

AGENDA COVER MEMO

DATE: September 8, 2005
TO: Lane County Board of Commissioners
FROM: Bill Robinson, Lane County Surveyor *BR*
DEPARTMENT: Public Works/Land Management Division

AGENDA ITEM TITLE: IN THE MATTER OF THE ALTERATION OF A PORTION OF UPPER NORTH FORK ROAD (COUNTY ROAD NUMBER 513) LOCATED IN SECTIONS 5, 6, AND 7, TOWNSHIP 17 SOUTH, RANGE 10 WEST OF THE WILLAMETTE MERIDIAN

I. MOTION

Move to Approve the Order Altering a Portion of Upper North Fork Road (County Road Number 513) located in Sections 5, 6, and 7, Township 17 South, Range 10 West of the Willamette Meridian.

II. ISSUE

Easements have been granted and improvements associated with the reconstruction have been completed by the Lane County Department of Public Works on a portion of Upper North Fork Road. It is now necessary to decide whether the completed road project and its alignment should be legally altered.

III. DISCUSSION

A. Background

Upper North Fork Road is a rural local road located about 12 miles northeast of Florence. The portion of road to be altered lies primarily within the Siuslaw National Forest and begins just east of Pawn Bridge, near Milepost 3, and extends northeasterly to the north line of Township 17 South, near Milepost 6.

The road was established as C.L. Akerly Road in 1902, having a right of way width of 60 feet, commencing at County Road Number 448 (North Fork Siuslaw Road) and proceeding in a northeasterly direction for approximately 11.8 miles to County Road Number 443. The southerly portion of Upper North Fork Road was altered in 1980 by Board Order No. 80-4-30-19, which resulted in improvements and widening the road in certain areas, and in 1986 additional property was accepted as county road right of way near Pawn Bridge.

The current project is a result of Board Order No. 01-1-3-11 which provided for the County to enter into a watershed improvement grant agreement with the Oregon Watershed

Enhancement Board and a cooperative work agreement with the United States Department of Agriculture, Forest Service, to relocate a segment of the roadway which has succumbed to flooding numerous times over past winters and has impacted the development of fish habitat along the North Fork Siuslaw River. Approximately 0.26 mile of the subject road has recently been reconstructed and realigned to alleviate the flooding problems.

B. Analysis

The final phase of the project is to complete the legal alteration of the road in accordance with ORS Chapter 368. The Order of Alteration accomplishes that action, including the acceptance of easements as public right of way for Upper North Fork Road from the United States of America Department of Agriculture and Swanson Group, Inc. The centerline description of the new alignment, including right of way widths, is attached to the Order of Alteration as Exhibit "A".

The existing traveled road follows the general alignment of original road established in 1902, but the Order of Alteration will vacate any portions of the former right of way between the termini that lie outside the limits of the newly conveyed right of way.

The Lane County Public Works Department has surveyed the existing traveled road between Pawn Bridge and the north line of Township 17 South and has filed a road survey numbered CSF 39378 with the County Surveyor, which includes road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

The report by the Director of the Department of Public Works, attached to the Order as Exhibit "B", notes that the designated reconstruction and relocation of Upper North Fork Road has been completed.

C. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Order of Alteration of a portion of Upper North Fork Road.
2. Have staff review and alter any component of the Order of Alteration.
3. Continue the motion for further consideration

D. Recommendations

It is recommended that the Board of Commissioners approve Option 1. This will approve the Order of Alteration of a portion of Upper North Fork Road as proposed and supported by the Public Works Director.

E. Timing

Timing is important, as ORS 368.106 requires that any order or resolution enacted and deed or other document establishing an interest in property acquired for public road purposes be recorded.

IV. IMPLEMENTATION/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 will be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

V. ATTACHMENTS

Order with Attachments:

Exhibit "A" - Legal Description

Exhibit "B" - Director's Report

Attachment "A" - Vicinity Map

Contact Person: Bill Robinson x-4198

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

File No. 4129

IN THE MATTER OF THE ALTERATION)	
OF A PORTION OF UPPPER NORTH FORK)	ORDER OF
ROAD (COUNTY ROAD NUMBER 513))	ALTERATION
LOCATED IN SECTIONS 5, 6, AND 7,)	NO.
TOWNSHIP 17 SOUTH, RANGE 10 WEST)	
OF THE WILLAMETTE MERIDIAN)	

THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and the Board deeming it in the best interest of Lane County and the public to alter a portion of Upper North Fork Road; and

WHEREAS, the right of way to be altered extends from a point just east of Pawn Bridge, near Milepost 3, northeasterly to the north line of Township 17 South, near Milepost 6, and is primarily within the boundary of Siuslaw National Forest land, except for a small segment crossing through private property owned by Swanson Group, Inc.; and

WHEREAS, the alteration project is a result of Board Order No. 01-1-3-11 which provided for the County to enter into a watershed improvement grant agreement with the Oregon Watershed Enhancement Board and a cooperative work agreement with the Forest Service to relocate a section of the roadway, approximately 0.26 mile in length, which had succumbed to flooding numerous times over past winters and has impacted the development of fish habitat along the North Fork Siuslaw River; and

WHEREAS, the United States of America, acting by and through the Forest Service, Department of Agriculture and Swanson Group, Inc., owning this land within Lane County, which is not within the limits of an incorporated city or town, having presented to Lane County good and sufficient deeds, dedicating parcels of land to the use of the public for road purposes, and the Board of County Commissioners of Lane County deeming it proper, as a benefit to the general public, to accept said public road easements; and

WHEREAS, the Department of Public Works has filed road survey (County Survey File No. 39378) 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 improvements have been completed and will be of public utility and benefit; and now therefore, it is hereby

ORDERED, that the deeds conveying public road easements to Lane County, recorded on May 27, 2005 on Instrument No. 2005-038933 and on April 7, 2005 on Instrument No. 2005-024324, Lane County, Oregon Deed Records, that lie within the road right of way specified herein, are hereby accepted as County road right of way; and it is further

ORDERED, that the portion of Upper North Fork Road, as described in the legal description marked Exhibit "A", attached hereto made a part hereof, be hereby altered by this Order; and it is further

ORDERED, that all portions of Upper North Fork Road, lying between the termini specified herein

ORDERED, that all portions of Upper North Fork Road, lying between the termini specified herein above which are not included within the limits of the road right of way as described in said Exhibit "A" 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 portion of right of way as described by these proceedings as vacated; 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

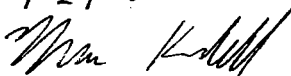
ORDERED, that this Order be filed with the County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration, and entered into the Road Index Books and County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor; and that said Order is hereby final and does operate to alter the said portion of County Road Number 513, herein known as Upper North Fork Road.

DATED this _____ day of _____, 2005.

