


W.S.E.I.

Memorandum Date: April 13, 2010  
 Order Date: May 5, 2010

**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 GIMPL HILL ROAD (COUNTY ROAD NO. 441) (18-04-08, 09, 10 & 17)**

**I. MOTION**

To approve the Order altering a portion of Gimpl Hill Road (County Road Number 441), located in Sections 8, 9, 10 and 17, Township 18 South, Range 4 West of the Willamette Meridian.

**II. AGENDA ITEM SUMMARY**

This alteration of a portion of Gimpl Hill Road (County Road Number 441) is being presented for the purpose of accepting certain right of way acquisitions for Gimpl Hill Road that were never formally accepted by the Board of County Commissioners. Accepting fee and other interests in land, and filing a survey for the subject portion of roadway, will complete the alteration process.

**III. BACKGROUND/IMPLICATIONS OF ACTION**

**A. Board Action and Other History**

Certain right of way acquisitions for Gimpl Hill Road were made and the dedications filed for public record by the Lane County Department of Public Works in 1959 and 1960, but were never formally accepted by the Board of County Commissioners. Some field survey work was performed at that time, and the corresponding field notes are used in this analysis. Subsequent survey work was performed by the Department of Public Works in 1974 and the early 1980's corresponding closely with the deeds of acquisition, and although drawings were recovered, the survey was never filed. Field notes and the drawings for that period are also used in this analysis. This formal alteration process uses available acquisition and survey information in order to formally accept the deeds of acquisition, and to reconstruct as accurately as possible and file a survey for the project. It should be noted here that no deed of acquisition was found for a portion of the road on the westerly side of centerline from Station L189+15.00 POT to Station L196+20.00 POT. Conflicting survey data was recovered from various sources for this portion of road and represented as accurately as possible on Survey Number 41829. The right of way width for this portion is held at a width of 20 feet from centerline as prescribed in the original establishment of Gimpl Hill Road, which is the most conservative view of the available

information. Although detailed documentation regarding the extent of improvements performed on the road was not found, it is important to complete the legal acceptance of the deeds and the filing of a survey.

Gimpl Hill Road (County Road Number 441) is a minor collector road established in 1889 as a 40 foot wide County Road which began at present day Bailey Hill Road and extended 4 miles southwesterly. The road was relocated and constructed as a Market Road in 1924. The portion herein proposed for alteration extends from Bailey Hill Road southwesterly approximately 2.87 miles, the point of beginning being at the southwesterly end of the project and the end of the project being at Bailey Hill Road.

## **B. Policy Issues**

Gimpl Hill Road (County Road 441) was designated as a Market Road by the Lane County Court by Resolution dated January 4, 1924, wherein it was resolved that Gimpl Hill Road, including any relocations thereof, be surveyed and improved with the cooperation of the State Highway Commission under the provisions of the Market Roads Law, Chapter 431 of the Laws of Oregon for 1919.

Lane County acquired title and other interests in 1959 for right of way along Gimpl Hill Road which were recorded as required by ORS 368.106. The road right of way was surveyed and monumented at that time, and subsequent survey work done in 1974 and the early 1980's. Since no survey was filed, it is important as part of this alteration process to complete a survey using prior data and file it for public record in compliance with ORS 209.250. A map satisfying this requirement has been filed in the Office of the Lane County Surveyor as County Survey File Number 41829. Although the acquisition deeds were recorded, only a few of them were accepted on July 9, 1969 as part of a separate action. Pursuant to ORS 93.808 and LM 21.400 which require Lane County approval of instruments that convey title or other interests in real property, the Surveyor's Office is presenting herewith an order containing a listing of the deeds for approval by the Board of Commissioners.

The road is of benefit to the general public and meets the criteria for acceptance as a county road. This project appears to have been consistent with the 1958 Oregon Revised Statute chapter 368 and with standards applicable to County Roads in Lane County during the same period.

## **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**

Right of way acquisitions, survey work and road improvements were accomplished along Gimpl Hill Road in 1959/1960, 1974 and the early 1980's. No additional cost will be incurred as a result of completing the alteration of this County Road.

