

AGENDA COVER MEMO

DATE: May 25, 2005
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 THE ALTERATION OF A PORTION OF PEARL STREET (COUNTY ROAD NO. 254), LOCATED IN SECTION 33, TOWNSHIP 16 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN.

I. MOTION

In the Matter of the Alteration of a Portion of Pearl Street (County Road No. 254), Located in Section 33, Township 16 South, Range 3 West of the Willamette Meridian.

II. ISSUE

Right of way acquisition and improvements associated with reconstruction of Pearl Street (County Road No. 254) have been completed under the administration of the Lane County Department of Public Works. It is now necessary for the Board of Commissioners to decide whether the completed road project and its alignment should be legally altered as provided by ORS Chapter 368.

III. DISCUSSION

A. Background

County Road Number 254 was originally established in 1868, and was commonly known as VanDuyn Road. The portion of this road within the city limits of Coburg became known as Pearl Street, and in 1995 an Ordinance was approved by the Board of Commissioners to rename the entire portion west of I-5, Pearl Street. Pearl Street is a minor arterial road in the City of Coburg and is the connector route from the City of Coburg to the city's industrial zone and the I-5 freeway. The portion of the road to be altered begins at Coburg Road (County Road Number 2262, also known as Willamette Street) and extends easterly 0.56 miles, more or less, to Daray Street (County Road Number 2033). Although the subject portion of Pearl Street lies within the city limits of Coburg, since it is a County Road, the maintenance of the road is under the jurisdiction of Lane County.

Heavy truck traffic and increased traffic to the city's industrial area, inadequate storm drainage, and lack of pedestrian and bike facilities indicated a need for improvement for the safety of the traveling public in this area.

A Public Hearing was held on December 7, 1995 at Coburg Elementary School and on December 8, 1999 at the IOOF Hall in Coburg regarding the proposed road improvements. Through adoption of the Capital Improvement Programs for FY 1996-97 through FY 2003-04 and Resolution and Order No. 96-7-31-5 and No. 00-10-18-5 the Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans, and acquisition of right of way of the portion of Pearl Street from Coburg Road, easterly, to Daray Street. Under the administration of the Lane County Department of Public Works and in coordination with the Coburg City Council and local transportation plans, the construction project has been completed.

B. Analysis

The report by the Director of the Department of Public Works, attached to the Order as Exhibit "B", notes that the alteration and construction of Pearl Street has been completed and the road is open for public travel. The final phase of the project is to complete the legal alteration of the road in accordance with ORS Chapter 368. The Order of Alteration accomplishes that action by providing for the acceptance of land acquired for right of way as a part of this project. The centerline description of the new alignment, including right of way widths, is attached to the Order as Exhibit "A."

The Lane County Public Works Department has filed road surveys numbered as CSF 36491 and CSF 38843 with the County Surveyor, which include road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

C. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Order of Alteration of the portion of Pearl Street (County Road No. 254) from Coburg Road (Willamette Street) to Daray Street.
2. Have staff review and alter any component of the Order of Alteration for this portion of said Pearl Street.
3. Continue the motion for further consideration

D. Recommendations

It is recommended that the Board of Commissioners approve Option 1. This will approve the Order of Alteration of this portion of Pearl Street as proposed and supported by the Public Works Director.

E. Timing

Timing is important, as ORS 368.106 requires that the Order of Alteration and deeds or other documents establishing an interest in real property for public road purposes be recorded.

IV. IMPLEMENTATION/FOLLOW-UP

Upon approval by the Board of County Commissioners, the Order of Alteration and related attachments will be forwarded to the County Clerk for filing and entering into the Board of Commissioners' Journal of Administration. The Order of Alteration will be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

V. ATTACHMENTS

Order with Attachments:

Exhibit "A" - Legal Description

Exhibit "B" - Director's Report

Attachment "A" - Vicinity Map

Contact Person: Bill Robinson x-4198

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

File No. 4114

IN THE MATTER OF THE ALTERATION OF A)	
PORTION OF PEARL STREET (COUNTY ROAD)	ORDER OF
NO. 254), LOCATED IN SECTION 33, TOWNSHIP)	ALTERATION
16 SOUTH, RANGE 3 WEST OF THE WILLAMETTE)	NO.
MERIDIAN.)	

