

Memorandum Date: June 8, 2007
Order Date: June 27, 2007

TO: Board of County Commissioners

DEPARTMENT: Public Works, Land Management Division

PRESENTED BY: Bill Robinson, Lane County Surveyor *BR*

AGENDA ITEM TITLE: IN THE MATTER OF ACCEPTING A DEED OF LAND TO BE USED AS PUBLIC AND COUNTY ROAD EASEMENT (CO. RD. NO. 2151, THIRD ST., AKA PIONEER PARKWAY EAST) AND AUTHORIZING COUNTY ADMINISTRATOR'S CONSENT TO ANNEXATION OF PROPERTY TO THE CITY OF SPRINGFIELD (MARTIN LUTHER KING, JR. PARKWAY AND THIRD ST.) (17-03-22 & 27)

I. MOTION

TO ACCEPT A DEED OF LAND TO BE USED AS PUBLIC AND COUNTY ROAD EASEMENT (CO. RD. NO. 2151, THIRD ST., AKA PIONEER PARKWAY EAST) AND TO AUTHORIZE COUNTY ADMINISTRATOR'S CONSENT TO ANNEXATION OF PROPERTY TO THE CITY OF SPRINGFIELD (MARTIN LUTHER KING, JR. PARKWAY AND THIRD ST.) (17-03-22 & 27)

II. AGENDA ITEM SUMMARY

The Board is being asked to accept a deed of county owned land to be used as public and county right of way for County Road No. 2151 (Third Street, also known as Pioneer Parkway East). In addition, the Board is being asked to authorize the County Administrator to consent to annexation of property to the City of Springfield.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Both the Dedication and the Authorization of Consent to Annexation addressed in this proceeding are part of an eventual planned surrender of certain rights of way presently under county jurisdiction to the City of Springfield. The dedication and annexation must both necessarily be approved prior to the surrender. All portions of the rights of way included in these proceedings are located within the City of Springfield Urban Growth Boundary.

The Dedication portion of this proceeding (see Dedication Map attached as Attachment "A") consists of a parcel of county owned land which was acquired in 1973 by warranty deed recorded November 5, 1973 on Reel 663, Recorder's Reception No. 7350074, located in the vicinity of the intersection of Third Street and Hayden Bridge Way (County Road No. 667). It will be dedicated as part of County Road No. 2151 (established as Third Street, later named Pioneer Parkway East), which was established in 1979 by Board of County Commissioners Resolution and Final Order No. 79-5-23-3.

The Authorization of Consent to Annexation portion of this proceeding (see attached Petition for Annexation and Annexation Map labeled Exhibit "B") consists of a portion of right of way in the vicinity of the junction of Beltline Road, Game Farm Road and Martin Luther King, Jr. Parkway; a portion of Martin Luther King, Jr. Parkway from Game Farm road south to Hayden Bridge Way; and a portion of Third Street (Pioneer Parkway East) from Hayden Bridge Way south to the existing Springfield city limits at approximately the south boundary line of tax lot 1700 of Assessor's Map 17-03-27-11 in the vicinity of the intersection of Pioneer Parkway East and T Street.

The completion of this Dedication and Authorization of Consent to Annexation will facilitate the subsequent surrender of these portions of right of way to the City of Springfield that are no longer required nor desirable as part of the county road system.

B. Policy Issues

Lane Manual 15.105 provides for the dedication and acceptance of right of way for public roads as authorized by ORS chapters 215 and 368. Lane Manual 15.200 provides for the acceptance of public road dedications as County Roads. The Dedication herein considered is within the scope of these guidelines. The Authorization of Consent to Annexation herein considered is consistent with the County/City Roads Partnership Program Agreement of July, 2004. The Public's interest was determined to be benefited when this agreement was reached

C. Board Goals

Part of Lane County's Strategic Plan is to contribute to appropriate community development in the area of transportation and land development (Lane County Strategic Plan, Goals, P. 13). The Dedication and Authorization of Consent to Annexation herein considered will facilitate the subsequent surrender of these portions of right of way to the City of Springfield, which in turn will allow incorporation of these rights of way into the City of Springfield's transportation system.

D. Financial and/or Resource Considerations

The Dedication and Authorization of Consent to Annexation herein considered will facilitate the subsequent surrender of portions of right of way to the City of Springfield, which in turn will reduce County maintenance expenses and liabilities in a time when the continuation of federal payments that benefit the County's Road Fund are in jeopardy.

