

AGENDA COVER MEMO

DATE: November 5, 2004
TO: Lane County Board of Commissioners
FROM: Bill Robinson, Lane County Surveyor *BR*
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: **IN THE MATTER OF CLASSIFYING CERTAIN PARK ROADS
WITHIN THE LEASED CORPS OF ENGINEERS PARK AT
PERKINS PENINSULA AS PUBLIC ROADS BEING LOCATED IN
SECTIONS 27, 28, 33 AND 34, TOWNSHIP 17 SOUTH, RANGE 5
WEST OF THE WILLAMETTE MERIDIAN**

I. MOTION:

In the Matter of Classifying Certain Park Roads within the Leased Corps of Engineers Park at Perkins Peninsula as Public Roads being located in Sections 27, 28, 33, and 34, Township 17 South, Range 5 West of the Willamette Meridian

II. ISSUE:

Lane County has access roads within the leased Corps of Engineers Park at Perkins Peninsula that are in need of maintenance. It is necessary to decide whether to begin the process of adding these roads to County Road system so that they can receive regularly scheduled maintenance.

III. DISCUSSION:

A. Background:

Lane County entered into a 25 year lease agreement with the Army Corps of Engineers in 1999 (Lease No. DACW57-1-99-0014) for public park and recreational purposes in the Perkins Peninsula Park area. This lease documentation will be recorded with the County Clerk to establish a clear record of public right of use. The park is located within the Fern Ridge Reservoir area northerly of State Highway No. 126 and in Sections 27, 28, 33 and 34, Township 17 South, Range 5 West of the Willamette Meridian. Lane County has access roads within the leased area that are in need of maintenance.

Stipulations of the lease agreement require adequate maintenance of improvements within the park. In 1989 the Department of Public Works reported to the Lane County Board of Commissioners that county park roads are receiving inadequate maintenance due to revenue constraints that exist within the Parks Division. The

Board of County Commissioners directed Public Works staff to proceed with a means to achieve adequate road maintenance.

Lane Manual 15.260 provides for the acceptance of park roads on leased lands into the County Road system provided that the road has been designated as a Public Road; that the park land lease documents are recorded and are a matter of public record; and that the owners of the land are provided a written notice of the proceedings and consent to the acceptance of the park roads into the County Road system.

The current proposal is to classify approximately 0.58 miles of roadway within Perkins Peninsula Park as Public Road.

B. Analysis:

The area within Perkins Peninsula Park was leased to Lane County by the U.S. Army Corps of Engineers in 1999 for public park and recreational purposes. This lease documentation will be recorded with the County Clerk to establish a clear record of public right of use. Lane County has access roads within the leased area that are in need of maintenance and stipulations of the lease agreement require adequate maintenance of improvements within the park.

Classifying these roadways within the park as Public Roads, and then establishing them as County Roads, is in the best interest of the public. It will provide a means of regular maintenance of the roads for the safety and convenience of the public. The County Road status of these roads shall continue for the length of the Corps of Engineers' Lease Agreement, or the extension thereof, and maintenance of these roads shall be a continuing program until terminated by Board Order under the provisions of ORS 368.026 for the withdrawal of County Road status.

C. Alternatives/Options:

The Board of County Commissioners has the options to:

1. Approve the Order classifying the roads in Perkins Peninsula Park, as described in the Order, as Public Roads.
2. Deny the Order classifying the said roads described in the Order as Public Roads.
3. Continue the matter for further consideration.

D. Recommendations:

The Public Works Director's report recommends that the Order to classify these roads as Public Roads be approved, followed by the recording of the park land lease documents, and the acceptance of the roads into the County Road system.

It is recommended that the Board adopt option number one above and approve the Order classifying the roads described in the Order as Public Roads.

E. Timing:

The timing is important, as the Department of Public Works will be able to begin scheduling regular maintenance of the park roads after the roads have been accepted into the County Road system.

IV. IMPLEMENTATION/FOLLOW-UP:

The County Clerk shall file the Order in the Commissioner's Journal of Administration and forward copies to the Lane County Surveyor and the Parks Division. The Lease documentation from the Corps of Engineers for Perkins Peninsula Park shall be recorded with the County Clerk, and an Order to establish the said park roads as County Roads will be presented to the Board of Commissioners.

