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ORIGINAL

Memorandum Date: February 16, 2011
Order Date: March 16, 2011

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 NORTH ENTERPRISE ROAD AND NORTH MORNINGSTAR ROAD (COUNTY ROAD NUMBERS 311, 665 AND 397), (18-02-34 & 19-02-03)

I. **MOTION**

TO APPROVE AN ORDER ALTERING A PORTION OF NORTH ENTERPRISE ROAD AND NORTH MORNINGSTAR ROAD (COUNTY ROAD NUMBERS 311, 665 AND 397), (18-02-34 & 19-02-03).

II. **AGENDA ITEM SUMMARY**

This alteration of a portion of North Enterprise Road and North Morningstar Road is being presented for the purpose of accepting certain right of way acquisitions that were recorded several years ago but never formally accepted by the Board of County Commissioners. Accepting fee and other interests in the land for the subject portion of roadway will complete the alteration process.

III. **BACKGROUND/IMPLICATIONS OF ACTION**

A. **Board Action and Other History**

North Enterprise Road (County Road Numbers 311 and 665) is a rural minor collector road established in 1875 as a 60 foot wide county road (County Road Number 311). In 1910, County Road Number 665 was established as a direct connection from State Highway 58 (former County Road Number 95) to the second angle point of County Road Number 311, with a right of way width of 40 feet. North Morningstar Road (County Road Number 397) is a rural local road established in 1886 as a 40 foot wide county road that begins at North Enterprise Road, approximately one mile south of Highway 58, and runs in a southwesterly direction.

This alteration is one of a number of road alterations that were done in the 1980's and early 1990's wherein right of way deeds were acquired and recorded but never formally accepted. The field surveys were performed and maps filed and construction was completed but no final order of alteration was filed. **The primary purpose of this Order of Alteration is to accept those deeds of acquisition for North Enterprise Road and North Morningstar Road that were recorded in the 1980's and early 1990's.**

Since the project began there have been conveyances to the State of Oregon near the intersection of Willamette Highway (State Highway 58). These conveyances widened North Enterprise Road where it meets Highway 58, but are not part of the right of way that is being accepted by the County.

The initiation and acquisition of property and the construction of a portion of North Enterprise Road was part of a five year Capital Improvement Program, FY 90-91 through FY 94-95. On January 2, 1991, Resolution and Order No.91-1-2-16 authorized Public Works to acquire necessary right of way which altered its alignment from State Highway 58 to North Morningstar Road. Previously, on April 4, 1983, the Capital Improvement Program for FY 83-84 through FY 87-88 was adopted by Order No. 83-4-27-29 authorizing acquisition of property necessary for several projects which included a portion of North Morningstar Road near North Enterprise Road.

Lane County acquired title and other interests for right of way along North Enterprise Road and North Morningstar Road. The road right of way was surveyed and monumented and a survey was filed in 1992 as County Survey File numbers 30370 through 30375 in compliance with ORS 209.250. Although the acquisition deeds were recorded pursuant to ORS 93.808 and LM 21.400 which requires Lane County approval of instruments that convey title or other interests in real property, no formal process by the Board of Commissioners for acceptance into the county road system was completed. The Surveyor's Office is presenting herewith an order containing a listing of the deeds for acceptance by the Board of Commissioners.

B. Policy Issues

This project is consistent with Oregon Revised Statute 368 which allows for the initiation and acquisition of property, and Lane Code Chapter 15 which provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan, and Lane Manual 15 which provides policies and standards applicable to County Roads in Lane County.

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 North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397) were part of the FY 83-84 through FY 87-88 Capital Improvement Program, and FY 90-91 through 94-95 Capital Improvement Program. Right of way acquisitions, survey work and road improvements for this project were accomplished at that time. **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 North Enterprise Road and North Morningstar 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 existing public utilities, as part of this project. 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. 30370 through 30375 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 North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397) as described in Exhibit "A".
2. Deny the Order of Alteration of said portion of North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397), or
3. Continue the motion 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.