IV. ANALYSIS

All portions of the rights of way included in these proceedings are located within the City of Springfield Urban Growth Boundary. The Dedication of a parcel of county owned land as part of County Road No. 2151 as shown in Dedication Map Attachment "A", along with the Authorization of Consent to Annexation of the portions of right of way as shown in Annexation Map Exhibit "B" will facilitate the subsequent surrender of said rights of way to the City of Springfield. These actions are consistent with Lane County policies and governing statutes, and will be of benefit to the public by allowing for the ultimate transfer of these rights of way to the City of Springfield for incorporation into their transportation system, and will allow the City to maintain, develop and improve these roads, as needed, to the City's specifications, standards and timetable.

V. ALTERNATIVES/OPTIONS

The Board of County Commissioners has the option to:

1. Approve the Order of Dedication and Authorization of Consent to Annexation as presented herein.
2. Deny the Order of Dedication and Authorization of Consent to Annexation as presented herein.
3. Continue the matter for further consideration.

VI. TIMING/IMPLEMENTATION

Timing of this matter is important in order to facilitate the timely annexation and surrender of the rights of way considered herein.

VII. RECOMMENDATION

The Surveyor's Office recommends approval of the Order of Dedication and Authorization of Consent to Annexation as presented herein and shown on Dedication Map Attachment "A" and Annexation Map Exhibit "B". Approval of these actions will facilitate the subsequent surrender of these rights of way to the City of Springfield. It will be in the public interest that the City of Springfield have jurisdiction over these rights of way to maintain, develop and improve these roads, as needed, to the City's specifications, standards and timetable.

VIII. FOLLOW-UP

If the Board of County Commissioners approves the Order of Dedication and Authorization of Consent to Annexation, it is to be forwarded to the Lane County Clerk. The County Clerk shall file the Final Order in the Commissioner's Journal of Administration

and forward copies to the Lane County Surveyor and the Department of Public Works Director for updating appropriate indexes and County Road Records. If the Order is not approved, an Order to Deny will be presented to the Board at a later regularly scheduled meeting.

IX. ATTACHMENTS

Order w/attachments:

Dedication

Dedication Map - Attachment "A"

Petition for Annexation with legal description and Annexation Map Exhibit "B"

Contact Person: Bill Robinson x-4198

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON**

ORIGINAL

**IN THE MATTER OF ACCEPTING A DEED OF LAND TO)
BE USED AS PUBLIC AND COUNTY ROAD EASEMENT) ORDER NO.
(CO. RD. NO. 2151, THIRD ST., AKA PIONEER PARKWAY)
EAST) AND AUTHORIZING COUNTY ADMINISTRATOR'S)
CONSENT TO ANNEXATION OF PROPERTY TO THE CITY)
OF SPRINGFIELD (MARTIN LUTHER KING, JR.)
PARKWAY AND THIRD ST.) (17-03-22 & 27))**

THIS MATTER now coming before the Board of County Commissioners of Lane County, and the Board deeming it to be in the best interest of Lane County and the public to dedicate a portion of that certain tract of land conveyed to Lane County by warranty deed recorded November 5, 1973 on Reel 663, Recorder's Reception Number 7350074, Lane County, Oregon Deed Records; and

WHEREAS, the Lane County Board of Commissioners have been provided a good and sufficient deed forever dedicating a portion of the land for public road purposes and expressly as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street), and the Board of County Commissioners of Lane County deeming it proper, as a convenience for property owners in the area and as a benefit to the general public, to accept said deed for a public road easement; and

WHEREAS, the Board of County Commissioners of Lane County also deem it to be in the best interest of Lane County and the public to authorize Lane County Administrator's consent to the annexation of property described in the petition for annexation attached hereto and made a part hereof by this Order; and

NOW, THEREFORE, IT IS HEREBY ORDERED that the said deed shall be and is hereby accepted by the Board of County Commissioners of Lane County as a public road easement; and

IT IS FURTHER ORDERED that the right of way described in said deed is expressly accepted as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street) by this Order; and

IT IS FURTHER ORDERED that authorization is hereby given to the County Administrator to sign said petition for annexation on behalf of Lane County; and

IT IS FURTHER ORDERED that this Order shall be entered in the records of the Board of County Commissioners' Journal of Administration and in the corresponding road records files of the County Surveyor's Office; and

IT IS FURTHER ORDERED that the deed and the petition for annexation be recorded in the Deed Records of the County and the Document Numbers be noted on this Order.