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 Pearl Street, County Road No. 254; and

WHEREAS, a public hearing was held on December 7, 1995 at Coburg Elementary School and on December 8, 1999 at the IOOF Hall in Coburg, regarding the proposed road improvements, and through adoption of the Capital Improvement Programs for FY 1996-97 through FY 2003-2004 and Resolution and Order No. 96-7-31-5 and No. 00-10-18-5 the Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans, and acquisition of right of way of the portion of Pearl Street from Coburg Road, easterly, to Daray Street; and

WHEREAS, the Department of Public Works completed the final road design and has acquired all necessary right of way on and over which the project has been laid out; and

WHEREAS, the Public Works Department has proceeded with the construction of Pearl Street in accordance with the plans and specifications prepared and administered by the Public Works Director and in coordination with the Coburg City Council and local transportation plans; and

WHEREAS, it has been determined necessary to legally alter this portion of Pearl Street, County Road No. 254, and accept the alignment including acquisitions 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 36491 and 38843 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, 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>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>	
City of Coburg	Feb. 24, 1998	Reel 2388R RR 9812407	16-03-33-23	2100
H Properties	Jul. 22, 1999	Reel 2572R RR 99063830	16-03-33-23	4700
Charles N. Shepard	Dec. 29, 1998	Reel 2499R RR 98103721	16-03-33-23	2000
Charles N. Shepard	Apr. 30, 1998	Reel 2413R RR 9832493	16-03-33-23	4800
Martin T. Johnson Kelly J. Johnson	Jan. 28, 1999	Reel 2508R RR 99007600	16-03-33-23	1907
Edna M. Stam, Trustee Steven Doyle Hartsell, Trustee Merlin R. Stam Revocable Trust Edna M. Stam Revocable Trust	Apr. 21, 1999	Reel 2541R RR 99035994	16-03-33-23	4900 5500
Horace Parks. Kathleen Parks	Sep. 11, 1997	Reel 2334R RR 9761383	16-03-33-23	600
Larry Scott Jackson Dona L. Wilson	Oct 23, 1997	Reel 2349R RR 9772043	16-03-33-23	6300
Charles L. Krenik Carol D. Krenik	Nov. 19, 1997	Reel 2358R RR 9778843	16-03-33-23	500
George Edward Hill, III	Nov. 3, 1997	Reel 2352R RR 9775090	16-03-33-23	6400
Theresa M. Cline	Sep. 12, 1997	Reel 2334R RR 9761836	16-03-33-24	1200
William L. Syrios	Oct. 6, 1997	Reel 2342R RR 9767903	16-03-33-24	1400
Virgil Looney, Trustee Trust of Virgil Looney	Nov. 19, 1997	Reel 2358R RR 9778844	16-03-33-24	1300
Leonard J. Mullens, Trustee Michael L. Mullens, Trustee Agnes Leonard Trust	Oct. 28, 1997	Reel 2350R RR 9773504	16-03-33-24	2000

<u>GRANTOR'S</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>
Mary Jean Stevenson, Trustee Mary Jean Stevenson Family Trust	Mar. 9, 1999	Reel 2525R RR 99021383	16-03-33 100
George L. Lamont	Mar. 3, 1999	Reel 2523R RR 99019575	16-03-33-24 2700
Mary Jean Stevenson, Trustee Mary Jean Stevenson Family Trust	June 20, 2002	Deed Instrument No. 2002-047527	16-03-33 100 102
Cascade Energy, LLC	June 20, 2002	Deed Instrument No. 2002-047524	16-03-33 100 102
William E. Stevenson Mary Jean Stevenson	June 23, 1980	Reel 1079R RR 8030825	16-03-33 100
Coburg 5, LLC	Nov. 18, 2002	Deed Instrument No. 2002-089555	16-03-33 501 502 16-03-33-24 2800 2900
John L. Cockrell Leo F. Young Norval J. Ritchey John O. Chatt James S. Anderson William S.E. Sanderson H.E. Sanderson	June 23, 1980	Reel 1079R RR 8030826	16-03-33-24 2800 2900
Amvesco, Inc. dba Western Pioneer Title Co. of Lane County	June 26, 1980	Reel 1080R RR 8031804	16-03-33 501

