

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 15-07-14-13

IN THE MATTER OF SURRENDER OF A
PORTION OF GLENWOOD BOULEVARD
(COUNTY ROAD NUMBER 2114) AND EAST 17TH
AVENUE (COUNTY ROAD NUMBER 1728) TO THE
CITY OF SPRINGFIELD (17-03-34 & 18-03-03)

WHEREAS, the Board of Commissioners approved Order Number 15-06-02-08 setting July 14, 2015 at 1:30 p.m. to conduct a public hearing on the matter of the surrender and transfer of jurisdiction of a portion of Glenwood Boulevard and East 17th Avenue, as described in Exhibit "A", to the City of Springfield; and

WHEREAS, the City of Springfield, by its Resolution Number 2015-10, dated April 20, 2015, marked as Exhibit "B", which is attached and made a part of this Order, formally requested jurisdiction over the portions of the above mentioned Glenwood Boulevard (County Road Number 2114) and East 17th Avenue (County Road Number 1728) which lie within the city limits of Springfield, be transferred to the City of Springfield; and

WHEREAS, the portion of Glenwood Boulevard herein proposed for surrender extends from the southerly right of way of Franklin Boulevard (State Highway 126, Business Route), thence southerly approximately 0.37 miles to that portion of Glenwood Boulevard that is currently under the City of Springfield's jurisdiction; and

WHEREAS, the portion of East 17th Avenue extends from the westerly right of way of Glenwood Boulevard, thence westerly approximately 0.10 miles to its westerly terminus, being the entrance to the Lane County Solid Waste Central Receiving Station; and

WHEREAS, these sections of roads herein proposed for surrender were originally annexed into the City of Eugene and later transferred to the City of Springfield by Final Order 1146 File C SP 99-07 and lie entirely within the city limits of Springfield; and

WHEREAS, this transfer comes as the final action of an Intergovernmental Agreement (IGA) with the City of Springfield which was authorized in 2011. This IGA facilitated improvements to both County and City facilities to mitigate the use of Glenwood Boulevard as a detour route during the Oregon Department of Transportation Willamette River Bridge construction project. All improvements were completed during the summer of 2014; 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, the Public Works Director of Lane County has recommended these roads be surrendered, as stated in the Director's Final Report, marked as Exhibit "C" which is attached and made a part of 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 Interim Lane County Surveyor, marked as Exhibit "D", attached and made a part of this Order; and

NOW, THEREFORE, the Board of Commissioners of Lane County **ORDERS** as follows:

1. Lane County, in accordance with ORS 373.270, hereby surrenders jurisdiction of the portion of Glenwood Boulevard (County Road Number 2114) and the portion of East 17th Avenue (County Road Number 1728), as described in Exhibit "A" and shown on Exhibit "E", to the City of Springfield.
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.

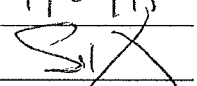
ADOPTED this 14th day of July, 2015.



Jay Bozlevich, Chair
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date 7/16/15



LANE COUNTY OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

GLENWOOD BOULEVARD (COUNTY ROAD NUMBER 2114)

0.37

All that portion of Glenwood Boulevard (County Road Number 2114) from the southerly right of way of Franklin Boulevard (State Highway 126, Business Route), thence southerly 1950 feet, more or less, to that portion of Glenwood Boulevard that is under the City of Springfield's jurisdiction, being along the southerly boundary of that property annexed into the City of Eugene by Final Order 910, File C EU 89-10 and later transferred to the City of Springfield by Final Order 1146, File C SP 99-07. The portion of Glenwood Boulevard described herein is in Section 34, Township 17 South, Range 3 West and Section 3, Township 18 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EAST 17th AVENUE (COUNTY ROAD NUMBER 1728)

0.10

All that portion of East 17th Avenue (County Road Number 1728) from the westerly right of way of Glenwood Boulevard, thence westerly approximately 520 feet to its westerly terminus. The portion of East 17th Avenue described herein is in Section 34, Township 17 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "B"