DATED this _____ day of _____, 2007.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

ORIGINAL

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

LANE COUNTY BOARD OF
COMMISSIONERS

Approved JUNE 1, 2007.

By _____
Chair

By C. Craig Starr
Craig Starr, Interim Division Manager

APPROVED AS TO FORM

Date 6-14-07 lane county

[Signature]
OFFICE OF LEGAL COUNSEL

Document Number _____ (Deed), Lane County, Oregon Deed Records.

Document Number _____ (Petition for Annexation), Lane County, Oregon Deed Records.

Attachments:

Dedication with Dedication Map Attachment "A"

Petition for Annexation including legal description and Annexation Map Exhibit "B"

After Recording Return to, and
 Send tax statements to:
 Lane County Public Works
 Right of Way Management Section
 3040 N. Delta Highway
 Eugene, Oregon 97408

DEDICATION OF A PUBLIC ROAD EASEMENT

LANE COUNTY, a political subdivision of the State of Oregon, GRANTOR, grants and dedicates to the PUBLIC for public and County Road purposes, and expressly as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street), a public road easement on and over the following described property:

A parcel of land lying in the Southeast one-quarter (SE 1/4) of Section 22 and the Northeast one-quarter (NE 1/4) of Section 27, Township 17 South, Range 3 West, of the Willamette Meridian, Lane County, Oregon, and being a portion of that tract of land conveyed to LANE COUNTY, a political subdivision of the State of Oregon, by that certain deed recorded November 5, 1973, on Reel 663, Recorder's Reception Number 7350074, LANE COUNTY OREGON DEED RECORDS, said parcel being described as follows:

"Beginning at a point which is the intersection of the Easterly right of way of the Southern Pacific Company's Harrisburg Branch and the North line of the Jacob Halstead Donation Land Claim No. 47 in Township 17 South, Range 3 West of the Willamette Meridian and running thence South 89°50' East 150.0 feet along said North line; thence South 0°17' West 591.3 feet to a point in the Easterly right of way of said Railroad; thence North 13°56' West 609.65 feet to the point of beginning, said point of beginning being 3187.95 feet North and 3102.8 feet West of the Southeast corner of said Donation Land Claim, containing 1.0 acres, more or less, in Lane County, Oregon", except that portion lying within the right of way of County Road Number 667 (Hayden Bridge Way), also except that portion lying within the right of way of County Road Number 2151 (Pioneer Parkway East, which was established as Third Street).

The bearings used herein are based on that certain deed recorded November 5, 1973, on Reel 663, Recorder's Reception Number 7350074, LANE COUNTY OREGON DEED RECORDS.

It is the intent of the GRANTOR to dedicate all of the above tract of land lying outside the existing right of way lines of County Road Number 667 (Hayden Bridge Way) and County Road Number 2151 (Pioneer Parkway East, which was established as Third Street).

Said parcel being forever dedicated to the use of the public for road purposes, and granting a public road easement, and expressly as a portion of County Road Number 2151 (Pioneer Parkway East, originally established as Third Street).

There is no consideration for this dedication.

Dated this _____ day of _____, 20____.

 Commissioner

 Commissioner

Commissioner

Commissioner

Commissioner

STATE OF OREGON)
) ss.
County of Lane)

On _____, 20____, personally appeared the above-named _____,

_____, _____, _____
and _____, County Commissioners of Lane County, Oregon who
acknowledged the foregoing instrument to be a voluntary act before me.

Notary Public for Oregon

My Commission Expires: _____

DEPARTMENT OF PUBLIC
WORKS, LAND MANAGEMENT
DIVISION

Approved June 1, 20 07

By 
Craig Starr, Interim Division Manager

The Board of Commissioners hereby accepts this dedication
as described herein and approves it for recording.