**E. Analysis**

The Public Works Director's Report, attached to the Order as Exhibit "B", notes the importance of completing this alteration in order that previously dedicated right of way for Gimpl Hill Road may be formally accepted. The completion of this alteration will be in accordance with ORS Chapter 368. The Order of Alteration accomplishes that action, including the acceptance of land acquired for right of way and vacating portions of the former right of way determined to be in excess while retaining an easement for public utilities as a part of this project. The centerline description of the alignment, including right of way widths, is attached to the Order as Exhibit "A".

A map has been filed in the Office of the Lane County Surveyor as County Survey File Number 41829 which includes road centerline and right of way monumentation as defined and set in 1959 and reset in 1974 and 1982, in compliance with ORS Chapters 209.250 and 368.106.

**F. Alternatives/Options**

The Board of County Commissioners has the option to:

1. Approve the Order of Alteration of Gimpl Hill Road (County Road 441).
2. Deny the Order of Alteration of Gimpl Hill Road (County Road 441).
3. Continue the matter for further consideration.

**IV. TIMING/IMPLEMENTATION**

Timing is not critical in this matter but completion of the alteration will ensure the acceptance of previously recorded deeds as county road right of way for this otherwise completed project, and will ensure the altered road continues to be maintained as a County Road. Upon approval of the Order to alter the roadway, it shall be forwarded to the County Clerk for filing in the Commissioners' Journal of Administration, after which copies shall be forwarded to the County Surveyor and the County Assessor for road indexing and mapping actions.

**V. RECOMMENDATION**

It is recommended that the Board of County Commissioners approve Option 1. This will approve the Order altering the described alignment of Gimpl Hill Road as County 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 Road Index Books and County Road Files administered by the Department of Public Works and the County Surveyor for public record.

**VII. ATTACHMENTS**

Order w/ attachments:

Legal Description - Exhibit "A"  
Director's Report - Exhibit "B"  
Vicinity Map - Attachment "A"

Contact Person: Mike Jackson, County Surveyor, extension 4198

## IN THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

File No. 4152

IN THE MATTER OF THE ALTERATION OF A PORTION OF ) ORDER OF ALTERATION  
 GIMPL HILL ROAD (COUNTY ROAD NO. 441) )  
 (18-04-08, 09, 10 & 17) )

**THIS MATTER** now coming before the Board of County Commissioners for Lane County and the Board deeming it in the best interest of Lane County to accept fee and other interests in land and to alter Gimpl Hill Road (County Road No. 441); and

**WHEREAS**, certain right of way acquisitions for Gimpl Hill Road were made and the dedications filed for public record by the Lane County Department of Public Works in 1959 and 1960, but were never formally accepted by the Board of County Commissioners; and

**WHEREAS**, the Department of Public Works completed the final road design and acquired right of way on and over which the project was laid out in 1959/1960; and

**WHEREAS**, subsequent survey work and remonumentation was accomplished in 1974 and 1982; and

**WHEREAS**, the Board of County Commissioners is satisfied that the road as altered and constructed is of public utility and benefit; and

**WHEREAS**, it has been determined necessary to legally alter Gimpl Hill Road and accept the alignment, including acquisitions of property made as a part of this project, as county road right of way; and

**WHEREAS**, The Lane County Surveyor has filed a map in the Office of the Lane County Surveyor, County Survey Number 41829, which includes road centerline and right of way monumentation as defined and set in 1959 and reset in 1974 and 1982, in compliance with ORS Chapters 209.250 and 368.106; now, therefore, it is hereby

**ORDERED** that the deeds conveying fee or other interests, or portions thereof, which lie within the road right of way specified herein, presented to the Board of County Commissioners through purchase, donation, agreement, or condemnation, 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 per ORS Chapter 93.808 and LM 21.400(3):

<u>GRANTORS</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX MAP NO.</u>
Richard N. and Joan C. Long	2/11/1959	RR# 128/59814	18-04-17
	2/11/1959	RR# 128/59816	
	7/9/1959	RR# 136/72723	
	7/23/1959	RR# 137/73885	
Leo W. and Viola B. Porter	1/23/1959	RR# 127/58172	18-04-17