Chair
Lane County Board of Commissioners

APPROVED /

9-29-05



UPPER NORTH FORK ROAD**CENTERLINE DESCRIPTION**

A strip of land variable feet in width lying on each side of the centerline of Upper North Fork Road, in Sections 5, 6 and 7, Township 17 South, Range 10 West and Section 32, Township 16 South, Range 10 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 10+51.06 POT, said station being 1,385.72 feet North and 2,209.55 feet East of the Brass Cap marking the Southwest Corner of Section 7, Township 17 South, Range 10 West of the Willamette Meridian, Lane County, Oregon; run thence South 89°35'00" East, 381.43 feet; thence along a 572.96 foot radius curve left (the long chord of which bears North 85°47'30" East, 92.40 feet) a distance of 92.50 feet; thence North 81°10'00" East, 44.59 feet; thence along a 88.15 foot radius curve left (the long chord of which bears North 18°42'30" East, 156.32 feet) a distance of 192.18 feet; thence North 43°45'00" West, 374.44 feet; thence along a 358.10 foot radius curve right (the long chord of which bears North 23°40'00" West, 245.93 feet) a distance of 251.04 feet; thence North 3°35'00" West, 19.67 feet; thence along a 881.47 foot radius curve right (the long chord of which bears North 5°27'30" East, 277.05 feet) a distance of 278.21 feet; thence North 14°30'00" East, 105.76 feet; thence along a 572.96 foot radius curve right (the long chord of which bears North 21°20'00" East, 136.34 feet) a distance of 136.67 feet; thence North 28°10'00" East, 25.55 feet; thence along a 477.46 foot radius curve left (the long chord of which bears North 22°30'00" East, 94.29 feet) a distance of 94.44 feet; thence North 16°50'00" East, 276.05 feet; thence along a 440.74 foot radius curve right (the long chord of which bears North 27°02'30" East, 156.22 feet) a distance of 157.05 feet; thence North 37°15'00" East, 62.99 feet; thence along a 381.97 foot radius curve left (the long chord of which bears North 23°40'00" East, 179.42 feet) a distance of 181.11 feet; thence North 10°05'00" East, 320.39 feet; thence along a 1273.24 foot radius curve right (the long chord of which bears North 13°35'00" East, 155.46 feet) a distance of 155.56 feet; thence North 17°05'00" East, 84.04 feet; thence along a 301.56 foot radius curve right (the long chord of which bears North 29°27'30" East, 129.25 feet) a distance of 130.26 feet; thence along a 286.48 foot radius curve left (the long chord of which bears North 35°05'00" East, 67.34 feet) a distance of 67.50 feet; thence North 28°20'00" East, 319.33 feet; thence along a 2864.79 foot radius curve left (the long chord of which bears North 27°25'00" East, 91.66 feet) a distance of 91.67 feet; thence North 26°30'00" East, 229.32 feet; thence along a 572.96 foot radius curve left (the long chord of which bears North 17°30'00" East, 179.26 feet) a distance of 180.00 feet; thence North 8°30'00" East, 32.14 feet; thence along a 572.96 foot radius curve right (the long chord of which bears North 11°22'30" East, 57.48 feet) a distance of 57.50 feet; thence North 14°15'00" East, 225.19 feet; thence along a 477.46 foot radius curve left (the long chord of which bears North 10°27'30" East, 63.15 feet) a distance of 63.19 feet; thence North 6°40'00" East, 51.56 feet; thence along a 318.31 foot radius curve right (the long chord of which bears North 13°57'30" East, 80.80 feet) a distance of 81.02 feet; thence North 21°15'00" East, 254.75 feet; thence along a 477.46 foot radius curve left (the long chord of which bears North 17°05'00" East, 69.38 feet) a distance of 69.44 feet; thence North 12°55'00" East, 60.03 feet; thence along a 104.17 foot radius curve right (the long chord of which bears North 43°02'30" East, 104.57 feet) a distance of 109.55 feet; thence North 73°10'00" East, 90.93 feet; thence along a 572.96 foot radius curve right (the long chord of which bears North 80°35'00" East, 147.92 feet) a distance of 148.33 feet; thence along a 220.37 foot radius curve left (the long chord of which bears North 72°15'00" East, 119.63 feet)