V. RECOMMENDATION

It is recommended that the Board of Commissioners approve Option 1. This will approve the Order of Alteration of this portion of North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397), 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 Descriptions

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 NORTH ENTERPRISE ROAD AND NORTH MORNINGSTAR ROAD (COUNTY ROAD NUMBERS 311, 665 AND 397) (18-02-34 & 19-02-03)))))	FINAL ORDER OF ALTERATION
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THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and the Board deeming it is in the best interest of Lane County to accept fee and other interests in land and to alter portions of North Enterprise and North Morningstar Roads (County Road Numbers 311, 665 and 397). The portion of right of way extends from State Highway 58 south approximately 1.06 miles and includes approximately 0.13 miles of North Morningstar Road; and

WHEREAS, through the adoption of the Capital Improvement Programs for FY 90-91 through FY 94-95, and Resolution and Order No. 91-1-2-16, and through Order No. 83-4-27-29 adopting Capital Improvement Programs for FY 83-83 through FY 87-88, the Board of Commissioners ordered that staff acquire right of way necessary to improve the road to serve the needs of Lane County for the general use and benefit of Lane County; and

WHEREAS, certain right of way acquisitions for North Enterprise Road and North Morningstar Road were made and deeds were recorded for public record by the Lane County Department of Public Works in 1983, 1984, 1991 and 1992, but were never formally accepted by the Board of County Commissioners; and

WHEREAS, since the time that the project began there have been conveyances to the State of Oregon near the intersection of Willamette Highway (State Highway 58) to widened North Enterprise Road where it meets Highway 58, however these conveyances are not included in the right of way that is being accepted by the County; 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 North Enterprise Road project, in accordance with the plans and specifications prepared and administered by the Public Works Director; and

WHEREAS, the Department of Public Works has filed road survey numbered County Survey File 30370 through 30375 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>GRANTOR'S</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u>
Dexter Baptist Church	2/11/1991	1679R/9107217	18-02-34 4002
Penelope Schlueter	1/11/1991	1673R/9101632	18-02-34 4202
Carl J. Jr. and Lois M. McKee	6/17/1991	1701R/9128003	18-02-34 4200
Alen K. and Joan D. Bell	1/24/1991	1675R/9103925	18-02-34 4400
Max G. and Janice J. Boles	9/04/1991	1715R/9142289	18-02-34 4303
Donald A. and Pamela S. Lenhart	6/21/1991	1702R/9129049	18-02-34 4305
Rett C. and Kathy M. Hubbard	5/09/1991	1695R/9121538	18-02-34 4302
Ronald O. and Carol L. Stobbe	5/21/1991	1697R/9123588	18-02-34 4700
Max G. and Janice J. Boles and Thomas G. and Lorene L. Stewart	8/14/1991	1712R/9138772	18-02-34 4500
George F. and Rhea Mae Wingard	10/18/1991	1723R/9150436	18-02-34 1800 & 4501
George F. and Rhea Mae Wingard	10/18/1991	1723R/9150434	18-02-34 4600
Pleasant Hill School District No 1, Union High School District No. 1	1/10/1991	1673R/9101330	18-02-34 1900
Kalvin L. and Lori L. Waetzig	1/23/1992	1740R/9204014	19-02-03 102
Dorothea L. Bruchner	6/24/1991	1703R/9129278	19-02-03 108
James Robert and Joan B. Hladky	3/06/1991	1683R/9110683	19-02-03 113
Charles E. and Almetta F. Marsh	5/22/1991	1697R/9123728	19-02-03 106
R. Earl Gingerich	7/18/1991	1707R/9133944	19-02-03 100
Phillip Michael and Marion Ellen Burton	3/08/1991	1684R/9111194	19-02-03 116
Rob A. and Elspeth A. Humphries	5/09/1991	1695R/9121540	19-02-03 103
Marlen Stansbury Clough	2/08/1991	1679R/9107090	19-02-03 110