<u>GRANTORS</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX MAP NO.</u>
John H. and Alice Lovena Turnbull	6/24/1959 1/23/1959	RR# 135/71326 RR# 127/58179	18-04-17
Clarence F. and Nellie F. Hyde	1/23/1959	RR# 127/58180	18-04-17
Ivan R. and Florence L. Spicer	2/11/1959	RR# 128/59815	18-04-08
Prince V. and Irene M. Baker	2/11/1959	RR# 128/59813	18-04-08
Marion and Nancy Mooney; Leonard M. and LaVina Cherry	2/11/1959	RR# 128/59784	18-04-08
Jemima Agnes Mathers	1/23/1959	RR# 127-58171	18-04-09
Mary and Roy E. Fosterling	1/23/1959	RR# 127/58178	18-04-09
Clarence H. and Katherine Hanson	1/23/1959	RR# 127/58168	18-04-09
Donald D. and Velda Arlene Mathers	1/23/1959	RR# 127/58174	18-04-09
Mary and Roy E. Fosterling	1/23/1959	RR# 127/58177	18-04-09
Edwin D. and Gladys S. Rathbone	1/23/1959	RR# 127/58175	18-04-09
Lloyd E. and Margie M. Holland	2/11/1959	RR# 128/59785	18-04-09
Carl M. and Frances M. Nielsen	2/11/1959	RR# 128/59787	18-04-09
Jacob Wilbert and Doris E. Jacobson	7/22/1959	RR# 137/73770	18-04-09
Angus W. and Jeanette K. Smart	7/22/1959	RR# 137/73769	18-04-09
Emil M. and Shirley M. Ewoniuk	4/13/1960	RR# 151/96404	18-04-09
John A. and Anna Fredrick	7/07/1959	RR# 136/72492	18-04-09

<u>GRANTORS</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX MAP NO.</u>
John E. and Cleobelle Stearns	1/23/1959	RR# 127/58170	18-04-09
Donald and Nina Coombs	1/23/1959	RR# 127/58169	18-04-09
Art and Sophie Diehl	2/11/1959	RR# 128/59788	18-04-09
Woodruff F. and Mary Marjorie Cowan	2/11/1959	RR# 128/59786	18-04-09
George H. and Dorothy Gazely	2/11/1959	RR# 128/59818	18-04-09
Curtis F. M. and Alice M. Bryant	1/23/1959	RR# 127/58173	18-04-09
Norville E. and Susan E. May	1/23/1959	RR# 127/58176	18-04-09

and, it is further

**ORDERED**, that the said county road referred to above, and herein known as Gimpl Hill Road, 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 all portions of County Road Number 441 lying between the termini specified in the attached legal description Exhibit "A" which are not included within the limits of the road as therein described 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 segment of County Road Number 441 herein described by these proceedings as vacated, EXCEPT a remainder segment of right of way between approximate Station 165+57 P.O.C. and the easterly right of way of the 1959 alignment which was not included as part of Vacation Order 77-6-8-7, located in Section 17, Township 18 South, Range 4 West of the Willamette Meridian; 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 Gimpl Hill Road, and to accept it as part of County Road Number 441.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2010

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

APPROVED AS TO FORM

Date 4-22-10 lane county

  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL



## EXHIBIT "A"

**GIMPL HILL ROAD  
CENTERLINE DESCRIPTION**

A strip of land variable feet in width lying on each side of the centerline of Gimpl Hill Road, in Sections 8, 9, 10 and 17, Township 18 South, Range 4 West of the Willamette Meridian, Lane County, Oregon, as said road was resurveyed in 1959, the centerline and widths in feet being described as follows:

Beginning at Engineer's Centerline Station L 143+07.12 P.O.T. Bk = L2 143+07.12 P.O.T. Ah, said station being 1483.61 feet South and 10.36 feet East of the West One Quarter (W1/4) corner of Section 17 in Township 18 South, Range 4 West of the Willamette Meridian, Lane County, Oregon; run thence North 85° 50' East, 639.86 feet to Centerline Station L2 149+46.98 PC, said point being the **POINT OF BEGINNING OF THIS CENTERLINE DESCRIPTION**; run thence along the arc of a 477.46 foot radius curve left (the long chord of which curve bears North 66° 15' 30" East, 319.94 feet) a distance of 326.25 feet; thence North 46° 41' East, 210.74 feet; thence along the arc of a 954.93 foot radius curve right (the long chord of which curve bears North 50° 53' East, 139.87 feet) a distance of 140.00 feet; thence North 55° 05' East, 312.47 feet to Engineer's Centerline Station L2 159+36.44 P.O.T. Bk = L3 159+36.44 P.C. Ah; thence along the arc of a 1432.40 foot radius curve left (the long chord of which curve bears North 40° 47' 30" East, 707.20 feet) a distance of 714.58 feet; thence North 26° 30' East, 84.39 feet; thence along the arc of a 1909.86 foot radius curve right (the long chord of which curve bears North 30° 29' East, 265.34 feet) a distance of 265.56 feet to Engineer's Centerline Station L3 170+00.97 P.T. Bk = L2 171+38.14 P.T. Ah; thence North 34° 28' East, 452.65 feet; thence along the arc of a 716.20 foot radius curve right (the long chord of which curve bears North 40° 15' 30" East, 144.55 feet) a distance of 144.79 feet to Engineer's Centerline Station L2 177+35.58 P.T. Bk = L 177+38.58 P.T. Ah; thence North 46° 03' East, 388.37 feet; thence along the arc of a 572.96 foot radius curve left (the long chord of which curve bears North 34° 25' 30" East, 230.91 feet) a distance of 232.50 feet; thence North 22° 48' East, 207.17 feet; thence along the arc of a 716.20 foot radius curve right (the long chord of which curve bears North 27° 43' East, 122.77 feet) a distance of 122.92 feet; thence North 32° 38' East, 559.64 feet; thence along the arc of a 716.20 foot radius curve left (the long chord of which curve bears North 19° 15' East, 331.55 feet) a distance of 334.58 feet; thence North 5° 52' East, 655.58 feet; thence along the arc of a 716.20 foot radius curve left (the long chord of which curve bears North 4° 30' West, 257.76 feet) a distance of 259.17 feet; thence North 14° 52' West, 140.26 feet; thence along the arc of a 159.15 foot radius curve right (the long chord of which curve bears North 36° 46' 30" East, 249.59 feet) a distance of 286.89 feet; thence North 88° 25' East, 248.03 feet; thence along the arc of a 286.48 foot radius curve left (the long chord of which curve bears North 46° 39' East, 381.65 feet) a distance of 417.67 feet; thence North 4° 53' East, 40.72 feet; thence along the arc of a 143.24 foot radius curve right (the long chord of which curve bears North 60° 27' East, 236.28 feet) a distance of 277.83 feet; thence South 63° 59' East, 328.35 feet; thence along the arc of a 716.20 foot radius curve left (the long chord of which curve bears North 84° 12' East, 755.17 feet) a distance of 795.42 feet; thence North 52° 23' East, 615.11 feet; thence along the arc of a 286.48 foot radius curve left (the long chord of which curve bears North 14° 09' East, 354.59 feet) a distance of 382.34 feet; thence North 24° 05' West, 15.42 feet; thence along the arc of a 477.46 foot radius curve right (the long chord of which curve bears North 10° 32' 30" West, 223.60 feet) a distance of 225.69 feet; thence North 3° 00' East, 315.74 feet; thence along the arc of a 572.96 foot radius curve right (the long chord of which curve bears North 21° 28' 30" East, 363.13 feet) a distance of 369.50 feet; thence along the arc of a 1637.02 foot radius curve right (the long chord of which curve bears North 54° 17' East, 810.53 feet) a distance of 819.05 feet; thence North 68° 37' East, 213.74 feet; thence along the arc of a 572.96 foot radius curve left (the long chord of