RESOLUTION NO: 2015-10

**A RESOLUTION REQUESTING SURRENDER OF JURISDICTION OF PORTIONS OF
GLENWOOD BOULEVARD AND EAST 17TH AVENUE**

WHEREAS, The Common Council of the City of Springfield finds that:

- A. It is necessary and in the best interests of the City and the citizens of Springfield to acquire jurisdiction over the portions of county roads referenced and incorporated herein, to provide the same level of service, maintenance, and enforcement provided for other public streets within the city limits of Springfield.
- B. In an intergovernmental agreement executed by the City on October 18, 2011, and by the County on January 11, 2012, the City agreed that the county roads described in Attachment A, a true copy whereof is annexed hereto and by this reference incorporated herein, will be City streets.
- C. The Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to surrender jurisdiction over county roads within the corporate limits of the City of Springfield.
- D. The described portions of the county roads have been annexed to the City of Springfield and lie within the corporate limits of the City of Springfield; and

WHEREAS, the referenced county roads are part of the network of roads in Glenwood and their operation is interrelated with the future design and operation of Franklin Boulevard and the redevelopment of Glenwood; and

WHEREAS, operations of City streets will be more efficient if these County roads are also City streets and the City request that the County surrender jurisdiction to the City;

**NOW THEREFORE, BE IT RESOLVED THE COMMON COUNCIL OF THE CITY OF
SPRINGFIELD, a Municipal Corporation of the State of Oregon, as follows:**

Section 1. The Common Council, of the City of Springfield hereby requests that Lane County surrender jurisdiction over the above described portions of county roads to the City of Springfield in accordance with the provisions of ORS 373.270.

Section 2. The Council directs that a copy of this Resolution be forwarded to the Board of County Commissioners of Lane County, Oregon, requesting surrender of jurisdiction of the above described portions of County Roads in accordance with the provisions of ORS 373.270.

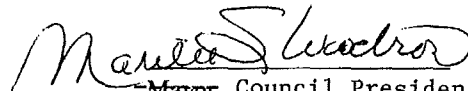
Section 3. Within 150 days from the date this Resolution is adopted, and upon receipt by the City Manager of a certified copy of an order of the Board of County Commissioners of Lane County, Oregon releasing jurisdiction of the described portions of County Road to the City of Springfield, the City shall have the same control, power and jurisdiction over the road as it has over all other streets and alleys within the City of Springfield.

Section 4. In the event the Board of County Commissioners of Lane County fails to enter the order referred to in Section 2 within 150 days from the date this Resolution is adopted, the request and authorization contained herein shall terminate as though this Resolution had not been adopted.; and

EXHIBIT "B"

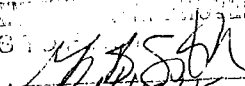
BE IT FURTHER RESOLVED, that this Resolution shall take effect upon adoption by the Council and approval by the Mayor.

Adopted by the Common Council of the City of Springfield, Oregon by a vote of 6 for and 0 against, this 20 Day of APRIL, 2015.


Mayor Council President

ATTEST:


City Recorder

RECEIVED
AS 10:00 AM

DATE: 4/13/15
OFFICE OF CITY ATTORNEY

RESOLUTION NO. 2015-10

EXHIBIT "B"
Attachment A

LEGAL DESCRIPTION

MILEAGE

GLENWOOD BOULEVARD (COUNTY ROAD NUMBER 2114)

0.37

All that portion of Glenwood Boulevard (County Road Number 2114) from the southerly right of way of Franklin Boulevard (State Highway 126, Business Route), thence southerly 1950 feet, more or less, to that portion of Glenwood Boulevard that is under the City of Springfield's jurisdiction, being along the southerly boundary of that property annexed into the City of Eugene by Final Order 910, File C EU 89-10 and later transferred to the City of Springfield by Final Order 1146, File C SP 99-07. The portion of Glenwood Boulevard described herein is in Section 34, Township 17 South, Range 3 West and Section 3, Township 18 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EAST 17th AVENUE (COUNTY ROAD NUMBER 1728)

