

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

IN THE MATTER OF THE ALTERATION OF A PORTION OF MILLICAN ROAD (COUNTY ROAD NO. 925) (17-01-28 & 29)))))	ORDER OF ALTERATION 12-06-06-08
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THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and the Board, through adoption of a Capital Improvement Program for the Department of Public Works, determined that it was necessary to alter and make safety improvements at the intersection of Millican Road (County Road Number 925) and the McKenzie Highway (Highway 126); and

WHEREAS, through the adoption of the Capital Improvement Program for FY 88-89 through FY 92-93, and through Resolution and Order No. 89-4-19-9 the Board of Commissioners approved acquisitions of necessary right of way under the authority of ORS Chapter 35, in order to make safety improvements at the intersection of Millican Road and McKenzie Highway; and

WHEREAS, per an Agreement with the State of Oregon dated April 5, 1989, Lane County was to acquire the necessary right of way along Millican Road and McKenzie Highway and the State would maintain the portion located within the State Highway upon the completion of the project; and

WHEREAS, the Department of Public Works acquired all necessary right of way on and over which the project has been laid out; and right of way acquisitions were recorded for public record in 1989, however, the deeds for the right of way of Millican Road were never formally accepted into the County Road system by the Board of County Commissioners; and

WHEREAS, the Department of Public Works completed the final road design and construction of the relocated intersection 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 Millican Road and accept the alignment, 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 of County Road Number 925 will be vacated by this action; and

WHEREAS, the Department of Public Works has filed road survey numbered County Survey File 29561 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 Millican 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>GRANTOR'S</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>
Tommy J. Hamby Joan M. Hamby	5/12/1989	1572R / 8920486	17-01-28 1102 1104
Jack Hamilton Naida Hamilton	3/31/1989	1566R / 8913830	17-01-28 1101
Gary J. Kerns Sharon Kerns	5/24/1989	1574R / 8922228	17-01-28 1101
McKenzie Rural Fire Protection District	6/5/1989	1576R / 8924035	17-01-29-4 1300 1400

and, it is further

ORDERED, that the portion of said County Road referred to above and commonly known as Millican Road (County Road No. 925) be 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 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 Millican Road, and to accept it as County Road Number 925.

ADOPTED THIS 6th day of June, 2012

Chair

Lane County Board of Commissioners