## EXHIBIT "A"

which curve bears North 51° 16' East, 341.72 feet) a distance of 347.00 feet; thence North 33° 55' East, 119.40 feet; thence along the arc of a 572.96 foot radius curve right (the long chord of which curve bears North 55° 08' East, 414.70 feet) a distance of 424.33 feet; thence North 76° 21' East, 530.20 feet; thence along the arc of a 954.93 foot radius curve left (the long chord of which curve bears North 71° 48' East, 151.51 feet) a distance of 151.67 feet; thence North 67° 15' East, 373.22 feet; thence along the arc of a 716.20 foot radius curve right (the long chord of which curve bears North 76° 59' 30" East, 242.37 feet) a distance of 243.54 feet; thence North 86° 44' East, 255.29 feet; thence along the arc of a 358.10 foot radius curve left (the long chord of which curve bears North 52° 34' East, 402.22 feet) a distance of 427.09 feet; thence North 18° 24' East, 102.26 feet; thence along the arc of a 318.31 foot radius curve right (the long chord of which curve bears North 57° 10' East, 398.62 feet) a distance of 430.74 feet; thence South 84° 04' East, 882.01 feet to Engineers' Centerline Station L 302+77.01 P.O.T. and there ending, all in Lane County, Oregon, said Station being 1883.88 feet North and 5367.15 feet East of the West One Quarter (W1/4) corner of Section 9, Township 18 South, Range 4 West of the Willamette Meridian.

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

<u>STATION TO STATION</u>		<u>WIDTH ON N'LY AND W'LY SIDE OF C/LINE</u>	<u>WIDTH ON S'LY AND E'LY SIDE OF C/LINE</u>
L2 149+46.98 P.C	L2 175+90.79 P.C.	30 feet	
L2 149+54.26 P.O.C.	L2 175+90.79 P.C.		30 feet
L2 175+90.79 P.C.	L2 175+90.79 P.C.	30 feet tapering on a straight line to 35 feet	
L2 175+90.79 P.C.	L 185+66.62 P.C.	35 feet	30 feet
L 185+66.62 P.C.	L 185+66.62 P.C.	35 feet tapering on a straight line to 45 feet	30 feet tapering on a straight line to 40 feet
L 185+66.62 P.C.	L 186+89.54 P.T.	45 feet	40 feet
L 186+89.54 P.T.	L 186+89.54 P.T.	45 feet tapering on a straight line to 35 feet	40 feet tapering on a straight line to 45 feet
L 186+89.54 P.T.	L 187+00.00 P.O.T.	35 feet	45 feet
L 187+00.00 P.O.T	L 187+00.00 P.O.T.		45 feet tapering on a straight line to 40 feet
L 187+00.00 P.O.T.	L 189+15.00 P.O.T.	35 feet	40 feet

## EXHIBIT "A"

<u>STATION TO STATION</u>		<u>WIDTH ON N'LY AND W'LY SIDE OF C/LINE</u>	<u>WIDTH ON S'LY AND E'LY SIDE OF C/LINE</u>
L 189+15.00 P.O.T.	L 189+24.69 P.O.T.	35 feet tapering on a straight line to 20 feet	40 feet
L 189+24.69 P.O.T.	L196+21.03 P.O.T.	20 feet	40 feet
L 196+21.03 P.O.T.	L 196+20.00 P.O.T.	20 feet tapering back on a straight line to 30 feet	
L 196+20.00 P.O.T.	L 197+50.00 P.O.T.	30 feet	40 feet
L 197+50.00 P.O.T.	L 197+50.00 P.O.T.	30 feet tapering on a straight line to 45 feet	40 feet tapering on a straight line to 30 feet
L 197+50.00 P.O.T.	L 200+00.00 P.O.T.	45 feet	30 feet
L 200+00.00 P.O.T.	L 200+00.00 P.O.T.	45 feet tapering on a straight line to 35 feet	
L 200+00.00 P.O.T.	L 206+00.00 P.O.T.	35 feet	30 feet
L 206+00.00 P.O.T.	L 206+00.00 P.O.T.	35 feet tapering on a straight line to 45 feet	
L 206+00.00 P.O.T.	L 206+38.77 P.C.	45 feet	30 feet
L 206+38.77 P.C.	L 206+38.77 P.C.		30 feet tapering on a straight line to 50 feet
L 206+38.77 P.C.	L 207+50.00 P.O.C.	45 feet	50 feet
L 207+50.00 P.O.C.	L 207+50.00 P.O.C.	45 feet tapering on a straight line to 40 feet	
L 207+50.00 P.O.C.	L 208+50.00 P.O.C.	40 feet	50 feet
L 208+50.00 P.O.C.	L 208+50.00 P.O.C.	40 feet tapering on a straight line to 30 feet	
L 208+50.00 P.O.C.	L 209+25.66 P.T.	30 feet	50 feet

