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Memorandum Date: September 25, 2009

Order Date: October 21, 2009

TO: Board of County Commissioners

DEPARTMENT: Public Works/Land Management

PRESENTED BY: Mike Jackson, Lane County Surveyor 

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A PORTION OF STAGECOACH ROAD (COUNTY ROAD NO. 109) (18-08-07 & 18)

I. MOTION

To approve the Order altering a portion of Stagecoach Road (County Road No. 109) (18-08-07 & 18)

II. AGENDA ITEM SUMMARY

Right of way acquisition and improvements associated with the repair and construction of the road have been completed on a portion of Stagecoach Road (County Road No. 109) (18-08-07 & 18). It is now necessary for the Board of Commissioners to decide whether the completed road project and its alignment should be legally altered.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Stagecoach Road (County Road No. 109) (18-08-07 & 18) is a Rural Minor Collector established in 1900 as a 40 foot wide County Road, which was altered in 1912 to accommodate the Willamette Pacific Railroad's alignment. Stagecoach road extends from Richardson Road to State Highway 36. The Board of County Commissioners adopted a five-year Public Works Capital Improvement Program for FY 02/03 through FY 06/07 which approved safety repairs on Stagecoach Road. Board Orders 03-9-10-3 and 04-9-22-1 authorized Public Works to acquire necessary right of way which altered its alignment from Richardson Road north approximately 0.75 miles.

B. Policy Issues

The acquisition of property and the construction of a portion of Stagecoach Road (County Road No. 109) was approved as a part of the five year Capital Improvement Program, FY 02/03 through FY 06/07. On April 2, 2003, the Road Advisory Committee held a public hearing and adopted a design concept. Board Orders 03-9-10-3 and 04-9-22-1 approved the design concept and authorized staff to acquire right of way. This project is consistent with Oregon Revised Statute 368, which allows for the acquisition of property, and Lane Code Chapter 15, to provide for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan.

C. Board Goals**GOALS****Lane County's 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

The acquisition of property and the construction of a portion of Stagecoach Road (County Road No. 109) have been completed. Therefore, no additional cost will be incurred as a result of completing the legal alteration of the road.

E. Analysis

The Public Works Director's Report, attached to the Order as Exhibit "B", notes that the alteration and construction of a portion of Stagecoach Road (County Road No. 109) have been completed and the road is open for public travel. The final phase of the project is to complete the legal alteration of this road in accordance with ORS Chapter 368. The Order of Alteration accomplishes that action, including the acceptance of land acquired for right of way as a part of this project. No portions of the former right of way alignment will be vacated by this action. 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 County Survey File No. 41581 with the County Surveyor, which includes road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

F. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Order of Alteration for Stagecoach Road (County Road No 109).
2. Have staff review and alter any component of the Order of Alteration of said portion of Stagecoach Road.
3. Continue the motion for further consideration.

IV. TIMING/IMPLEMENTATION

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.

V. RECOMMENDATION

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

VI. 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 and the road survey will be entered into the County Road Files administered by the Department of Public Works and the County Surveyor for public record.

VII. ATTACHMENTS

Order with attachments:

Exhibit "A" - Legal Description

Exhibit "B" - Director's Report

Attachment "A" - Vicinity Map

Contact Person: Mike Jackson, extension 4198

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

IN THE MATTER OF THE ALTERATION OF A PORTION OF STAGECOACH ROAD (COUNTY ROAD NO. 109) (18-08-07 & 18))))	ORDER OF ALTERATION NO.
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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 Stagecoach Road (County Road No.109). The portion of right of way extends from Richardson Road to the north approximately 0.75 miles; and

WHEREAS, on April 2, 2003 the Road Advisory Committee held a public hearing to consider a report prepared by County staff, and adopted a recommended design concept for Stagecoach Road. Through the adoption of the Capital Improvement Programs for FY 02/03 through FY 06/07 and Board Orders 03-9-10-3 and 04-9-22-1, the Board of Commissioners ordered that staff prepare a right of way plan necessary to construct the road; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for improvement of the Stagecoach Road project; and

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

WHEREAS, the Public Works Department has completed the construction of the Stagecoach Road project, in accordance with the plans and specifications prepared and administered by the Public Works Director; and

WHEREAS, it has been determined necessary to legally alter this portion of Stagecoach Road, and accept the alignments including acquisitions made as a part of this project, as county road right of way; and

WHEREAS, no portions of the former right of way alignment will be vacated by this action; and

