

**AGENDA COVER MEMO**

**DATE:** September 12, 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 BRICE CREEK ROAD (PORTIONS OF COUNTY ROAD NUMBERS 81, 737, AND 1207) LOCATED IN SECTIONS 7, 8, 9, 15, 16, 22, AND 23, TOWNSHIP 22 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN.

**I. MOTION**

Move to Approve the Order Altering a Portion of Brice Creek Road (Portions of County Road Numbers 81, 737, and 1207) located in Sections 7, 8, 9, 15, 16, 22, and 23, Township 22 South, Range 1 East of the Willamette Meridian.

**II. ISSUE**

An amended easement from the United States of America Department of Agriculture, Forest Service, has been executed and improvements have been completed under the administration of the Lane County Department of Public Works on Brice Creek Road. 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**

Brice Creek Road, as it is commonly known, is a rural minor collector located about 16 miles east of Cottage Grove and runs from the easterly end of Row River Road to Champion Creek Road. The portion of road to be altered begins at the Willamette Meridian and traverses across Umpqua National Forest land in a southeasterly direction until it meets Champion Creek Road.

The road consists of portions of County Road No. 81, established in 1897; County Road No. 737, established in 1914; and County Road No. 1207, established in 1942. At some point portions of the road were altered, and on March 18, 1976, the United States of America Department of Agriculture, Forest Service, granted a 66-foot wide easement to Lane County for public road purposes over the realigned right of way. The Board of Commissioners accepted the right of way as a County Road in 1998 by approving Order Number 98-4-1-17.

Sharp horizontal curvature with limited sight distance due to uphill side slopes, as well as erosion up to the pavements edge in a few places, indicated a need for improvement for the safety of the traveling public on this road. The Board of Commissioners adopted the Capital Improvement Program for FY 2002-06, which authorized Lane County Department of Public Works to make necessary safety improvements on Brice Creek Road. On July 8, 2004, the Forest Service conveyed a new easement, recorded August 6, 2004 on Instrument No. 2004-061900, amending the previous easement and granting additional right of way along portions of the road where improvements were made.

The project was funded with Oregon Forest Highway funds. On February 2, 1999, Lane County entered into a revenue agreement with the U.S. Department of Transportation, Western Federal Lands Highway Division, for improvements to Brice Creek Road with the understanding that the agreement would be amended to provide for construction costs and construction administration. On June 12, 2002, the Board of Commissioners approved Order Number 02-6-12-6 amending the revenue agreement as planned.

B. Analysis

The final phase of the project is to complete the legal alteration of the road in accordance with ORS Chapter 368. The Final Order of Alteration accomplishes that action, including the acceptance of an amended easement from the United States of America Department of Agriculture, Forest Service, as public right of way for Brice Creek Road, and vacates any portions of the former right of way between the termini that lie outside the limits of the newly conveyed right of way. The centerline description of the new alignment, including right of way widths, is attached to the Final Order of Alteration as Exhibit "A".

The report by the Director of the Department of Public Works, attached to the Order as Exhibit "B", notes that designated improvements on the subject portion of Brice Creek Road have been completed.

The Lane County Public Works Department has surveyed the subject portion of Brice Creek Road and has filed a road survey numbered CSF 39357 with the County Surveyor, which includes 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 a portion of Brice Creek Road.
2. Have staff review and alter any component of the Order of Alteration.
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 a portion of Brice Creek Road as proposed and supported by the Public Works Director.

E. Timing

Timing is important, as ORS 368.106 requires that any order or resolution enacted and deed or other document establishing an interest in property acquired 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. 4128**

<b>IN THE MATTER OF THE ALTERATION OF A</b>	)	
<b>PORTION OF BRICE CREEK ROAD (PORTIONS</b>	)	
<b>OF COUNTY ROAD NUMBERS 81, 737, AND 1207)</b>	)	<b>ORDER OF</b>
<b>LOCATED IN SECTIONS 7, 8, 9, 15, 16, 22, &amp; 23,</b>	)	<b>ALTERATION</b>
<b>TOWNSHIP 22 SOUTH, RANGE 1 EAST OF THE</b>	)	<b>NO.</b>
<b>WILLAMETTE MERIDIAN.</b>	)	