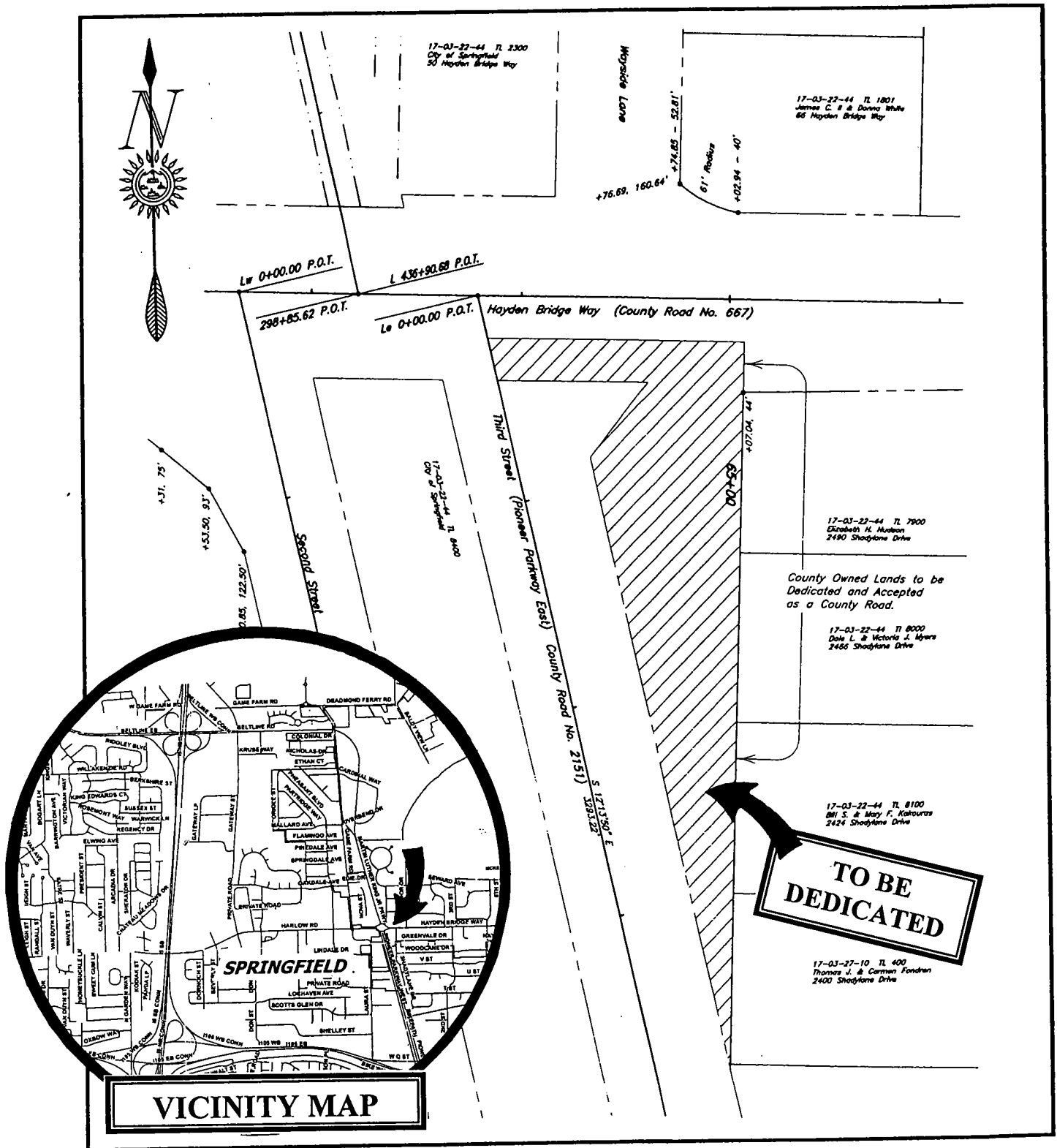
LANE COUNTY BOARD OF COMMISSIONERS

By: _____
Faye Stewart, Chair
Lane County Board of Commissioners

DEDICATION MAP – ATTACHMENT A

ORIGINAL

SE ¼ SECTION 22, NE ¼ SECTION 27, T17S, R3W, W.M.
LANE COUNTY, OREGON



FORM #1

PETITION

ANNEXATION TO THE CITY OF SPRINGFIELD

TO: LANE COUNTY LOCAL GOVERNMENT BOUNDARY COMMISSION

We, the undersigned, constitute the owners of at least one-half of the land area of the property described in the attachment marked "Exhibit A" AND

Lane County hereby consents to the annexation of the property described in the attachment marked "Exhibit A" to the City of Springfield. A map is attached marked "Exhibit B", showing the affected territory and its relationship to the present city limit boundaries.

The annexation constitutes a minor boundary change under the Boundary Commission Act and should therefore be considered by the Boundary Commission and, after study, a Final Order should be entered by the Boundary Commission.