V. ATTACHMENTS:

Order w/ attachments:
Legal Description - Exhibit "A"
Director's Report - Exhibit "B"
Vicinity Map - Attachment "A"

Contact Person: Bill Robinson x-4198

IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

File No. 4068

IN THE MATTER OF CLASSIFYING CERTAIN PARK)
 ROADS WITHIN THE LEASED CORPS OF ENGINEERS)
 PARK AT PERKINS PENINSULA AS PUBLIC ROADS) ORDER NO.
 BEING LOCATED IN SECTIONS 27, 28, 33, AND 34,)
 TOWNSHIP 17 SOUTH, RANGE 5 WEST OF THE)
 WILLAMETTE MERIDIAN)

WHEREAS, Lane County has access roads located within the leased Corps of Engineers Park at Perkins Peninsula that are in need of road maintenance, and

WHEREAS, the park access roads are not receiving adequate maintenance due to the Parks Division budgetary constraints; and

WHEREAS, the Board of County Commissioners directed Public Works staff to proceed with a means to achieve that road maintenance; and

WHEREAS, Lane Manual 15.260 provides for the acceptance of park roads on leased lands into the County Road system provided that the road has been designated as a Public Road; that the park land lease documents are recorded and are a matter of public record; and that the owners of the land are provided a written notice of the proceedings and consent to the acceptance of the park roads into the County Road system; now therefore it is hereby

ORDERED, that 0.58 miles of park roads within the Perkins Peninsula Park as described in Exhibit "A" attached hereto and made a part hereof by this Order, be classified as Public Roads; and it is further

ORDERED, that the lease documentation between Lane County and the Corps of Engineers for the Perkins Peninsula Park shall be recorded to fulfill the public record requirement; and it is further

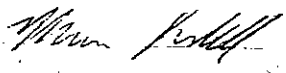
ORDERED, that an Order be prepared for the Boards approval to accept the park roads into the County Road system; and it is further

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.

DATED this _____ day of _____, 2004

APPROVED AS TO FORM

Date 11-17-04 Lane County



 Chair, Lane County Board of Commissioners

PERKINS PENINSULA PARK ROADS

"L" LINE

A parcel of land lying in Sections 27, 28, 33 and 34, Township 17 South, Range 5 West, of the Willamette Meridian. Said parcel being a strip of land 60 feet in width, 30 feet on each side of the centerline of a road known as the Perkins Peninsula Park Road. The right of way lines of this strip of land begin and end at the right of way lines of the intersection roads. The Centerline of said strip is more particularly described as follows.

Beginning at Oregon State Highway No. 126 Engineers' Centerline Station 462+87.53 POT = Perkins Peninsula Park Road Centerline Station L 0+00.00 POB. Said Station being S 21° 24' 29" W, 1322.32 feet from the Brass Cap in a stone marking the Southwest Corner of Section 27, Township 17 South, Range 5 West of the Willamette Meridian; thence N 19° 44' 07" E, 115.48 feet along the centerline of said Perkins Peninsula Park Road to the True Point of Beginning at the northerly right of way of said Oregon State Highway No. 126; RUN thence N 19° 44' 07" E, 1274.63 feet; thence along the arc of a 126.00 foot radius curve left (the long chord of which bears N 12° 15' 53" W, 133.54 feet) a distance of 140.74 feet; thence along the arc of a 142.00 foot radius curve left (the long chord of which bears S 75° 44' 07" W, 245.95 feet) a distance of 297.40 feet; thence S 15° 44' 08" E, 32.81 feet; thence along the arc of a 100.00 foot radius curve left (the long chord of which bears S 21° 15' 12" E, 120.33 feet) a distance of 129.12 feet; thence S 58° 14' 33" E, 197.78 feet to Centerline Station "L" 21+87.96 EOP = "L" 12+01.07 POT and there ending all in Lane County, Oregon.

"PL" LINE

ALSO: A strip of land 60 feet in width, lying 30.00 feet on each side of the following described centerline. The right of way lines of this strip of land begin and end at the right of way lines of the intersecting roads.