**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 make safety improvements to Brice Creek Road between the Willamette Meridian and Champion Creek Road; and

**WHEREAS**, the right of way to be altered is within the boundary of Umpqua National Forest land, and the United States of America owning this land within Lane County, which is not within the limits of an incorporated city or town, having presented to the Board of Commissioners of Lane County a good and sufficient deed, said deed being properly executed and dedicating a portion of such land to the use of the public for road purposes, and the Board of County Commissioners of Lane County deeming it proper, as a benefit to the general public, to accept said deed for a public road easement; and

**WHEREAS**, the Department of Public Works has filed road survey numbered CSF 39357 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 improvements have been completed and will be of public utility and benefit; and now therefore, it is hereby

**ORDERED**, that the deed conveying a portion of Brice Creek Road to Lane County, recorded on Reel 788R, Recorder’s Reception Number 7615210, Lane County, Oregon Deed Records, and amended on July 8, 2004, and recorded on Instrument No. 2004-061900, Lane County, Oregon Deed Records, that lies within the road right of way specified herein, is hereby accepted as a County Road; and it is further

**ORDERED**, that the portion of Brice Creek Road, as described in the legal description marked Exhibit “A”, attached hereto made a part hereof, be hereby altered by this Order; and it is further

**ORDERED**, that all portions of Brice Creek Road, lying between the termini specified herein above which are not included within the limits of the road right of way as described in said Exhibit “A” are **HEREBY DECLARED VACATED** in accordance with ORS 368.126, and retaining 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 portion of right of way as described by these proceedings as vacated; 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

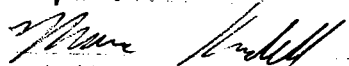
**ORDERED**, that this Order be filed with the County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration, and entered into the Road Index Books and County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor; and that said Order is hereby final and does operate to alter the said portions of County Road Numbers 81, 737, and 1207, herein known as Brice Creek Road, and to accept it as County Road Number 2262.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

\_\_\_\_\_  
Chair  
Lane County Board of Commissioners

APPROVED ACTION ITEM

9-29-05

Handwritten signatures in black ink, appearing to be 'M. M...' and 'K. ...'.

**BRICE CREEK ROAD**  
**CENTERLINE DESCRIPTION**

A strip of land variable meters in width lying on each side of the centerline of Brice Creek Road in Sections 7, 8, 9, 15, 16, 22 and 23 Township 22 South, Range 1 East of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 2002; the centerline and widths in meters being described as follows:

Beginning at Engineers' Centerline Station L 0+103.606 BOP, said station being 350.304 meters South and 2.140 meters West of the 2002 Lane County Brass Cap marking the Northwest Corner of Section 7, Township 22 South, Range 1 East of the Willamette Meridian, Lane County, Oregon; run thence South 80° 50' 00" East, 262.558 meters; thence South 81° 10' 00" East, 164.132 meters; thence South 80° 20' 00" East, 202.775 meters; thence along a 700.000 meter radius curve right (the long chord of which bears South 76° 20' 00" East, 97.659 meters) a distance of 97.738 meters; thence South 72° 20' 00" East, 262.724 meters; thence along a 280.000 meter radius curve left (the long chord of which bears South 80° 45' 00" East, 81.968 meters) a distance of 82.263 meters; thence South 89° 10' 00" East, 197.639 meters; thence along a 370.000 meter radius curve right (the long chord of which bears South 82° 30' 00" East, 85.909 meters) a distance of 86.103 meters; thence along a 90.000 meter radius curve right (the long chord of which bears South 55° 00' 00" East, 64.017 meters) a distance of 65.450 meters; thence South 34° 10' 00" East, 49.638 meters; thence along a 500.000 meter radius curve left (the long chord of which bears South 37° 00' 00" East, 49.431 meters) a distance of 49.451 meters to Engineers' Centerline Station L 1+624.078 PT, said station being 82.154 meters North and 6.949 meters East of the Brass Cap marking the One-Quarter Corner common to Sections 7 and 8, Township 22 South, Range 1 East of the Willamette Meridian; thence South 39° 50' 00" East, 61.482 meters; thence along a 90.000 meter radius curve left (the long chord of which bears South 65° 35' 00" East, 78.200 meters) a distance of 80.896 meters; thence North 88° 40' 00" East, 39.782 meters; thence along a 400.000 meter radius curve left (the long chord of which bears North 87° 05' 00" East, 22.105 meters) a distance of 22.108 meters; thence North 85° 30' 00" East, 36.631 meters; thence along a 190.000 meter radius curve right (the long chord of which bears South 87° 40' 00" East, 45.213 meters) a distance of 45.320 meters; thence South 80° 50' 00" East, 43.656 meters; thence along a 300.000 meter radius curve left (the long chord of which bears North 86° 45' 00" East, 129.012 meters) a distance of 130.027 meters; thence along a 450.000 meter radius curve right (the long chord of which bears North 78° 45' 00" East, 69.308 meters) a distance of 69.377 meters; thence North 83° 10' 00" East, 24.745 meters; thence along a 350.000 meter radius curve right (the long chord of which bears North 89° 35' 00" East, 78.231 meters) a distance of 78.394 meters; thence South 84° 00' 00" East, 111.517 meters; thence along a 110.000 meter radius curve right (the long chord of which bears South 57° 55' 00" East, 96.729 meters) a distance of 100.153 meters; thence South 31° 50' 00" East, 31.184 meters; thence along a 150.000 meter radius curve left (the long chord of which bears South 47° 25' 00" East, 80.592 meters) a distance of 81.594 meters; thence South 63° 00' 00" East, 65.872 meters; thence along a 120.000 meter radius curve left (the long chord of which bears South 73° 45' 00" East, 44.766 meters) a distance of 45.029 meters; thence South 84° 30' 00" East, 32.732 meters; thence along a 300.000 meter radius curve right (the long chord of which bears South 80° 25' 00" East, 42.724 meters) a distance of 42.761 meters; thence South 76° 20' 00" East, 29.225 meters; thence along a 100.000 meter radius curve left (the long chord of which bears South 83° 45' 00" East, 25.817 meters) a distance of 25.889 meters; thence North 88° 50' 00" East, 111.384 meters; thence along a 80.000 meter radius curve left (the long chord of which bears North 71° 15' 00" East, 48.335 meters) a distance of 49.102 meters; thence North 53° 40' 00" East, 91.599 meters; thence