Lane County, by and through its Board of Commissioners

By _____ Date _____
William A. Van Vactor, County Administrator

By _____ Date _____

By _____ Date _____

By _____ Date _____

MAP# 17-03-22-41 LOT# X 17-03-27-11 TL=X

MAP# 17-03-22-44 LOT# X 17-03-26-22 TL=X

MAP# 17-03-22-00 LOT# 3200 & 3300

With the above signature, I am verifying that I have the authority to consent to the annexation on my own behalf or on behalf of my firm, agency or trust.

MLK Annexation Description

Beginning at the Northwest corner of Lot 11 of Buena Vista, First Addition, filed and recorded in Book 20, Page 25, Plat Records of Lane County Oregon.

Thence South $88^{\circ} 06' 40''$ East a distance of 26.54 feet along the Northerly line of said Buena Vista to the current Easterly right of way line of Martin Luther King Jr. Parkway.

Thence along the said Easterly right of way the following 5 courses:

- 1) South $12^{\circ} 13' 50''$ East a distance of 1745.70 feet, more or less to a point of curvature;
- 2) Thence with a non tangent curve turning to the left, with an arc length of 259.89 feet, with a radius of 1487.00 feet, with a chord bearing of South $19^{\circ} 20' 20''$ East, with a chord length of 259.56 feet, to a point;
- 3) Thence South $43^{\circ} 22' 54''$ East a distance of 21.03 feet;
- 4) Thence South $27^{\circ} 53' 20''$ East a distance of 68.54 feet;
- 5) Thence North $72^{\circ} 39' 32''$ East a distance of 22.45 feet to a point on the Westerly right of way of Wayside Lane;

Thence South $88^{\circ} 06' 50''$ East a distance of 60.00 feet across Wayside Lane to a point on the Easterly right of way;

Thence South $01^{\circ} 53' 10''$ West a distance of 100.08 feet along the said Westerly right of way to a point of curvature;

Thence with a non tangent curve turning to the left, with an arc length of 31.22 feet, with a radius of 61.00 feet, with a chord bearing of South $63^{\circ} 34' 32''$ East, with a chord length of 30.88 feet to a point on the Northerly right of way of Hayden Bridge Way;

Thence along the Northerly right of way of Hayden Bridge Way South $88^{\circ} 05' 23''$ East a distance of 12.06 feet;

Thence leaving the Northerly right of way along the match line of the concrete-asphalt joint in Hayden Bridge Way South $01^{\circ} 54' 37''$ West a distance of 83.78 feet to a point on the Southerly right of way of Hayden Bridge Way;

Thence along the
Southerly right of way of Hayden Bridge Way North $89^{\circ} 40' 34''$ West a distance of 7.96 feet;

Thence Leaving the Southerly Hayden Bridge Way right of way and along the Easterly right of way of Pioneer Parkway, which is also the Westerly line of Grovedale, as platted and Recorded in Book 18, Page 25, plat records of Lane County, Oregon, South 02°00'35" West a distance of 317.93 Feet;

Thence leaving plat boundary and continuing along the Easterly right of way of Pioneer Parkway South 12° 13' 50" East a distance of 79.47 feet; to the intersection with the North line of Lot 6 of above said Grovedale which is the current City Limits line,

Thence along the existing city limits line the following courses:

1) Thence along the now vacated North line of Lot 6 of Grovedale North 88° 05' 23" West a distance of 19.55 feet to the former Northwest corner thereof,

2) Thence along the now vacated Westerly boundary of said Grovedale South 02° 00' 35" West a distance of 166.84 feet to a point of intersection with the now vacated Westerly right of way of Third Street which is was also the Easterly right of way of the now vacated Southern Pacific Railroad line;

3) Thence continuing along the last said right of way South 12°13'50" East a distance of 935.87 feet to a angle point in the city limits;

4) Thence leaving the last said right of way and across Pioneer Parkway right of way along the city limits line, North 88° 15' 24" West a distance of 113.35 feet to a point on the Westerly right of way of Pioneer Parkway;

Thence along the Westerly right of way of Pioneer Parkway North 12° 13' 50" West a distance of 1404.46 feet to a point that intersects a corner the current city limits;

Thence along the current city limits line the following 5 courses:

1) Thence North 12° 18' 23" West a distance of 82.70 feet;

2) Thence North 49° 32' 14" West a distance of 48.31 feet;