Loren L. and Patricia Mitchell	3/25/1991	1686R/9113579	19-02-03	401
Kenneth D. and Margaret A. McClusky	3/18/1991	1685R/9112544	19-02-03	109 & 705
	4/19/1984	1293R/8416828		
	10/12/1983	1266R/8336824		

and, it is further

ORDERED, that the portions of said County Roads referred to above and commonly known as North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397) 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 all portions of County Road Numbers 311, 665 and 397 lying between the termini specified herein above which are not included within the limits of the road herein above 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 portion of County Road Numbers 311, 665 and 397, herein 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 into 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 North Enterprise Road and North Morningstar Road, and to accept it as part of County Road Numbers 311, 665, and 397.

EFFECTIVE DATE: _____ day of _____, 2011.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM:

Date 3-3-11 lane county


OFFICE OF LEGAL COUNSEL

NORTH ENTERPRISE ROAD and NORTH MORNINGSTAR ROAD**Centerline Description**

A strip of land variable feet in width lying on both sides of the centerline of North Enterprise Road, in Section 34, Township 18 South, and Section 3, Township 19 South, Range 2 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1990; the centerline and widths in feet being described as follows:

Beginning at the Enterprise Road Engineers' Centerline Station L 0+91.23 POT Bk. = L² 0+91.23 PI Ahd., said station being 2,417.87 feet North and 47.26 feet East of a Brass Cap marking the Northeast Corner of the E. Mulholland Sr. Donation Land Claim Number 57, in Section 34, Township 18 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; run thence South 2° 35' 12" West, 243.97 feet; thence along a 11,459.16 foot radius curve left (the long chord of which bears South 1° 51' 12" West, 293.38 feet) a distance of 293.39 feet; thence South 1° 07' 11" West, 507.81 feet; thence along a 22,918.31 foot radius curve left (the long chord of which bears South 0° 42' 38" West, 327.44 feet) a distance of 327.44 feet; thence South 0° 18' 04" West, 372.63 feet; thence along a 22,918.31 foot radius curve right (the long chord of which bears South 0° 42' 38" West, 327.44 feet) a distance of 327.44 feet; thence South 1° 07' 11" West, 109.11 feet; thence along a 22,918.31 foot radius curve left (the long chord of which bears South 0° 33' 06" West, 454.33 feet) a distance of 454.33 feet; thence South 0° 00' 58" East, 310.06 feet; thence along a 22,918.31 foot radius curve right (the long chord of which bears South 0° 23' 28" West, 325.66 feet) a distance of 325.67 feet; thence South 0° 47' 53" West, 1,328.89 feet; thence along a 954.93 foot radius curve left (the long chord of which bears South 15° 41' 54" East, 542.31 feet) a distance of 549.87 feet to Engineers' Centerline Station L² 52+41.84 PT Bk. = L 52+44.57 POT Ahd.; thence South 32° 11' 40" East, 455.43 feet to Engineers' Centerline Station L 57+00.00 POT, and there ending, all in Lane County, Oregon.