## EXHIBIT "A"

along a 60.000 meter radius curve right (the long chord of which bears South 85° 20' 00" East, 78.727 meters) a distance of 85.870 meters; thence along a 95.000 meter radius curve right (the long chord of which bears South 22° 40' 00" East, 70.149 meters) a distance of 71.849 meters; thence South 1° 00' 00" East, 102.095 meters; thence along a 70.000 meter radius curve left (the long chord of which bears South 27° 20' 00" East, 62.103 meters) a distance of 64.344 meters; thence South 53° 40' 00" East, 62.906 meters; thence along a 300.000 meter radius curve right (the long chord of which bears South 49° 55' 00" East, 39.242 meters) a distance of 39.270 meters; thence South 46° 10' 00" East, 36.828 meters; thence along a 210.000 meter radius curve left (the long chord of which bears South 62° 20' 00" East, 116.942 meters) a distance of 118.508 meters; thence South 78° 30' 00" East, 28.810 meters; thence along a 150.000 meter radius curve right (the long chord of which bears South 71° 15' 00" East, 37.860 meters) a distance of 37.961 meters; thence along a 40.000 meter radius curve right (the long chord of which bears South 37° 40' 00" East, 35.487 meters) a distance of 36.768 meters; thence South 11° 20' 00" East, 59.696 meters; thence along a 400.000 meter radius curve left (the long chord of which bears South 12° 55' 00" East, 22.105 meters) a distance of 22.108 meters; thence South 14° 30' 00" East, 46.828 meters; thence along a 150.000 meter radius curve right (the long chord of which bears South 8° 45' 00" East, 30.056 meters) a distance of 30.107 meters; thence South 3° 00' 00" East, 61.041 meters; thence along a 110.000 meter radius curve left (the long chord of which bears South 18° 15' 00" East, 57.867 meters) a distance of 58.556 meters; thence South 33° 30' 00" East, 10.839 meters; thence along a 160.000 meter radius curve left (the long chord of which bears South 43° 15' 00" East, 54.192 meters) a distance of 54.454 meters; thence along a 90.000 meter radius curve left (the long chord of which bears South 61° 55' 00" East, 27.900 meters) a distance of 28.013 meters; thence along a 180.000 meter radius curve right (the long chord of which bears South 62° 35' 00" East, 51.657 meters) a distance of 51.836 meters; thence South 54° 20' 00" East, 23.138 meters; thence along a 160.000 meter radius curve left (the long chord of which bears South 62° 25' 00" East, 44.996 meters) a distance of 45.146 meters; thence along a 300.000 meter radius curve left (the long chord of which bears South 77° 10' 00" East, 69.656 meters) a distance of 69.813 meters; thence South 83° 50' 00" East, 58.693 meters; thence along a 90.000 meter radius curve right (the long chord of which bears South 53° 30' 00" East, 90.905 meters) a distance of 95.295 meters; thence along a 220.000 meter radius curve left (the long chord of which bears South 31° 25' 00" East, 63.137 meters) a distance of 63.355 meters; thence South 39° 40' 00" East, 103.549 meters; thence along a 130.000 meter radius curve left (the long chord of which bears South 52° 30' 00" East, 57.750 meters) a distance of 58.236 meters; thence South 65° 20' 00" East, 54.736 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 82° 30' 00" East, 118.061 meters) a distance of 119.846 meters; thence North 80° 20' 00" East, 48.720 meters; thence along a 60.000 meter radius curve right (the long chord of which bears South 74° 40' 00" East, 50.714 meters) a distance of 52.360 meters; thence South 49° 40' 00" East, 136.645 meters; thence along a 400.000 meter radius curve left (the long chord of which bears South 51° 45' 00" East, 29.082 meters) a distance of 29.089 meters; thence South 53° 50' 00" East, 81.997 meters; thence along a 220.000 meter radius curve left (the long chord of which bears South 67° 10' 00" East, 101.471 meters) a distance of 102.393 meters; thence along a 300.000 meter radius curve right (the long chord of which bears South 74° 55' 00" East, 58.376 meters) a distance of 58.469 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 80° 50' 00" East, 79.747 meters) a distance of 80.285 meters; thence along a 400.000 meter radius curve right (the long chord of which bears South 87° 55' 00" East, 61.607 meters) a distance of 61.668 meters; thence South 83° 30' 00" East, 33.009 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 87° 20' 00" East, 26.742 meters) a distance of 26.762 meters to Engineers' Centerline Station L 5+586.428 PT, said station being 105.088 meters North and 13.783 meters East of the Brass Cap marking the One-Quarter Corner common to Sections 15 and 16, Township 22 South, Range 1 East of the Willamette Meridian; thence North 88° 50' 00" East, 12.845 meters; thence along a 200.000 meter