WHEREAS, the Department of Public Works has filed a road survey numbered County Survey File 41581 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>GRANTORS</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>
Steven D. Walker	12/12/2003	2003-119270	18-08-07 503
Steven D. Walker and Vevie Popplewell Walker	12/12/2003	2003-119271	18-08-07 501
Robert C. Beckley and Fredrick C. Beckley	12/17/2003	2003-120558	18-08-18 200
Daniel L. Cox and Patricia A. Prince	12/30/2003	2003-123478	18-08-18 601
Milton Lee Shuman	1/28/2004	2004-005793	18-08-18 800
Carl L. Duwell and Christine E. Duwell	2/24/2004	2004-012340	18-08-07 700

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as Stagecoach Road be hereby altered as described in the legal descriptions attached hereto, made a part hereof and marked Exhibit "A" by this Order; 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 into the 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 said portion of Stagecoach Road, and to accept it as County Road Number 109.

DATED this _____ day of _____, 2009.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 10-9-09 lane county

OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

STAGECOACH ROAD

CENTERLINE DESCRIPTION

A strip of land variable feet in width lying on each side of the centerline of Stagecoach Road in Sections 7 and 18, Township 18 South, Range 8 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 2004; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L² 1+00.00 POT, said station being 2,589.89 feet South and 2,957.35 feet East of the Brass Cap marking the Northwest Corner of Section 18, Township 18 South, Range 8 West of the Willamette Meridian, Lane County, Oregon; run thence North 20° 11' 25" West, 42.96 feet; thence along a 2,864.79 foot radius curve left (the long chord of which bears North 23° 50' 42" West, 365.24 feet) a distance of 365.49 feet; thence North 27° 30' 00" West, 476.28 feet; thence along a 3,819.72 foot radius curve right (the long chord of which bears North 26° 29' 06" West, 135.31 feet) a distance of 135.32 feet; thence North 25° 28' 13" West, 140.06 feet; thence along a 654.81 foot radius curve left (the long chord of which bears North 30° 19' 40" West, 110.90 feet) a distance of 111.03 feet; thence North 35° 11' 07" West, 171.78 feet; thence along a 654.81 foot radius curve right (the long chord of which bears North 31° 17' 26" West, 88.95 feet) a distance of 89.02 feet; thence North 27° 23' 45" West, 76.96 feet; thence along a 654.81 foot radius curve left (the long chord of which bears North 32° 07' 37" West, 108.02 feet) a distance of 108.14 feet; thence North 36° 51' 29" West, 256.12 feet; thence along a 3,819.72 foot radius curve right (the long chord of which bears North 34° 35' 45" West, 301.57 feet) a distance of 301.65 feet; thence North 32° 20' 00" West, 149.13 feet; thence along a 587.65 foot radius curve right (the long chord of which bears North 28° 10' 00" West, 85.39 feet) a distance of 85.47 feet; thence North 24° 00' 00" West, 18.38 feet; thence along a 487.62 foot radius curve left (the long chord of which bears North 27° 44' 13" West, 63.56 feet) a distance of 63.61 feet; thence North 31° 28' 25" West, 270.35 feet; thence along a 1,637.02 foot radius curve right (the long chord of which bears North 24° 57' 23" West, 371.62 feet) a distance of 372.42 feet; thence North 18° 26' 21" West, 148.52 feet; thence along a 818.51 foot radius curve right (the long chord of which bears North 7° 43' 10" West, 304.49 feet) a distance of 306.27 feet; thence North 3° 00' 00" East, 239.97 feet to Engineers' Centerline Station L2 40+28.93 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 WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L2 1+01.50 POT	L2 1+42.96 PC		19.94 ft tapering on a straight line to 35 ft
L2 1+42.96 PC	L2 1+75.00 POC		35 ft tapering on a straight line to 45 ft
L2 1+75.00 POC	L2 32+00.00 POC		45 ft
L2 32+00.00 POC	L2 33+34.17 PT		45 ft tapering on a straight line to 65 ft

EXHIBIT "A"