## EXHIBIT "A"

<u>STATION TO STATION</u>		<u>WIDTH ON N'LY AND W'LY SIDE OF C/LINE</u>	<u>WIDTH ON S'LY AND E'LY SIDE OF C/LINE</u>
L 209+25.66 P.T.	L 209+25.66 P.T.		50 feet tapering on a straight line to 30 feet
L 209+25.66 P.T.	L 214+00.00 P.O.C.	30 feet	30 feet
L 214+00.00 P.O.C.	L 214+00.00 P.O.C.	30 feet tapering on a straight line to 40 feet	
L 214+00.00 P.O.C.	L 215+50.00 P.O.C.	40 feet	30 feet
L 215+50.00 P.O.C.	L 215+50.00 P.O.C.		30 feet tapering on a straight line to 40 feet
L 215+50.00 P.O.C.	L 216+32.08 P.C.	40 feet	40 feet
L 216+32.08 P.C.	L 216+32.08 P.C.	40 feet tapering on a straight line to 30 feet	
L 216+32.08 P.C.	L 217+50.00 P.O.C.	30 feet tapering on a straight line to 92 feet	40 feet
L 217+50.00 P.O.C.	L 218+50.00 P.O.C.	92 feet tapering on a straight line to 30 feet	40 feet
L 218+50.00 P.O.C.	L 219+09.91 P.T.	30 feet	40 feet
L 219+09.91 P.T.	L 219+09.91 P.T.		40 feet tapering on a straight line to 30 feet
L 219+09.91 P.T.	L 245+87.98 P.C.	30 feet	30 feet
L 245+87.98 P.C.	L 245+87.98 P.C.		30 feet tapering on a straight line to 40 feet
L 245+87.98 P.C.	L 249+57.48 P.C.C.	30 feet	40 feet
L 249+57.48 P.C.C.	L 249+57.48 P.C.C.	30 feet tapering on a straight line to 50 feet	

## EXHIBIT "A"

<u>STATION TO STATION</u>		<u>WIDTH ON N'LY AND W'LY SIDE OF C/LINE</u>	<u>WIDTH ON S'LY AND E'LY SIDE OF C/LINE</u>
L 249+57.48 P.C.C.	L 264+56.67 P.C.	50 feet	40 feet
L 264+56.67 P.C.	L 264+56.67 P.C.		40 feet tapering on a straight line to 60 feet
L 264+56.67 P.C.	L 265+26.00 P.O.C.	50 feet	60 feet
L 265+26.00 P.O.C.	L 265+67.00 P.O.C.	50 feet tapering on a straight line to 87 feet	60 feet
L 265+67.00 P.O.C.	L 266+20.00 P.O.C.	87 feet tapering on a straight line to 102 feet	60 feet
L 266+20.00 P.O.C.	L 266+81.00 P.O.C.	102 feet tapering on a straight line to 50 feet	60 feet
L 266+81.00 P.O.C.	L 268+81.00 P.T.	50 feet	60 feet
L 268+81.00 P.T.	L 268+81.00 P.T.	50 feet tapering on a straight line to 30 feet	60 feet tapering on a straight line to 30 feet
L 268+81.00 P.T.	L 284+34.92 P.C.	30 feet	30 feet
L 284+34.92 P.C.	L 284+34.92 P.C.	30 feet tapering on a straight line to 50 feet	
L 284+34.92 P.C.	L 288+62.00 P.T.	50 feet	30 feet
L 288+62.00 P.T.	L 288+62.00 P.T.	50 feet tapering on a straight line to 30 feet	
L 288+62.00 P.T.	L 290+47.00 P.O.C.	30 feet	30 feet
L 290+47.00 P.O.C.	L 291+80.00 P.O.C.	30 feet tapering on a straight line to 115 feet	30 feet
L 291+80.00 P.O.C.	L 293+18.00 P.O.C.	115 feet tapering on a straight line to 30 feet	30 feet

## EXHIBIT "A"

<u>STATION TO STATION</u>		<u>WIDTH ON N'LY AND W'LY SIDE OF C/LINE</u>	<u>WIDTH ON S'LY AND E'LY SIDE OF C/LINE</u>
L 293+18.00 P.O.C.	L 301+52.00 P.O.T.	30 feet	30 feet
L 301+52.00 P.O.T.	L 302+54.00 P.O.T.	30 feet tapering along the arc of a 102.32 foot radius curve left to 137 feet	30 feet
L 302+54.00 P.O.T.	L 302+77.01 P.O.T.		30 feet

The bearings used herein are based on the 1959 field survey of Gimpl Hill Road located and filed in Lane County Public Works field book No. 183.