3) Thence North 88° 05' 23" West a distance of 7.50 feet;

4) Thence North 01° 54' 37" East a distance of 81.50 feet;

5) Thence North 88° 05' 35" West a distance of 212.64 feet to a point of intersection with the Northerly right of way of Hayden Bridge Way;

Thence leaving the Northerly right of way of Hayden Bridge Way along the Westerly right of way of Martin Luther King Jr. Parkway the following 16 courses:

1) Thence North 83° 09' 10" East a distance of 39.46 feet;

- 2) Thence South $88^{\circ} 06' 03''$ East a distance of 24.02 feet;
 - 3) Thence North $82^{\circ} 41' 38''$ East a distance of 37.46 feet;
 - 4) Thence North $77^{\circ} 23' 02''$ East a distance of 61.99 feet;
 - 5) Thence North $53^{\circ} 34' 34''$ East a distance of 20.58 feet;
 - 6) Thence with a curve turning to the left, with an arc length of 48.77 feet, with a radius of 71.00 feet, with a chord bearing of North $52^{\circ} 47' 02''$ East, with a chord length of 48.77 feet;
 - 7) Thence with a curve turning to the left, with an arc length of 49.56 feet, with a radius of 88.00 feet, with a chord bearing of North $16^{\circ} 36' 04''$ East, with a chord length of 48.90 feet;
 - 8) Thence North $00^{\circ} 19' 55''$ East a distance of 52.87 feet;
 - 9) Thence North $12^{\circ} 13' 50''$ West a distance of 202.00 feet;
 - 10) Thence North $17^{\circ} 18' 37''$ West a distance of 45.18 feet;
 - 11) Thence North $14^{\circ} 55' 32''$ West a distance of 32.04 feet;
 - 12) Thence North $01^{\circ} 13' 58''$ East a distance of 23.65 feet;
 - 13) Thence North $12^{\circ} 13' 50''$ West a distance of 1601.16 feet;
 - 14) Thence North $14^{\circ} 08' 23''$ West a distance of 90.05 feet;
 - 15) Thence North $21^{\circ} 18' 09''$ West a distance of 12.11 feet;
 - 16) Thence North $13^{\circ} 31' 25''$ West a distance of 9.98 feet to a point of intersection with the Southwesterly boundary of the abandoned Southern Pacific Railroad right of way;
- Thence leaving the Westerly right of way of Martin Luther King Jr. Parkway and along the said abandon railroad right of way, with a curve turning to the left, with an arc length of 274.32 feet, with a radius of 925.04 feet, with a chord bearing of North $31^{\circ} 34' 37''$ West, with a chord length of 273.31 feet;
- Thence North $40^{\circ} 07' 36''$ West a distance of 175.36 feet to a point on the Easterly right of way of Game Farm Road;
- Thence North $02^{\circ} 25' 01''$ West a distance of 98.28 feet along the Easterly right of way of Game Farm Road to a point where the right of way makes a jog;

Thence continuing along the Easterly Game Farm Road Right of way South $39^{\circ} 51' 38''$ East a distance of 24.10 feet to a point where the right of way intersect the Northerly line of the above said abandoned railroad right of way;

Thence leaving the Easterly line of Game Farm Road and along the Northerly line of the above said abandon rail road right of way, South $40^{\circ} 07' 36''$ East a distance of 229.01 feet;

Thence with a curve turning to the right, with an arc length of 330.43 feet, with a radius of 985.04 feet, with a chord bearing of South $30^{\circ} 27' 57''$ East, with a chord length of 328.88 feet to the point of beginning.

And also including:

Beginning at a point on the easterly right-of-way line of Game Farm Road which bears North $88^{\circ} 52' 20''$ East a distance of 65.00 feet, North $1^{\circ} 07' 40''$ West a distance of 28.99 feet and North $2^{\circ} 24' 44''$ West a distance of 286.56 feet from the northeast corner of Lot 11 of Zachary Place as platted and recorded in Book 75 at Pages 852 thru 854 of the Lane County Oregon Plat Records; thence northerly along said right-of-way line, of varying width, a distance of 172 feet, more or less, to the projection of the north right-of-way line of Beltline Road; thence, leaving said right-of-way along said projected line westerly a distance of 55 feet, more or less, to the westerly right-of-way of Game Farm Road; thence, leaving said projected line along said westerly right-of-way southerly a distance of 176 feet, more or less, to a point which lays on the same line, when measured perpendicular to the centerline of Game Farm Road, as the point of beginning; thence, leaving said westerly right-of-way North $87^{\circ} 35' 16''$ East a distance of 50 feet, more or less, to the point of beginning.