a distance of 121.15 feet; thence North 56°30'00" East, 75.94 feet; thence along a 636.62 foot radius curve right (the long chord of which bears North 59°20'00" East, 62.94 feet) a distance of 62.96 feet; thence North 62°10'00" East, 42.32 feet; thence along a 572.96 foot radius curve left (the long chord of which bears North 54°30'00" East, 152.88 feet) a distance of 153.33 feet; thence North 46°50'00" East, 131.74 feet; thence along a 572.96 foot radius curve right (the long chord of which bears North 53°50'00" East, 139.65 feet) a distance of 140.00 feet; thence North 60°50'00" East, 308.32 feet; thence along a 520.87 foot radius curve left (the long chord of which bears North 48°40'00" East, 219.55 feet) a distance of 221.21 feet; thence North 36°30'00" East, 164.70 feet; thence along a 477.46 foot radius curve left (the long chord of which bears North 31°00'00" East, 91.53 feet) a distance of 91.67 feet; thence North 25°30'00" East, 131.33 feet; thence along a 318.31 foot radius curve right (the long chord of which bears North 35°27'30" East, 110.09 feet) a distance of 110.65 feet; thence North 45°25'00" East, 47.41 feet; thence along a 286.48 foot radius curve left (the long chord of which bears North 42°12'30" East, 32.07 feet) a distance of 32.08 feet; thence North 39°00'00" East, 42.66 feet; thence along a 318.31 foot radius curve right (the long chord of which bears North 52°15'00" East, 145.91 feet) a distance of 147.22 feet; thence North 65°30'00" East, 48.14 feet; thence along a 238.73 foot radius curve left (the long chord of which bears North 52°15'00" East, 109.44 feet) a distance of 110.42 feet; thence North 39°00'00" East, 52.53 feet; thence along a 179.05 foot radius curve right (the long chord of which bears North 51°15'00" East, 75.98 feet) a distance of 76.56 feet; thence along a 716.20 foot radius curve left (the long chord of which bears North 56°00'00" East, 186.96 feet) a distance of 187.50 feet; thence North 48°30'00" East, 74.48 feet; thence along a 2864.79 foot radius curve right (the long chord of which bears North 51°15'00" East, 274.89 feet) a distance of 275.00 feet; thence North 54°00'00" East, 190.40 feet; thence along a 954.93 foot radius curve right (the long chord of which bears North 57°15'00" East, 108.28 feet) a distance of 108.33 feet; thence North 60°30'00" East, 226.29 feet; thence along a 954.93 foot radius curve left (the long chord of which bears North 57°45'00" East, 91.63 feet) a distance of 91.67 feet; thence North 55°00'00" East, 31.97 feet; thence along a 409.26 foot radius curve right (the long chord of which bears North 62°30'00" East, 106.84 feet) a distance of 107.14 feet; thence North 70°00'00" East, 69.16 feet; thence along a 520.87 foot radius curve left (the long chord of which bears North 61°45'00" East, 149.48 feet) a distance of 150.00 feet; thence North 53°30'00" East, 27.76 feet; thence along a 636.62 foot radius curve right (the long chord of which bears North 58°45'00" East, 116.50 feet) a distance of 116.67 feet; thence along a 1637.02 foot radius curve left (the long chord of which bears North 60°30'00" East, 199.88 feet) a distance of 200.00 feet; thence North 57°00'00" East, 104.87 feet; thence along a 1637.02 foot radius curve right (the long chord of which bears North 59°30'00" East, 142.81 feet) a distance of 142.86 feet; thence along a 1909.86 foot radius curve left (the long chord of which bears North 59°30'00" East, 166.61 feet) a distance of 166.67 feet; thence North 57°00'00" East, 227.80 feet; thence along a 716.20 foot radius curve right (the long chord of which bears North 64°30'00" East, 186.96 feet) a distance of 187.50 feet; thence North 72°00'00" East, 109.28 feet; thence along a 636.62 foot radius curve left (the long chord of which bears North 61°30'00" East, 232.03 feet) a distance of 233.33 feet; thence North 51°00'00" East, 89.32 feet; thence along a 358.10 foot radius curve right (the long chord of which bears North 63°30'00" East, 155.01 feet) a distance of 156.25 feet; thence North 76°00'00" East, 105.83 feet; thence along a 716.20 foot radius curve left (the long chord of which bears North 70°15'00" East, 143.51 feet) a distance of 143.75 feet; thence North 64°30'00" East, 181.02 feet; thence along a 381.97 foot radius curve left (the long chord of which bears North 57°45'00" East, 89.79 feet) a distance of 90.00 feet; thence North 51°00'00" East, 171.54 feet; thence along a 301.56 foot radius curve left (the long chord of which bears North 44°30'00" East, 68.27 feet) a distance of 68.42 feet; thence along a 358.10 foot radius curve right (the long chord of which bears North 42°30'00" East, 56.19 feet) a distance of

56.25 feet; thence North 47°00'00" East, 51.17 feet; thence along a 1432.39 foot radius curve left (the long chord of which bears North 43°00'00" East, 199.84 feet) a distance of 200.00 feet; thence North 39°00'00" East, 409.78 feet; thence along a 477.46 foot radius curve left (the long chord of which bears North 35°00'00" East, 66.61 feet) a distance of 66.67 feet; thence North 31°00'00" East, 55.38 feet; thence along a 104.17 foot radius curve left (the long chord of which bears North 3°15'00" West, 117.26 feet) a distance of 124.55 feet; thence North 37°30'00" West, 96.61 feet; thence along a 358.10 foot radius curve right (the long chord of which bears North 24°00'00" West, 167.19 feet) a distance of 168.75 feet; thence North 10°30'00" West, 177.98 feet; thence along a 358.10 foot radius curve left (the long chord of which bears North 27°22'30" West, 207.90 feet) a distance of 210.94 feet; thence North 44°15'00" West, 84.82 feet; thence along a 954.93 foot radius curve left (the long chord of which bears North 47°15'00" West, 99.95 feet) a distance of 100.00 feet; thence North 50°15'00" West, 236.71 feet; thence along a 636.62 foot radius curve right (the long chord of which bears North 41°37'30" West, 190.94 feet) a distance of 191.67 feet to Engineers' Centerline Station L2 151+24.87 PT 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 10+51.06 POT	L2 111+29.55 PT	30 ft	
L2 111+29.55 PT	L2 113+57.35 PC	30 ft tapering on a straight line to 60 ft	
L2 113+57.35 PC	L2 115+44.85 PT	60 ft	
L2 115+44.85 PT	L2 116+54.13 PC	60 ft tapering on a straight line to 40 ft	
L2 116+54.13 PC	L2 118+87.46 PT	40 ft	
L2 118+87.46 PT	L2 119+76.78 PC	40 ft tapering on a straight line to 70 ft	
L2 119+76.78 PC	L2 121+33.03 PT	70 ft	
L2 121+33.03 PT	L2 122+00.00 POT	70 ft tapering on a straight line to 60 ft	
L2 122+00.00 POT	L2 122+38.86 PC	60 ft tapering on a straight line to 40 ft	
L2 122+38.86 PC	L2 125+63.63 PC	40 ft	
L2 125+63.63 PC	L2 125+63.63 PC	40 ft tapering on a straight line to 30 ft	
L2 125+63.63 PC	L2 151+24.87 PT	30 ft	