and, it is further

ORDERED, that the portion of the county road referred to above and known as Pearl Street, is 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 because all portions of the existing County Road No. 254 lying between the termini specified herein above, lie within the limits of the road herein above described, these proceedings DO NOT VACATE any portion of County Road No. 254; 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 portion of County Road Number 254, herein known as Pearl Street.

DATED this _____ day of _____, 2005

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 6-17-05 lane county

Allen K. Hill
OFFICE OF LEGAL COUNSEL

**PEARL STREET
CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of Pearl Street in Section 33, Township 16 South, Range 3 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1997; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station P 0+000.000 BOP (Pearl Street) = L 9+263.116 POT (Coburg Road, also known as Willamette Street), said station being 426.763 meters South and 443.780 meters East of the Brass Cap marking the Southwest Corner of the Isaac Van Duyn Donation Land Claim Number 61, located in Section 32, Township 16 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; run thence South 88° 11' 26" East, 900.000 meters to Engineers' Centerline Station P 0+900.000 EOP 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 NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
P 0+010.000 POT	P 0+018.483 POT	11.895 meters	
P 0+018.483 POT	P 0+029.000 POT	11.895 meters tapering on a straight line to 9.700 meters	
P 0+029.000 POT	P 0+042.553 POT	9.700 meters tapering on a straight line to 9.144 meters	
P 0+042.553 POT	P 0+046.149 POT	9.144 meters tapering on a straight line to 14 meters	
P 0+046.149 POT	P 0+061.670 POT	14 meters tapering on a straight line to 13 meters	
P 0+061.670 POT	P 0+066.200 POT	13 meters tapering on a straight line to 9.144 meters	
P 0+066.200 POT	P 0+102.812 POT	9.144 meters	
P 0+102.812 POT	P 0+120.742 POT	9.144 meters tapering on a straight line to 13 meters	
P 0+120.742 POT	P 0+125.495 POT	13 meters tapering on a straight line to 9.144 meters	
P 0+010.000 POT	P 0+045.336 POT		9.144 meters

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
P 0+045.336 POT	P 0+050.223 POT		9.144 meters tapering on a straight line to 13 meters
P 0+050.223 POT	P 0+068.530 POT		13 meters
P 0+068.530 POT	P 0+071.569 POT		13 meters tapering on a straight line to 9.144 meters
P 0+071.569 POT	P 0+108.477 POT		9.144 meters
P 0+108.477 POT	P 0+113.890 POT		9.144 meters tapering on a straight line to 13 meters
P 0+113.890 POT	P 0+132.211 POT		13 meters
P 0+132.211 POT	P 0+140.524 POT		13 meters tapering on a straight line to 9.144 meters
P 0+125.495 POT	P 0+155.780 POT	9.144 meters	
P 0+155.780 POT	P 0+159.237 POT	9.144 meters tapering on a straight line to 12 meters	
P 0+159.237 POT	P 0+175.007 POT	12 meters tapering on a straight line to 9.144 meters	
P 0+175.007 POT	P 0+269.579 POT	9.144 meters	
P 0+269.579 POT	P 0+271.471 POT	9.144 meters tapering on a straight line to 11 meters	
P 0+271.471 POT	P 0+289.759 POT	11 meters	
P 0+289.759 POT	P 0+291.651 POT	11 meters tapering on a straight line to 9.144 meters	
P 0+140.524 POT	P 0+159.029 POT		9.144 meters
P 0+159.029 POT	P 0+161.743 POT		9.144 meters tapering on a straight line to 12 meters
P 0+161.743 POT	P 0+180.031 POT		12 meters tapering on a straight line to 9.144 meters