P:\8300-001-07\SURVEY\MLK Annexation Description.doc

City of Springfield
MLK Parkway Annexation

April 6, 2007

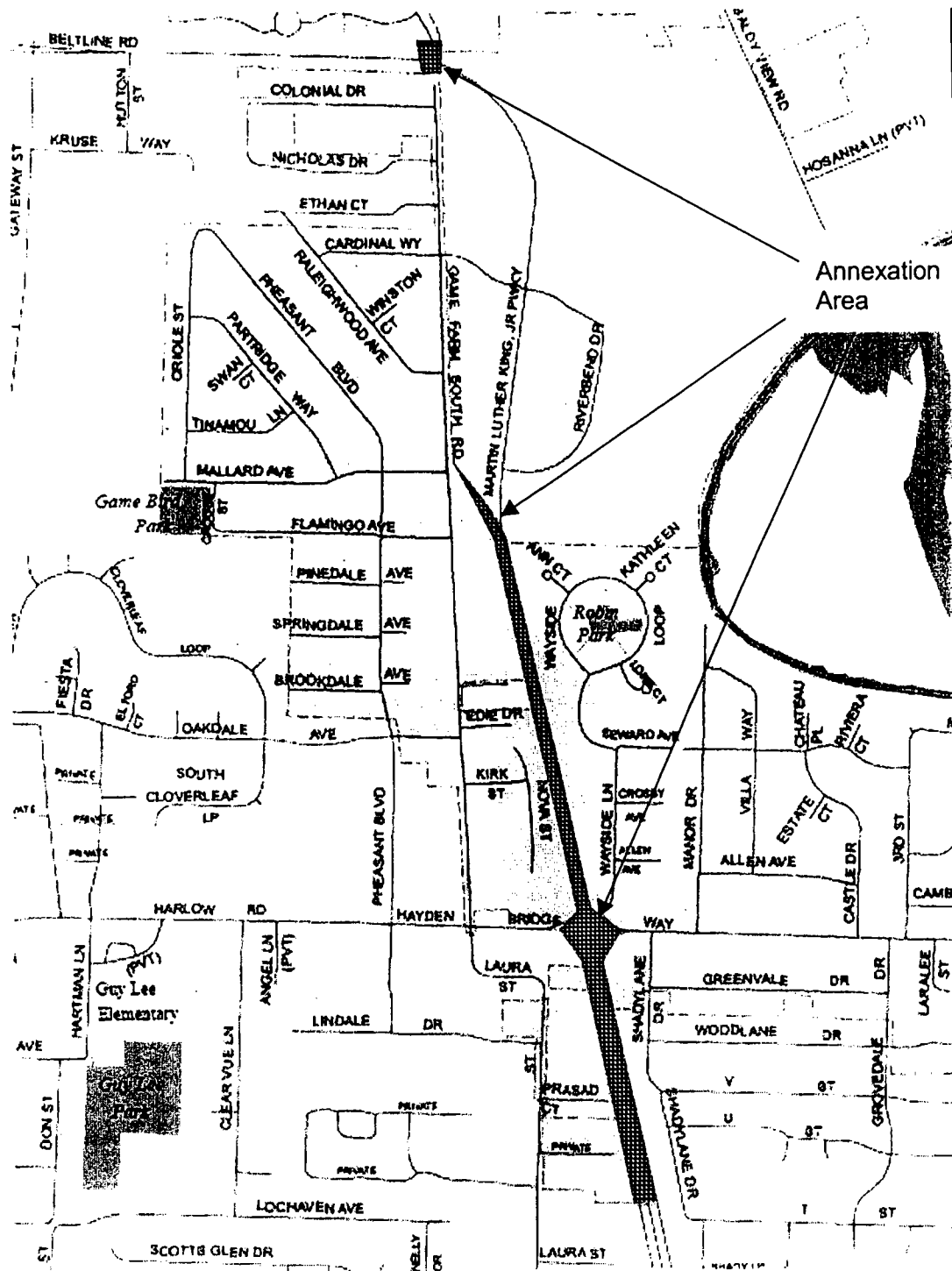


EXHIBIT B
ANNEXATION MAP