## EXHIBIT "B"

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

File No. 4152

IN THE MATTER OF THE ALTERATION OF A )  
 PORTION OF GIMPL HILL ROAD (COUNTY ROAD ) DIRECTOR'S REPORT  
 NO. 441) (18-04-08, 09, 10 & 17) )

Certain right of way acquisitions for Gimpl Hill Road were made and the dedications filed for public record by the Lane County Department of Public Works in 1959 and 1960, but were never formally accepted by the Board of County Commissioners. Some field survey work was performed at that time, and the corresponding field notes are used in this analysis. Subsequent survey work was performed by the Department of Public Works in 1974 and the early 1980's corresponding closely with the deeds of acquisition, and although drawings were recovered, the survey was never filed. Field notes and the drawings for that period are also used in this analysis. This formal alteration process uses available acquisition and survey information in order to formally accept the deeds of acquisition, and to reconstruct as accurately as possible and file a survey for the project. It should be noted here that no deed of acquisition was found for a portion of the road on the westerly side of centerline from Station L189+15.00 POT to Station L196+20.00 POT. Conflicting survey data was recovered from various sources for this portion of road and represented as accurately as possible on Survey Number 41829. The right of way width for this portion is held at a width of 20 feet from centerline as prescribed in the original establishment of Gimpl Hill Road, which is the most conservative view of the available information. Although detailed documentation regarding the extent of improvements performed on the road was not found, it is important to complete the legal acceptance of the deeds and the filing of a survey.

Gimpl Hill Road (County Road Number 441) is a minor collector road established in 1889 as a 40 foot wide County Road which began at present day Bailey Hill Road and extended 4 miles southwesterly. The road was designated a Market Road by the Lane County Court by Resolution dated January 4, 1924, wherein it was resolved that Gimpl Hill Road, including any relocations thereof, be surveyed and improved with the cooperation of the State Highway Commission under the provisions of the Market Roads Law, Chapter 431 of the Laws of Oregon for 1919. In 1959 it was again relocated and resurveyed. At that time Lane County acquired fee title and other interests for right of way along Gimpl Hill Road which were recorded as required by ORS 368.106. The portion herein proposed for alteration extends from Bailey Hill Road southwesterly approximately 2.87 miles, the point of beginning being at the southwesterly end of the project and the end of the project being at Bailey Hill Road.

The road right of way has been surveyed and monumented, and a map has been filed in the Office of the Lane County Surveyor as County Survey Number 41829 which includes road centerline and right of way monumentation as defined and set in 1959 and reset in 1974 and 1982, in compliance with ORS Chapters 209.250 and 368.106.

Although the acquisition deeds were recorded, only a few of them were accepted on July 9, 1969 as part of a separate action. Pursuant to ORS 93.808 and LM 21.400 which require Lane County approval of instruments that convey title or other interests in real property, the Surveyor's Office is presenting herewith an order containing a listing of the deeds for approval by the Board of Commissioners.


**EXHIBIT "B"**

The road is of benefit to the general public and meets the criteria for acceptance as a county road. This project appears to have been consistent with the 1958 Oregon Revised Statute chapter 368 and with standards applicable to County Roads in Lane County during the same period.

A Final Order to legally alter Gimpl Hill Road has been prepared. The Final Order of Alteration provides for acceptance of parcels of land, or portions thereof, acquired as right of way as required by ORS 93.808 and LM 21.400(3). It also provides for vacation of portions of the former right of way determined to be in excess, while retaining an easement for public utilities, as a part of this action. The legal description of the alignment including right of way widths is marked Exhibit "A" and attached to the Final Order.

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

DATED this 16 day of April, 2010.

  
Director  
Department of Public Works



ATTACHMENT "A"

IN THE MATTER OF THE ALTERATION OF A PORTION OF  
GIMPL HILL ROAD (COUNTY ROAD NO. 441)  
(18-04-08, 09, 10 & 17)

