft
LBE 12+40.00 POT	LBE 13+50.00 POT	13 ft tapering on a straight line to 7 ft

ALSO: All that portion of the tract of land described in the certain deed recorded March 15, 1989, on Reel 1563, Recorder's Reception Number 8911248 lying easterly of the above described centerline and southerly of a line 79.00 feet right and parallel to the McKenzie Highway centerline.

EXCEPT: That portion lying within the right of way of McKenzie Highway (State Highway 126) and that portion conveyed to the State of Oregon (ODOT) on Reel 1876R, Reception No. 9356197 Lane County Oregon Deed Records

The bearings used herein are based upon an Oregon Department of Transportation survey. See Drawing No. 4B-16-6, dated November 1932.

EXHIBIT "B"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S REPORT

IN THE MATTER OF ALTERATION OF
PORTIONS OF LEABURG DRIVE
(COUNTY ROAD NO. 627) (17-15-10)

Leaburg Drive (formerly known as Fountain Rd.) was originally established as County Road number 627 in 1908 with a 40 foot wide right of way width. The road intersects the McKenzie Highway at two points in the community of Leaburg. The intersection improvements were part of Cooperative Improvement Agreement with the State of Oregon Department of Transportation (ODOT) in 1992 to realign the several intersections along the McKenzie Highway for safety reasons.

The project to improve these intersections was approved through the adoption of the FY 92/93 through FY 96/97 Capital Improvement Program by Order No. 92-4-28-10.

This project is consistent with Oregon Revised Statute 368, which allows for the acquisition of property, and Lane Code Chapter 15, which provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan.


This alteration is one of a number of road projects that were done in the late 1980's and early 1990's wherein right of way deeds were acquired and recorded, construction was completed, yet no final Order was filed.

An Order of Alteration to legally alter the two segments of Leaburg Drive at their intersection with McKenzie Highway 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 Order.

The Lane County Public Works Department has filed a map with the County Surveyor, numbered County Survey File 42576, which includes road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

The public interest will be served by the alteration of this road. It is therefore recommended the Order of Alteration and related attachments, be approved and filed with the County Clerk and entered in the Board of Commissioner's Journal of Administration. The Order of Alteration and the road survey will then be entered into the legal County Road Files administered by the Department of Public Works and the County Surveyor for public record.

DATED this 7th day of April, 2014.


Marsha A. Miller, Director
Department of Public Works

ATTACHMENT

LEABURG DRIVE

(Intersection Improvements with McKenzie Hwy)

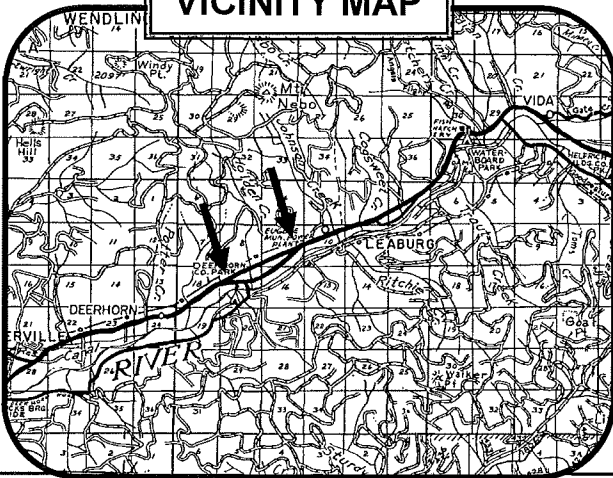
Alteration of portions of County Road Number 627

Sections 10, T. 17 S., R. 1E. W.M.



NO SCALE

VICINITY MAP



ALTERATION OF PORTIONS
OF LEABURG DRIVE