The widths in feet of the above described strip of land 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>
L 0+91.23 POT Bk. =L ² 0+91.23 PI Ahd.	L ² 3+00.00 POT	30 ft tapering on a straight line to 24.6ft	20 ft tapering on a straight line to 25.4 ft
L ² 3+00.00 POT	L ² 3+35.20 PC	24.6 ft tapering on a straight line to 26ft	25.4 ft tapering on a straight line to 26.25 ft
L ² 3+35.20 PC	L ² 6+28.59 PT	26 ft tapering on a straight line to 35 ft	26.25 ft tapering on a straight line to 30 ft
L ² 6+28.59 PT	L ² 24+70.00 POT		30 ft
L ² 6+28.59 PT	L ² 13+00.00 POC	35 ft	
L ² 13+00.00 POC	L ² 13+75.00 POC	35 ft tapering on a straight line to 45 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>
L ² 13+75.00 POC	L ² 14+63.84 PT	45 ft tapering on a straight line to 35 ft	
L ² 14+63.84 PT	L ² 22+73.02 PC	35 ft	
L ² 22+73.02 PC	L ² 25+00.00 POC	35 ft tapering on a straight line to 30 ft	
L ² 24+70.00 POC	L ² 24+88.85 POC		30 ft tapering on a straight line to 65 ft
L ² 24+88.85 POC	L ² 25+28.97 POC		65 ft
L ² 25+28.97 POC	L ² 25+60.00 POC		65 ft tapering on a straight line to 30 ft
L ² 25+60.00 POC	L ² 32+00.00 POT		30 ft
L ² 32+00.00 POT	L ² 33+00.00 POT		30 ft tapering on a straight line to 35 ft
L ² 25+00.00 POC	L ² 30+00.00 POT	30 ft	
L ² 30+00.00 POT	L ² 30+37.41 PC	30 ft tapering on a straight line to 28 ft	
L ² 30+37.41 PC	L ² 33+63.08 PT	28 ft tapering on a straight line to 30 ft	
L ² 33+63.08 PT	L ² 37+00.00 POT	30 ft	
L ² 37+00.00 POT	L ² 38+50.00 POT	30 ft tapering on a straight line to 40 ft	
L ² 33+00.00 POT	L ² 46+91.97 PC		35 ft
L ² 46+91.97 PC	L ² 49+50.00 POC		35 ft tapering on a straight line to 35 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>
L ² 49+50.00 POC	L 56+50.00 POT		35 ft
L 56+50.00 POT	L 57+00.00 POT		35 ft tapering on a straight line to 20 ft
L ² 38+50.00 POT	L ² 46+50.00 POT	40 ft	
L ² 46+50.00 POT	L ² 46+91.97 PC	40 ft tapering on a straight line to 45 ft	
L ² 46+91.97 PC	L ² 48+00.00 POC	45 ft tapering on a straight line to 50 ft	
L ² 48+00.00 POC	L ² 48+29.67 POC	50 ft tapering on a straight line to 88.45 ft	
L ² 48+29.67 POC	L ² 48+49.91 POC	88.45 ft tapering on a straight line to 171.53 ft	
L ² 48+49.91 POC	L ² 49+08.55 POC	171.53 ft tapering on a straight line to 158.41 ft	
L ² 49+08.55 POC	L ² 49+12.24 POC	158.41 ft tapering on a straight line to 93.56 ft	
L ² 49+12.24 POC	L ² 50+50.00 POC	93.56 ft tapering on a straight line to 40 ft	
L ² 50+50.00 POC	L ² 52+41.84 PT Bk=L 52+44.57 POT Ahd.	40 ft	
L ² 52+41.84 PT Bk=L 52+44.57 POT Ahd.	L 53+00.00 POT	40 ft tapering on a straight line to 35 ft	
L 53+00.00 POT	L 56+00.00 POT	35 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>
L 56+00.00 POT	L 57+00.00 POT	35 ft tapering on a straight line to 20 ft.	

ALSO: A strip of land variable feet in width lying on both sides of the centerline of North Morningstar Road as surveyed by Lane County in 1990; the centerline and widths in feet being described as follows;

Beginning at Engineers' Centerline Station L² 48+75.00 POC Bk. (North Enterprise Road) = NM 6+14.79 Ahd. (North Morningstar Road), said station being 2,364.26 feet South and 5.44 feet West of a Brass Cap marking the Northeast Corner of the E. Mulholland Sr. Donation Land Claim Number 57 in Section 34, Township 18 South, Range 2 West of the Willamette Meridian, Lane County, Oregon; run thence South 79° 48' 57" West, 63.61 feet; thence along a 520.87 foot radius curve left (the long chord of which bears South 74° 17' 20" West, 100.33 feet) a distance of 100.49 feet; thence South 68° 45' 43" West, 221.11 feet to Engineers' Centerline Station NM 10+00.00 POT Bk. = L 0+00.00 POT Ahd.; thence continuing South 68° 45' 43" West, 400.00 feet to Engineers' Centerline Station L 4+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 NORTH'LY SIDE OF C/LINE</u>	<u>WIDTH ON SOUTH'LY SIDE OF C/LINE</u>
NM 6+61.70 POT	NM 7+00.00 POC	78.84 ft tapering on a straight line to 50 ft	
NM 7+10.00 POC	NM 7+78.89 PT		40 ft tapering on a straight line to 30 ft
NM 7+78.89 PT	L 2+00.00 POT		30 ft.
NM 7+00.00 POC	NM 7+78.89 PT	50 ft tapering on a straight line to 40 ft	
NM 7+78.89 PT	L 3+50.00 POT	40 ft	
L 3+50.00 POT	L 4+00.00 POT	40 ft tapering on a straight line to 30 ft.	

