


W. Z. E. I.

ORIGINAL

Memorandum Date: July 7, 2008
Order Date: July 30, 2008

TO: Board of County Commissioners
DEPARTMENT: Public Works/Land Management/Surveyors
PRESENTED BY: D. Michael Jackson, Lane County Surveyor 
AGENDA ITEM TITLE: IN THE MATTER OF DEDICATING LAND OWNED BY LANE COUNTY AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES FOR CANARY ROAD SOUTH (COUNTY ROAD NUMBER 606) (19-11-17)

I. MOTION

TO APPROVE THE ORDER DEDICATING LAND OWNED BY LANE COUNTY AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES FOR CANARY ROAD SOUTH (COUNTY ROAD NUMBER 606), IN SECTION 17, TOWNSHIP 19 SOUTH, RANGE 11 WEST OF THE WILLAMETTE MERIDIAN.

II. AGENDA ITEM SUMMARY

The Board is being asked to decide whether or not to dedicate land owned by Lane County and accept it as a public road easement for Canary Road South (County Road Number 606), in Section 17, Township 19 South, Range 11 West of the Willamette Meridian.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Canary Road South (County Road 606) is a Rural Major Collector established in 1893 as a 60.00 foot wide County Road. The adoption of Capital Improvement Program FY 92/93-FY 96/97 authorized Lane County to initiate property acquisitions for the Canary Road South, mp 0.32 Bridge Project.

Property was acquired by Lane County for the purpose of widening the right of way of Canary Road South (County Road Number 606) in the vicinity of County Bridge #19-11W-17B. Additionally, a Record of Survey was filed with Lane County Surveyor's Office, County Survey No. 32130, but no final order establishing additional right-of-way for the Canary Road South was completed.

The Surveyor's Office has received a request from the Right of Way Management section of the Department of Public Works to dedicate land owned by Lane County and accept it as a public road easement for Canary Road South (County Road Number 606).

B. Policy Issues

Lane Code Chapter 15 provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan. Also, the Capital Improvement Program FY 92/93-FY 96/97 authorized Lane County to initiate property acquisitions for the Canary Road South, mp 0.32 Bridge Project.

C. Board Goals

Lane County Government exists to ensure the safety and well being of the people who live, work and visit our communities. That includes personal safety, security of property, preservation of infrastructure, health safety, and assisting in providing for our citizens' basic needs. One such goal is to protect the public's assets by maintaining, replacing or upgrading the County's investments in systems and capital infrastructure. (GOALS, LANE COUNTY STRATEGIC PLAN 2001-2005, Page 13).

D. Financial and/or Resource Considerations

This acquisition was part of a Lane County Capital Improvement Project. All improvements have been made. Moreover, no additional cost will be incurred as a result of completing the dedication and acceptance of right of way for Canary Road South.

E. Analysis

Through the adoption of FY 92/93-FY 96/97 Capital Improvement Program, Order No. 92-4-28-10, Lane County Public Works was granted authority to acquire real property in order to make bridge improvements. The land owned by Lane County was acquired for the purposes of widening Canary Road South. The dedication and acceptance of land owned by Lane County will ensure that adjacent land owners and the public have access to the County road and that it be maintained as such.

F. Alternatives/Options

The Board of County Commissioners has the options to:

1. Dedicate land owned by Lane County and accept it as right of way to be used for Public and County road purposes.
2. Not dedicate land owned by Lane County and/or deny the acceptance of it for Public and County road purposes as referred to in the Order.
3. Continue the matter for further consideration.

IV. TIMING/IMPLEMENTATION

Implementation of the proposed order will ensure that adjacent landowners have legal access and that the land is maintained as a County Road.

V. RECOMMENDATION

It is recommended by the Public Works Director that the Board support Alternative Number 1, approving the Dedication of County owned land and accepting it for public road purposes and as County Road.

VI. FOLLOW-UP

If the Board of County Commissioners approves the order dedicating land owned by Lane County and accepting it as a public road easement as part of Canary Road South (County Road Number 606), it is to be entered in the records of the Board of County Commissioners Journal of Administration after which it is to be forwarded to the Lane County Recorder for filing in the Commissioners Journal, after which copies are to be forwarded to the County Surveyor and County Assessor for appropriate action.