Beginning at Perkins Peninsula Park Road Centerline Station "L" 3+67.19 POT = "PL" 0+00.00 POB, said station being S 22° 03' 03" W 955.35 feet from a Brass Cap in a stone marking the Southwest corner of Section 27, Township 17 South, Range 5 West of the Willamette Meridian; RUN thence N 84° 56' 45" E, 145.93 feet; thence along the arc of a 50.00 foot radius curve left (the long chord of which bears N 64° 52' 08" E 34.33 feet) a distance of 35.04 feet; thence N 44° 47' 31" E, 233.46 feet; thence along the arc of a 55.75 foot radius curve left (the long chord of which bears N 26° 14' 14" E 35.48 feet) a distance of 36.11 feet; thence N 7° 40' 56" E, 53.47 feet to Centerline Station "PL" 5+04.01 EOP = "BR" 2+62.41 POT and there ending, all in Lane County, Oregon.

"BR" LINE

ALSO: A strip of land 60 feet in width, lying 30.00 feet on each side of the following described centerline. The right of way lines of this strip of land begin and end at the right of way lines of the intersecting roads.

Beginning at Perkins Peninsula Park Road Centerline Station "L" 6+67.46 POT = "BR" 0+00.00 POB located S 23° 06' 42" W 655.43 feet from the Brass Cap in a stone marking the Southwest Corner of Section 27, Township 17 South, Range 5 West, of the Willamette Meridian; RUN thence S 88° 58' 21" E, 388.07 feet to Centerline Station "BR" 3+88.07 EOP and there ending, all in Lane County, Oregon.

The bearings used herein are based upon NAD 83 coordinates at LCCM No. 609 and LCCM No. 58 (KVAL Television Tower). The Grid Bearing between the two LCCM's was rotated by a theta angle of -1° 54' 33" to arrive at a True Bearing of S 68° 25' 56" E, which is the basis of bearings for this description.

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

File No. 4068

IN THE MATTER OF CLASSIFYING CERTAIN PARK ROADS WITHIN THE LEASED CORPS OF ENGINEERS PARK AT PERKINS PENINSULA AS PUBLIC ROAD BEING LOCATED IN SECTIONS 27, 28, 33 AND 34 , TOWNSHIP 17 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN)))))))	DIRECTOR'S REPORT
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Lane County entered into a 25 year lease agreement with the Army Corps of Engineers in 1999 (Lease No. DACW57-1-99-0014) for public park and recreational purposes in the Perkins Peninsula Park area. This lease is to be filed with the County Clerk to establish a clear record of public right of use. The park is located within the Fern Ridge Reservoir boundary northerly of State Highway 126 in Sections 27, 28, 33 & 34, Township 17 South, Range 5 West of the Willamette Meridian. Lane County has access roads within the leased area that are in need of maintenance.

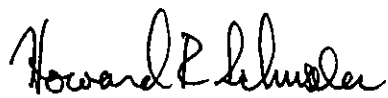
Stipulations of the lease agreement require adequate maintenance of improvements within the park. In 1989, the Department of Public Works reported to the Lane County Board of Commissioners that county park roads are receiving inadequate maintenance due to revenue constraints that exist within the Parks Division. The Board of County Commissioners directed Public Works staff to proceed with a means to achieve adequate road maintenance.

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Classifying these roadways within the park as Public Roads, and then establishing them as County Roads, is in the best interest of the public. It will provide a means of regular maintenance of the roads for the safety and convenience of the public. The County Road status of these roads shall continue for the length of the Corps of Engineers' Lease Agreement, or the extension thereof, and maintenance of these roads shall be a continuing program until terminated by Board Order under the provisions of ORS 368.026 for the withdrawal of County Road status.

The roads have been surveyed as presently traveled and used by the public. Public use of the roads in Perkins Peninsula Park, as described in Exhibit 'A' of the Order, justifies the expenditure of County Road Funds for maintenance of these roads. It is therefore recommended that the Order to classify these roads as Public Roads be approved, followed by the recording of the park land lease documents, and the acceptance of the roads into the County Road system.