radius curve right (the long chord of which bears South 84° 20' 00" East, 47.593 meters) a distance of 47.706 meters; thence South 77° 30' 00" East, 14.843 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 83° 10' 00" East, 39.496 meters) a distance of 39.561 meters; thence South 88° 50' 00" East, 55.122 meters; thence along a 60.000 meter radius curve right (the long chord of which bears South 53° 40' 00" East, 69.115 meters) a distance of 73.653 meters; thence South 18° 30' 00" East, 57.440 meters; thence along a 150.000 meter radius curve left (the long chord of which bears South 28° 50' 00" East, 53.812 meters) a distance of 54.105 meters; thence South 39° 10' 00" East, 53.793 meters; thence along a 340.000 meter radius curve left (the long chord of which bears South 40° 50' 00" East, 19.778 meters) a distance of 19.780 meters; thence South 42° 30' 00" East, 18.998 meters; thence along a 180.000 meter radius curve right (the long chord of which bears South 34° 30' 00" East, 50.102 meters) a distance of 50.265 meters; thence South 26° 30' 00" East, 128.961 meters; thence along a 200.000 meter radius curve right (the long chord of which bears South 22° 30' 00" East, 27.903 meters) a distance of 27.925 meters; thence South 18° 30' 00" East, 58.820 meters; thence along a 280.000 meter radius curve left (the long chord of which bears South 30° 10' 00" East, 113.242 meters) a distance of 114.028 meters; thence South 41° 50' 00" East, 74.201 meters; thence along a 80.000 meter radius curve right (the long chord of which bears South 6° 50' 00" East, 91.772 meters) a distance of 97.738 meters; thence South 28° 10' 00" West, 49.686 meters; thence along a 250.000 meter radius curve left (the long chord of which bears South 18° 50' 00" West, 81.089 meters) a distance of 81.449 meters; thence South 9° 30' 00" West, 41.802 meters; thence along a 100.000 meter radius curve right (the long chord of which bears South 13° 00' 00" West, 12.210 meters) a distance of 12.217 meters; thence South 16° 30' 00" West, 44.738 meters; thence along a 70.000 meter radius curve left (the long chord of which bears South 4° 25' 00" East, 49.981 meters) a distance of 51.109 meters; thence South 25° 20' 00" East, 31.543 meters; thence along a 250.000 meter radius curve right (the long chord of which bears South 22° 40' 00" East, 23.263 meters) a distance of 23.271 meters; thence South 20° 00' 00" East, 74.667 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 33° 00' 00" East, 89.980 meters) a distance of 90.757 meters; thence South 46° 00' 00" East, 54.753 meters; thence along a 2000.000 meter radius curve left (the long chord of which bears South 46° 40' 00" East, 46.541 meters) a distance of 46.542 meters; thence South 47° 20' 00" East, 209.667 meters; thence along a 1000.000 meter radius curve left (the long chord of which bears South 49° 15' 00" East, 66.892 meters) a distance of 66.904 meters; thence South 51° 10' 00" East, 56.490 meters; thence along a 300.000 meter radius curve left (the long chord of which bears South 57° 10' 00" East, 62.717 meters) a distance of 62.832 meters; thence South 63° 10' 00" East, 49.429 meters; thence along a 200.000 meter radius curve right (the long chord of which bears South 54° 40' 00" East, 59.124 meters) a distance of 59.341 meters; thence along a 400.000 meter radius curve left (the long chord of which bears South 49° 30' 00" East, 46.516 meters) a distance of 46.542 meters; thence South 52° 50' 00" East, 33.418 meters; thence along a 250.000 meter radius curve left (the long chord of which bears South 69° 50' 00" East, 146.186 meters) a distance of 148.353 meters; thence South 86° 50' 00" East, 29.794 meters; thence along a 200.000 meter radius curve right (the long chord of which bears South 69° 40' 00" East, 118.061 meters) a distance of 119.846 meters; thence South 52° 30' 00" East, 32.130 meters; thence along a 500.000 meter radius curve right (the long chord of which bears South 50° 30' 00" East, 34.899 meters) a distance of 34.907 meters; thence South 48° 30' 00" East, 25.209 meters; thence along a 150.000 meter radius curve left (the long chord of which bears South 59° 15' 00" East, 55.957 meters) a distance of 56.287 meters; thence South 70° 00' 00" East, 127.118 meters; thence along a 300.000 meter radius curve left (the long chord of which bears South 78° 50' 00" East, 92.136 meters) a distance of 92.502 meters; thence South 87° 40' 00" East, 47.505 meters; thence along a 230.000 meter radius curve right (the long chord of which bears South 78° 55' 00" East, 69.977 meters) a distance of 70.250 meters; thence South 70° 10' 00" East, 31.388 meters; thence along a 250.000 meter radius curve right (the long chord of which bears South 61° 15' 00"