VII. ATTACHMENTS

Order with Attachments:
Dedication of Public Road Easement
Attachment "A" Map

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANE COUNTY, OREGON

IN THE MATTER OF DEDICATING LAND OWNED)
BY LANE COUNTY AND ACCEPTING IT FOR) ORDER NO.
PUBLIC AND COUNTY ROAD PURPOSES FOR)
CANARY ROAD SOUTH)
(COUNTY ROAD NUMBER 606) (19-11-17))

THIS MATTER now coming before the Board of County Commissioners of Lane County, Oregon and the said Board deeming it in the best interest of Lane County to dedicate to the public the real property which was conveyed to Lane County by that certain deed from DAVIDSON INDUSTRIES, INC, recorded on reel 1834R, Recorder's Reception number 9316863 Lane County, Oregon Deed Records, a surveyed alignment of which is filed under County Survey File Number 32130, Lane County Surveyor's Office, and

WHEREAS, the Department of Public Works acquired said real property for Lane County for the purpose of widening the right of way of Canary Road South (County Road Number 606) in the vicinity of County Bridge #19-11W-17B, and

WHEREAS, The Board of County Commissioners of Lane County has been provided a valid dedication, recorded on reception number _____, Lane County, Oregon Records;

NOW, THEREFORE, IT IS HEREBY ORDERED that the said dedication shall be and is hereby accepted by the Board of County Commissioners of Lane County as a public road easement, and is expressly accepted as a County Road, having a right of way width as noted on the dedication marked "DEDICATION OF PUBLIC ROAD EASEMENT," attached hereto and made a part hereof by this Order; 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 road records for County Road Number 606 in the regular numbered road files in the County Surveyor's Office;

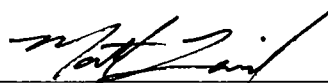
DATED this _____ day of _____, 2008.

DEPARTMENT OF PUBLIC WORKS
LAND MANAGEMENT DIVISION

BOARD OF COUNTY
COMMISSIONERS
LANE COUNTY, OREGON

Approved July 7, 2008

Chair

By 
Matt Laird, Division Manager

APPROVED AS TO FORM

Date 7-17-08 lane county


OFFICE OF LEGAL COUNSEL

DEDICATION OF PUBLIC ROAD EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Lane County, a political subdivision of the State of Oregon, is the owner of certain real property, and that Lane County acquired title by that certain deed from DAVIDSON INDUSTRIES, INC, an Oregon Corporation, recorded on reel 1834R, Recorder's Reception Number 9316863 Lane County, Oregon Deed Records; and that said Lane County does hereby dedicate to the free use of the public, for public and County road purposes and expressly for widening a County road, the following described tract of land, to-wit:

A parcel of land lying in the Southeast One Quarter of the Northeast One Quarter (SE1/4NE1/4) and the Northeast One Quarter of the Southeast One Quarter (NE1/4SE1/4) of Section 17, Township 19 South, Range 11 West of the Willamette Meridian, Lane County, Oregon, and being more particularly described as follows:

A strip of land variable feet in width lying on the easterly side of the centerline of Canary Road South survey as said road has been resurveyed in 1994, the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L 48+82.83 PT said station being 195.94 feet North and 799.49 feet West of a Brass Cap marking the East Quarter Corner of Section 17 in Section 17, Township 19 South, Range 11 West of the Willamette Meridian, Lane County, Oregon; run thence South 14° 36' 56" West, 217.17 feet to Engineer's Centerline Station L 51+00.00 POT, and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON WESTERLY SIDE OF C/LINE</u>	<u>WIDTH ON EASTERLY SIDE OF C/LINE</u>
L 49+00.00 POT	L 49+25.00 POT		30 ft tapering on a straight line to 40 ft
L 49+25.00 POT	L 50+00.00 POT		40 ft
L 50+00.00 POT	L 50+50.00 POT		40 ft tapering on a straight line to 30 ft

The easterly line of the above described strip of land crosses Grantor's westerly property line opposite Engineer's Station L 49+00 POT and L 50+50 POT.

The parcel of land to which this description applies contains .03 acres, more or less, exclusive of existing right of way.

The bearings used herein are based upon a bearing of North 74°51'02" East between control points Canary & M1, Oregon Coordinate System of 1927, South Zone.

It being the intent herein to widen County Road Number 606 to variable feet from centerline on the easterly side of the centerline as road was surveyed in 1994.

There is no consideration for this dedication.

DATED this _____ day of _____, 2008

Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

STATE OF OREGON) SS.
COUNTY OF LANE)

On _____, 2008, personally appeared the above named

_____, _____, _____,

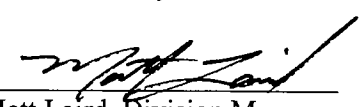
_____, _____, _____, County Commissioners of Lane County, Oregon and acknowledged the forgoing instrument to be their voluntary act before me:

NOTARY PUBLIC FOR OREGON

My Commission Expires: _____

Department of Public Works
Land Management Division

Approved July 7, 2008

By 
Matt Laird, Division Manager

The Board of County Commissioners hereby accepts and approves for recording this dedication as described herein,

LANE COUNTY BOARD OF COMMISSIONERS

By _____
Chair

ATTACHMENT "A"

IN THE MATTER DEDICATING LAND OWNED BY LANE COUNTY
AND ACCEPTING IT FOR PUBLIC AND COUNTY ROAD PURPOSES
FOR CANARY ROAD SOUTH,
(COUNTY ROAD NUMBER 606), (19-11-17)