<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 10+51.06 POT	L2 113+57.35 PC		30 ft
L2 113+57.35 PC	L2 115+44.85 PT		30 ft tapering on a straight line to 35 ft
L2 115+44.85 PT	L2 116+54.13 PC		35 ft tapering on a straight line to 60 ft
L2 116+54.13 PC	L2 118+87.46 PT		60 ft
L2 118+87.46 PT	L2 119+76.78 PC		60 ft tapering on a straight line to 45 ft
L2 119+76.78 PC	L2 121+33.03 PT		45 ft
L2 121+33.03 PT	L2 123+00.00 POC		45 ft tapering on a straight line to 55 ft
L2 123+00.00 POC	L2 125+63.63 PC		55 ft tapering on a straight line to 30 ft
L2 125+63.63 PC	L2 151+24.87 PT		30 ft

This alignment terminates at the north line of Township 17 South, Range 10 West, Willamette Meridian.

The bearings for this project are based on GPS observation and constraint to the State Plane coordinate values (NAD 83/91, Oregon South Zone) of three Lane County Common Mapping control stations, LCCM 855, LCCM 991 and LCCM Pri-Net Indy.

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

File No. 4129

IN THE MATTER OF THE ALTERATION)
OF A PORTION OF UPPER NORTH FORK)
ROAD (COUNTY ROAD NUMBER 513),)
LOCATED IN SECTIONS 5, 6, AND 7,)
TOWNSHIP 17 SOUTH, RANGE 10 WEST)
OF THE WILLAMETTE MERIDIAN)

DIRECTOR'S
REPORT

Upper North Fork Road, as it is commonly known, is a rural local road located about 12 miles northeast of Florence, commencing at County Road Number 448 (North Fork Siuslaw Road) and proceeding in a northeasterly direction. The portion to be altered is located between Pawn Bridge, near Milepost 3, and the north line of Township 17 South, near Milepost 6. The subject portion of roadway lies primarily within the Siuslaw National Forest with a small segment running through private land owned by Swanson Group, Inc.


Board Order No. 80-4-30-19 altered the southerly portion of the road, and in 1986 additional property was accepted as county road right of way near Pawn Bridge. The current project is a result of Board Order No. 01-1-3-11 which provided for the county to enter into a watershed improvement grant agreement with the Oregon Watershed Enhancement Board and a cooperative work agreement with the Forest Service to relocate a segment of the roadway which has succumbed to flooding numerous times over past winters and has impacted the development of fish habitat along the North Fork Siuslaw River. Approximately 0.26 mile of the subject road has recently been reconstructed and realigned to alleviate the flooding problems.

United States of America, acting by and through the Forest Service, Department of Agriculture and Swanson Group, Inc., have granted permanent road easement deeds for public right of way for Upper North Fork Road. An Order of Alteration to legally alter this portion of Upper North Fork Road has been prepared. The Order provides for acceptance of said deeds and also vacates any portion of former right of way lying between the termini which is not included within the limits of the road as described in the legal description of the new alignment, marked Exhibit "A" and attached to the Order of Alteration.

The Public Works Department has surveyed the portion of Upper North Fork Road, from Pawn Bridge to the north line of Township 17 South, in compliance with ORS Chapters 209.250 and 368.106 and has filed a road survey County Survey File No.39378 in the Lane County Surveyor's Office.

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 survey 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 26th day of September, 2005.


Oliver P. Snowden, Director
Department of Public Works

Sections 5, 6, & 7 T. 17S. R. 10 W. W.M.
LANE COUNTY

NO SCALE