East, 77.499 meters) a distance of 77.813 meters; thence South 52° 20' 00" East, 112.119 meters; thence along a 250.000 meter radius curve right (the long chord of which bears South 48° 55' 00" East, 29.798 meters) a distance of 29.816 meters; thence South 45° 30' 00" East, 36.422 meters; thence along a 200.000 meter radius curve left (the long chord of which bears South 51° 50' 00" East, 44.125 meters) a distance of 44.215 meters; thence South 58° 10' 00" East, 22.462 meters; thence along a 140.000 meter radius curve right (the long chord of which bears South 40° 30' 00" East, 84.974 meters) a distance of 86.336 meters; thence South 22° 50' 00" East, 21.689 meters to Engineers' Centerline Station L 9+019.529 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>
L 0+103.606 BOP	L 9+019.529 EOP	10.058 meters	
L 0+103.606 BOP	L 1+715.000 POC		10.058 meters
L 1+715.000 POC	L 1+715.000 POC		10.058 meters tapering on a straight line to 25 meters
L 1+715.000 POC	L 1+820.000 POC		25 meters
L 1+820.000 POC	L 1+820.000 POC		25 meters tapering on a straight line to 10.58 meters
L 1+820.000 POC	L 2+920.000 POT		10.058 meters
L 2+920.000 POT	L 2+920.000 POT		10.58 meters tapering on a straight line to 25 meters
L 2+920.000 POT	L 3+014.000 POT		25 meters
L 3+014.000 POT	L 3+014.000 POT		25 meters tapering on a straight line to 10.58 meters
L 3+014.000 POT	L 9+019.529 EOP		10.058 meters

The bearings used herein are based on a bearing of South 40° 27' 11" East between L.C.C.M. "DISS" and a temporary GPS station #60 recorded in Field Book #1692 of the Lane County Engineers Office. Said bearing based upon the Oregon Coordinate System (NAD 83/91), South Zone.

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

File No. 4128

IN THE MATTER OF THE ALTERATION OF A PORTION	)	
OF BRICE CREEK ROAD (PORTIONS OF COUNTY ROAD	)	
NUMBERS 81, 737, AND 1207) LOCATED IN SECTIONS 7, 8,	)	DIRECTOR'S
9, 15,16, 22, AND 23, TOWNSHIP 22 SOUTH, RANGE 1 EAST	)	REPORT
OF THE WILLAMETTE MERIDIAN.	)	

Brice Creek Road, as it is commonly known, is a rural minor collector, located about 16 miles east of Cottage Grove and runs from the easterly end of Row River Road to Champion Creek Road. The portion of road to be altered begins at the Willamette Meridian and traverses across Umpqua National Forest land in a southeasterly direction until it meets Champion Creek Road.

The road consists of portions of County Road No. 81, established in 1897; County Road No. 737, established in 1914; and County Road No. 1207, established in 1942. At some point portions of the road were altered, and in 1976 the United States Department of Agriculture, Forest Service, granted a 66-foot wide easement to Lane County for public road purposes over the realigned right of way. The Board of Commissioners accepted the right of way as a County Road in 1998 by approving Order Number 98-4-1-17.

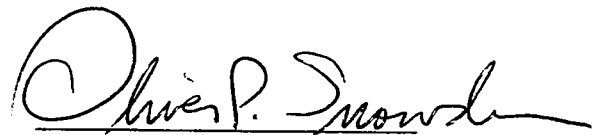
Sharp horizontal curvature with limited sight distance due to uphill side slopes, as well as erosion up to the pavements edge in a few places, indicated a need for improvement for the safety of the traveling public on this road. The Board of Commissioners adopted the Capital Improvement Program for FY 2002-06 authorizing Lane County Department of Public Works to make necessary safety improvements on Brice Creek Road. The improvements to Brice Creek Road have been completed and were funded with Oregon Forest Highway monies.

The Forest Service has conveyed a new deed, recorded August 6, 2004 on Instrument No. 2004-061900, amending the previous easement and granting additional right of way along portions of the road where improvements were made. An Order of Alteration to legally alter this portion of Brice Creek Road has been prepared. The Order provides for acceptance of said deed and also vacates any portion of former right of way lying between the termini which is not included within the limits of the road as described in the legal description of the new alignment, marked Exhibit "A" and attached to the Order of Alteration.

The Public Works Department has surveyed the subject portion of Brice Creek Road in compliance with ORS Chapters 209.250 and 368.106 and has filed a road survey County Survey File No. 39357 in the Lane County Surveyor's Office.

The public interest will be served by the alteration of this road. It is therefore recommended that the Order of Alteration and related attachments be approved and that it be filed with the County Clerk and entered in the Board of Commissioners Journal of Administration. The Order of Alteration and the road survey will then 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 26<sup>th</sup> day of September, 2005.



Oliver P. Snowden, Director  
Department of Public Works

Sections 7, 8, 9, 15, 16, 22, & 23 T. 22S. R. 1 E. W.M.

LANE COUNTY

NO SCALE