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
P 0+180.031 POT	P 0+269.879 POT		9.144 meters
P 0+269.879 POT	P 0+271.471 POT		9.144 meters tapering on a straight line to 11 meters
P 0+271.471 POT	P 0+289.759 POT		11 meters
P 0+289.759 POT	P 0+291.351 POT		11 meters tapering on a straight line to 9.144 meters
P 0+291.351 POT	P 0+379.607 POT		9.144 meters
P 0+291.651 POT	P 0+379.307 POT	9.144 meters	
P 0+379.307 POT	P 0+381.199 POT	9.144 meters tapering on a straight line to 11 meters	
P 0+381.199 POT	P 0+399.487 POT	11 meters	
P 0+399.487 POT	P 0+401.379 POT	11 meters tapering on a straight line to 9.144 meters	
P 0+401.379 POT	P 0+456.180 POT	9.144 meters	
P 0+456.180 POT	P 0+456.180 POT	9.144 meters tapering on a straight line to 12.192 meters	
P 0+456.180 POT	P 0+550.000 POT	12.192 meters	
P 0+379.607 POT	P 0+381.199 POT		9.144 meters tapering on a straight line to 11 meters
P 0+381.199 POT	P 0+399.487 POT		11 meters
P 0+399.487 POT	P 0+401.079 POT		11 meters tapering on a straight line to 9.144 meters
P 0+401.079 POT	P 0+469.796 POT		9.144 meters
P 0+469.796 POT	P 0+469.773 POT		9.144 meters tapering back on a straight line to 12.192 meters
P 0+469.773 POT	P 0+540.000 POT		12.192 meters
P 0+550.000 POT	P 0+630.000 POT	12.192 meters tapering on a straight line to 15 meters	

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
P 0+630.000 POT	P 0+736.000 POT	15 meters	
P 0+736.000 POT	P 0+755.000 POT	15 meters tapering on a straight line to 19 meters	
P 0+755.000 POT	P 0+759.389 POT	19 meters tapering on a straight line to 23 meters	
P 0+759.389 POT	P 0+780.727 POT	23 meters tapering on a straight line to 25 meters	
P 0+780.727 POT	P 0+794.000 POT	25 meters tapering on a straight line to 15 meters	
P 0+794.000 POT	P 0+847.000 POT	15 meters	
P 0+847.000 POT	P 0+897.732 POT	15 meters tapering on a straight line to 12 meters.	
P 0+540.000 POT	P 0+580.000 POT		12.192 meters tapering on a straight line to 15 meters
P 0+580.000 POT	P 0+630.000 POT		15 meters
P 0+630.000 POT	P 0+634.968 POT		15 meters tapering on a straight line to 19.500 meters
P 0+634.968 POT	P 0+653.256 POT		19.500 meters tapering on a straight line to 23 meters
P 0+653.256 POT	P 0+668.000 POT		23 meters tapering on a straight line to 16.500 meters
P 0+668.000 POT	P 0+690.000 POT		16.500 meters tapering on a straight line to 15 meters
P 0+690.000 POT	P 0+739.043 POT		15 meters
P 0+739.043 POT	P 0+739.119 POT		15 meters tapering on a straight line to 15.240 meters
P 0+739.119 POT	P 0+760.224 POT		15.240 meters
P 0+760.224 POT	P 0+760.148 POT		15.240 meters tapering back on a straight line to 15 meters

<u>STATION TO STATION</u>		<u>WIDTH ON NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
P 0+760.148 POT	P 0+869.598 POT		15 meters.

Excepting therefrom that portion lying within the right of way Coburg Road (County Road Number 2262).

The bearings used herein are based on a bearing of South 43° 27' 04.6" East between two found brass caps marking Lane County control points LCCM 481 and LCCM 480, said bearing based on the Oregon Coordinate System, (NAD 83), South Zone.

EXHIBIT "B"

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

File No. 4114

IN THE MATTER OF THE ALTERATION OF A)	
PORTION OF PEARL STREET (COUNTY ROAD)	
NO. 254), LOCATED IN SECTION 33, TOWNSHIP)	DIRECTOR'S
16 SOUTH, RANGE 3 WEST OF THE WILLAMETTE)	REPORT
MERIDIAN.)	