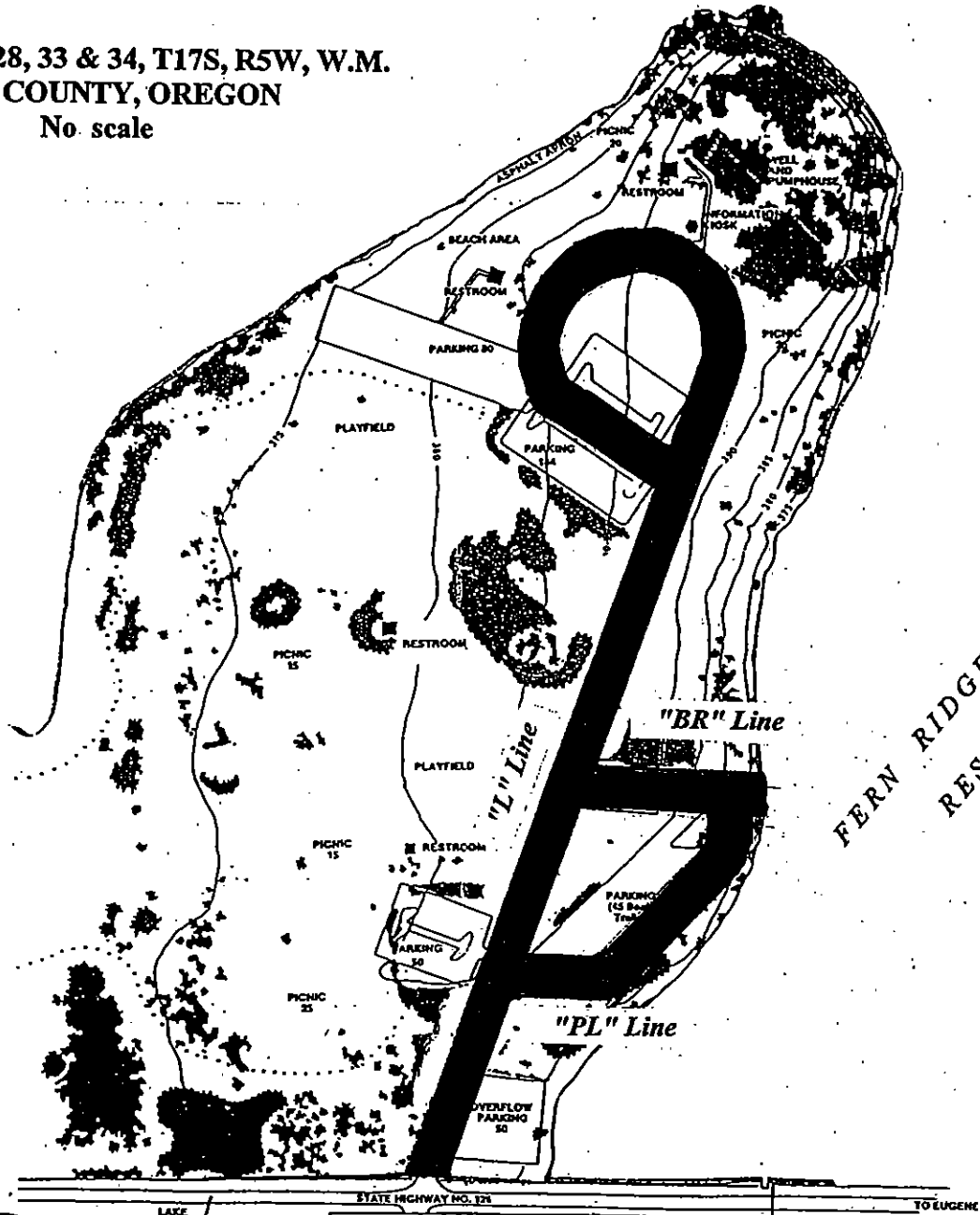
DATED this 17th day of November, 2004.


 for Oliver P. Snowden, Director - Department of Public Works

SECTION 27, 28, 33 & 34, T17S, R5W, W.M.
 LANE COUNTY, OREGON
 No scale

FERN RIDGE
 RESERVOIR

FERN RIDGE
 RESERVOIR



PERKINS PENINSULA PARK ROADS

VICINITY MAP