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L2 33+34.17 PT	L2 34+15.00 POT		65 ft tapering on a straight line to 75 ft
L2 34+15.00 POT	L2 34+82.69 PC		75 ft tapering on a straight line to 70 ft
L2 34+82.69 PC	L2 37+25.00 POC		70 ft tapering on a straight line to 25.74 ft
L2 37+25.00 POC	L2 38+74.03 POT		25.74 ft tapering along a 1,328.14 foot radius curve right to 20 ft
L2 38+74.03 POT	L2 40+28.93 POT		20 ft.
L2 1+67.94 POC	L2 2+50.00 POC	45 ft	
L2 2+50.00 POC	L2 3+00.00 POC	45 ft tapering on a straight line to 30.75 ft	
L2 3+00.00 POC	L2 5+32.05 POT	30.75 ft tapering along a 4,563.66 foot radius curve left to 32.47 ft	
L2 5+32.05 POT	L2 9+84.73 PC	32.47 ft	
L2 9+84.73 PC	L2 9+84.73 PC	32.47 ft tapering on a straight line to 39.78 ft	
L2 9+84.73 PC	L2 10+51.63 POC	39.78 ft tapering along a spiral offset curve to 35.02 ft	
L2 10+51.63 POC	L2 15+62.75 POC	35.02 ft tapering along a 2,914.83 foot radius curve left to 20.39 ft	
L2 15+62.75 POC	L2 17+74.98 POC	20.39 ft tapering along a spiral offset curve to 41.28 ft	
L2 17+74.98 POC	L2 21+28.67 POC	41.28 ft tapering on a straight line to 35.44 ft	
L2 21+28.67 POC	L2 25+98.17 POC	35.44 ft tapering along a 5,679.60 foot radius curve right to 39.90 ft	

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<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L2 25+98.17 POC	L2 30+47.26 POC	39.90 ft tapering on a straight line to 44.78 ft	
L2 30+47.26 POC	L2 30+38.99 POC	44.78 ft tapering back on a straight line to 30.75 ft	
L2 30+38.99 POC	L2 30+43.23 POC	30.75 ft tapering on A straight line to 30.84 ft	
L2 30+43.23 POC	L2 33+50.00 POT	30.84 ft tapering along a 1,368.14 foot radius curve right to 30.94 ft	
L2 33+50.00 POT	L2 34+82.69 PC	30.94 ft tapering on a straight line to 50 ft	
L2 34+82.69 PC	L2 36+00.00 POC	50 ft	
L2 36+00.00 POC	L2 37+00.00 POC	50 ft tapering on a straight line to 40 ft	
L2 37+00.00 POC	L2 37+75.00 POC	40 ft tapering on a straight line to 16.51 ft	
L2 37+75.00 POC	L2 38+74.03 POT	16.51 ft tapering along a 1,368.14 foot radius curve right to 20 ft	
L2 38+74.03 POT	L2 40+28.93 POT	20 ft.	

The bearings used herein are based on a bearing of North 60° 36' 50" West between LCCM 617 and LCCM 993, said bearing based on the Oregon Coordinate System (NAD 83/91), South Zone.

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

IN THE MATTER OF THE ALTERATION OF A) DIRECTOR'S
PORTION OF STAGECOACH ROAD) REPORT
(COUNTY ROAD NO. 109) (18-08-07 & 18))

Stagecoach Road (County Road No. 109) (18-08-07 & 18) is a Rural Minor Collector established in 1900 as a 40 foot wide County Road, being altered in 1912 to accommodate the Willamette Pacific Railroad's alignment. Stagecoach road extends from Richardson Road to State Highway 36. The Board of County Commissioners adopted a five-year Public Works Capital Improvement Program for FY 02/03 through FY 06/07 which approved safety repairs on Stagecoach Road. Board Orders 03-9-10-3 and Order 04-9-22-1 authorized Public Works to acquire necessary right of way which altered its alignment from Richardson Road north approximately 0.75 miles

On April 2, 2003, the Road Advisory Committee held a public hearing and adopted a design concept. Board Orders 03-9-10-3 and 04-9-22-1 approved the design concept and authorized staff to acquire right of way. This project is consistent with Oregon Revised Statute 368, which allows for the acquisition of property, and Lane Code Chapter 15, which provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan


The Stagecoach Road project construction plans were prepared and all necessary surveying, alignment design, mapping and additional right of way acquisition have been completed. All construction of this portion of road was completed in accordance with plans and specifications administered by the Department of Public Works and the road is open for public travel.

An Order of Alteration to legally alter this portion of Stagecoach Road has been prepared. The Order provides for acceptance of parcels of land and portions thereof acquired as right of way in conjunction with this project. No portions of the former right of way alignment will be vacated by this action. The legal description of the new alignment, including right of way widths, is marked Exhibit "A" and attached to the Order of Alteration.

The Department of Public Works has filed County Survey File No. 41581 with the County Surveyor, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

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 surveys will then be entered into the legal County Road Files administered by the Department of Public Works and the County Surveyor for public record.

DATED this 7 day of October, 2009.



Director
Department of Public Works

ATTACHMENT "A"
STAGECOACH ROAD
IN THE MATTER OF THE ALTERATION
OF STAGECOACH ROAD (COUNTY ROAD NO. 109)
(18-08-07 & 18)