County Road Number 254 was originally established in 1868, and was commonly known as VanDuyn Road. The portion of this road within the city limits of Coburg became known as Pearl Street, and in 1995 an Ordinance was approved by the Board of Commissioners to rename the entire portion west of I-5, Pearl Street. Pearl Street is a minor arterial road in the City of Coburg and is the connector route from the City of Coburg to the city's industrial zone and the I-5 freeway. The portion of the road to be altered begins at Coburg Road (County Road Number 2262, also known as Willamette Street) and extends easterly 0.56 miles, more or less, to Daray Street (County Road Number 2033). Although the subject portion of Pearl Street lies within the city limits of Coburg, since it is a County Road, the maintenance of the road is under the jurisdiction of Lane County.

Heavy truck traffic and increased traffic to the city's industrial area, inadequate storm drainage, and lack of pedestrian and bike facilities indicated a need for improvement for the safety of the traveling public in this area.

A Public Hearing was held on December 7, 1995 at Coburg Elementary School and on December 8, 1999 at the IOOF Hall in Coburg regarding the proposed road improvements. Through adoption of the Capital Improvement Programs for FY 1996-97 through FY 2003-04 and Resolution and Order No. 96-7-31-5 and No. 00-10-18-5 the Board of Commissioners, upon consideration of public testimony and recommendations, authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans, and acquisition of right of way of the portion of Pearl Street from Coburg Road, easterly, to Daray Street.

The Pearl Street project construction plans were prepared and all necessary re-surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed. The construction of this portion of road has been completed in accordance with plans and specifications administered by the Department of Public Works and in coordination with the Coburg City Council and local transportation plans, and the road is open for public travel.

An Order to legally alter this portion of Pearl Street has been prepared. The Order of Alteration provides for acceptance of parcels of land, and portions thereof, acquired as right of way in conjunction with this project. The legal centerline description of the new alignment including right of way widths is marked Exhibit "A" and is attached to, and made a part of the Order of Alteration.

The Department of Public Works has filed road surveys numbered as CFS 36491 and 38843 with the County Surveyor, which include centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

Upon approval, the Order of Alteration will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The Order will be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