0.10

All that portion of East 17th Avenue (County Road Number 1728) from the westerly right of way of Glenwood Boulevard, thence westerly approximately 520 feet to its westerly terminus. The portion of East 17th Avenue described herein is in Section 34, Township 17 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "C"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S FINAL REPORT

IN THE MATTER OF SURRENDER OF A PORTION OF
GLENWOOD BOULEVARD (COUNTY ROAD NUMBER
2114) AND EAST 17TH AVENUE (COUNTY ROAD
NUMBER 1728) TO THE CITY OF SPRINGFIELD
(17-03-34 & 18-03-03)

The City of Springfield has adopted Resolution Number 2015-10, dated April 20, 2015, formally requesting the jurisdiction over the portions of Glenwood Boulevard (County Road Number 2114) and East 17th Avenue (County Road Number 1728) described in Exhibit "A" of the attached Order, be transferred from Lane County to the City of Springfield.

By previous action, the Board of County Commissioners approved Order No. 15-06-02-08 setting a public hearing date of July 14, 2015.

This transfer comes as the final action of an Intergovernmental Agreement (IGA) with the City of Springfield authorized in 2011. This IGA facilitated improvements to both County and City facilities to mitigate the use of Glenwood Boulevard as a detour route during the Oregon Department of Transportation Willamette River Bridge construction project. All improvements were completed during the summer of 2014.

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 the described portions of Glenwood Boulevard (County Road Number 2114) and East 17th Avenue (County Road Number 1728) have been provided as required by ORS 373.270.

The surrender of these portions of Glenwood Boulevard and East 17th Avenue will allow the City to have full jurisdiction of the roads and allow them to maintain, develop and improve them and the surrounding area to their own specifications, standards and timetables. It is therefore recommended that the portions of Glenwood Boulevard (County Road Number 2114) and East 17th Avenue (County Road Number 1728) as described in Exhibit "A" of the Order, be surrendered to the City of Springfield as it will be in the best interest of the County.

DATED this 30~~th~~ day of June, 2015.



FOR Marsha A. Miller, Director
Department of Public Works

EXHIBIT "D"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF POSTING

IN THE MATTER OF SURRENDER OF A PORTION OF GLENWOOD BOULEVARD (COUNTY ROAD NUMBER 2114) AND EAST 17TH AVENUE (COUNTY ROAD NUMBER 1728) TO THE CITY OF SPRINGFIELD (17-03-34 & 18-03-03)

I, Mikeal J. Blommé, Interim Lane County Surveyor, certify as follows:

On the 19th day of June, 2015, and in accordance with ORS 373.270, I caused to be posted four (4) copies of the Notice of Hearing in the above entitled matter in four places, positioned to be visible to the traveling public, as follows:

1. Posted on a power pole labeled "95133" on the west side of Glenwood Boulevard in front of a business known as Lane Forest Products.
2. Posted on a power pole labeled "80265" at the northwest corner of Glenwood Boulevard and East 17th Avenue.
3. Posted on a "No Parking" sign on the north side of East 17th Avenue approximately 70 feet east of Glenwood Boulevard.
4. Posted on a "Bike Lane Ends" sign on east side of Glenwood Boulevard at the south end of the guardrail for the overpass crossing Interstate 5.



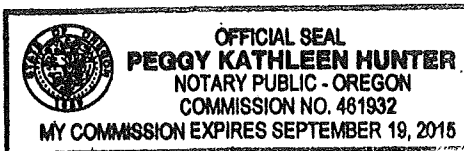
 Mikeal J. Blommé
 Interim Lane County Surveyor

State of Oregon)
County of Lane)

Subscribed and sworn to before me this 22nd day of June, 2015 by Mikeal J. Blommé, Interim Lane County Surveyor.



 NOTARY PUBLIC FOR OREGON
 My Commission Expires:



Portion of Glenwood Boulevard and East 17th Avenue to be Surrendered to Springfield

Section 34 T. 17S. R. 3 W. and Section 3 T. 18S. R. 3 W. W.M.

Lane County



NO SCALE