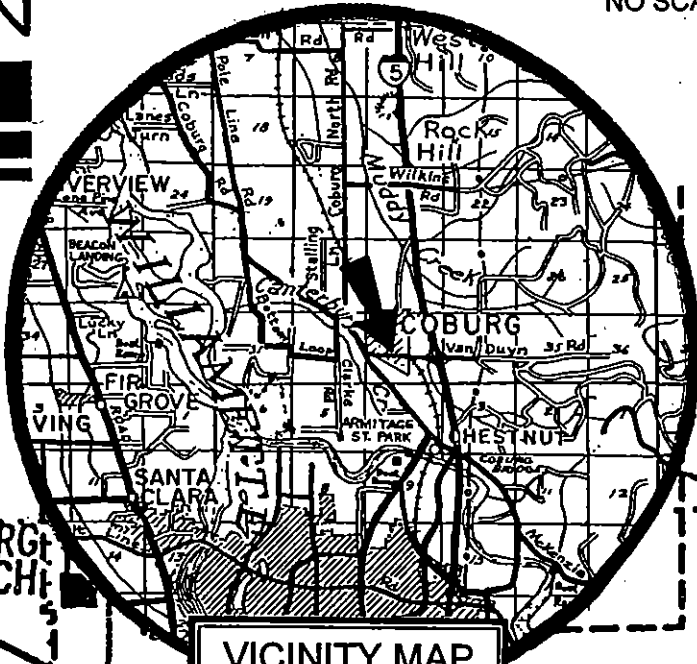
DATED this 15th day of June, 2005



Oliver P. Snowden, Director
Department of Public Works

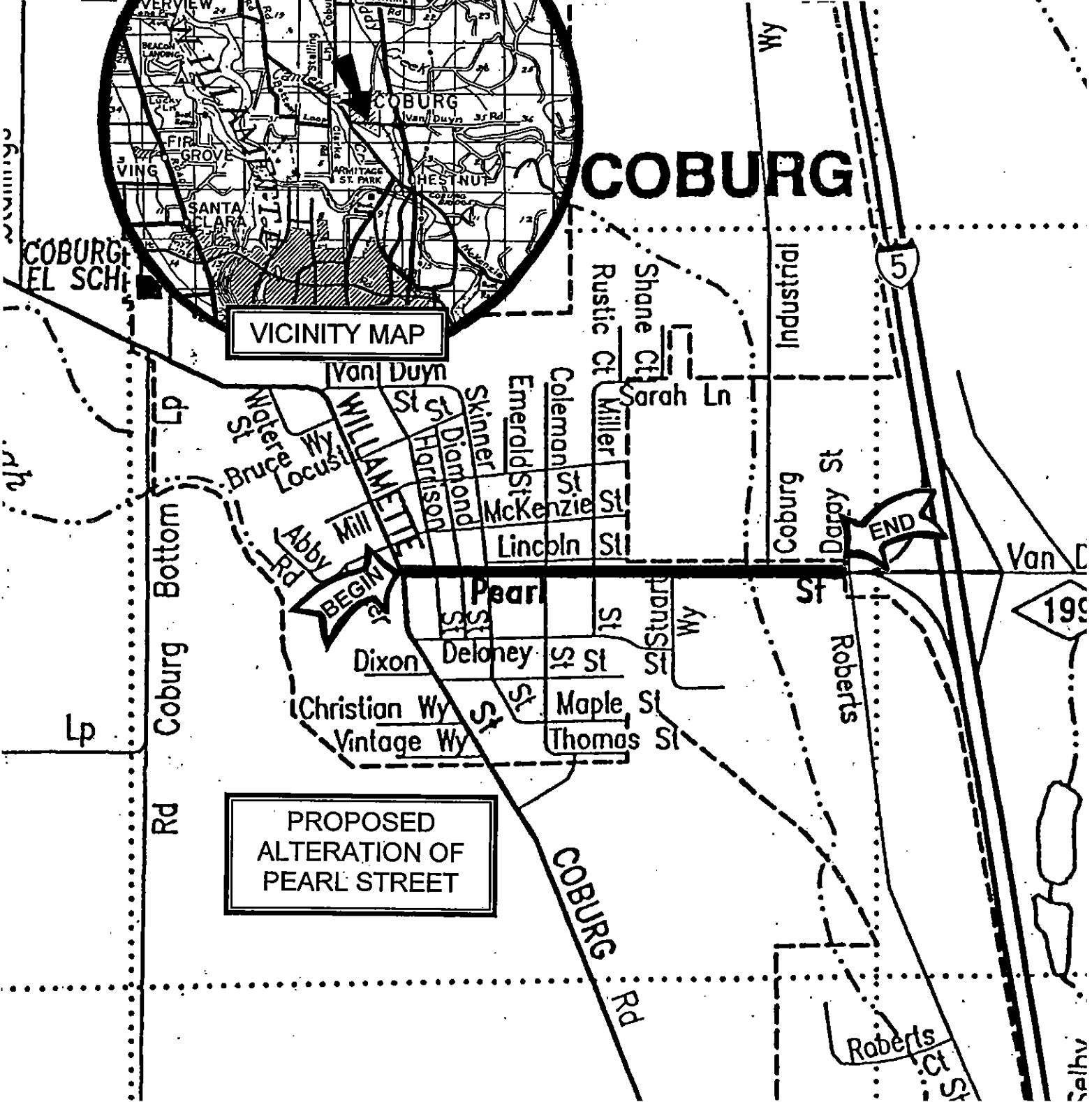
N 1/2 Section 33 T. 16 S. R. 3 W. W.M.
LANE COUNTY

NO SCALE



VICINITY MAP

COBURG



PROPOSED ALTERATION OF PEARL STREET