The bearings used herein are based upon a bearing of South 89° 50' 00" West between the Southeast Corner of the Elijah Bristow Donation Land Claim Number 69 and the Northwest Corner of the E. Mulholland Jr. Donation Land Claim Number 58 as referenced in the original field notes of County Road Number 665.

EXHIBIT "B"

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

IN THE MATTER OF THE ALTERATION OF NORTH ENTERPRISE ROAD AND NORTH MORNINGSTAR ROAD (COUNTY ROAD NUMBERS 311, 665 AND 397) (18-02-34 & 19-02-03))))))	DIRECTOR'S REPORT
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North Enterprise Road (County Road Numbers 311 and 665) is a rural minor collector road consisting of two County Roads. County Road Number 311 was established in 1875 with a width of 60 feet. County Road 665 was established in 1910 with a width of 40 feet. North Morningstar (County Road Number 397) is a rural local road established in 1886 as a 40 foot wide County Road with a connection to North Enterprise Road.

This alteration is one of a number of road alterations that were done in the 1980's and early 1990's wherein right of way deeds were acquired and recorded but never formally accepted, field surveys were performed and maps filed, and construction was completed, yet no final order of alteration was filed.

The initiation and acquisition of property and the improvement of portions of North Enterprise Road and North Morningstar Road was part of a five year Capital Improvement Program, FY 90-91 through FY 94-95. On January 2, 1991, Resolution and Order 91-1-2-16 authorized Public Works to acquire necessary right of way which altered its alignment from State Highway 58 to North Morningstar Road. Previously, on April 4, 1983, the Capital Improvement Program for FY 83-84 through FY 87-88 was adopted by Order No. 83-4-27-29 authorizing acquisition of property necessary for several projects which included a portion of North Morningstar Road near North Enterprise Road. This project is consistent with Oregon Revised Statute 368, which allows for the initiation and acquisition of property, and Lane Code Chapter 15, which provides for improvement, development or redevelopment of County Roads in accordance with the Comprehensive Plan.

Lane County acquired title and other interests in 1983-1984 and in 1991-1992 for right of way along North Enterprise Road and North Morningstar Road which were recorded as required by ORS 368.106. Although the acquisitions deeds were recorded, no formal process of acceptance was completed. The Surveyor's Office is presenting herewith an order containing a listing of the deeds for acceptance by the Board of Commissioners.

Since the project began, there have been conveyances to the State of Oregon near the intersection of Willamette Highway (State Highway 58). These conveyances widened North Enterprise Road where it meets Highway 58, but are not part of the right of way that is being accepted by the County.

The North Enterprise Road project improvement plans were prepared and all necessary surveying, alignment design and mapping, additional right of way acquisition and construction have been completed and are open for public travel. The construction of the roads was completed in accordance with plans and specifications administered by the Department of Public Works. A survey map of the North Enterprise Road project was filed by Lane County Public Works Department in 1992.


An Order of Alteration to legally alter these portions of North Enterprise Road and North Morningstar Road (County Road Numbers 311, 665 and 397) has been prepared. The Order provides for acceptance of parcels of land, or portion thereof, acquired as right of way in

conjunction with this project, and vacates portions of the former rights of way determined to be in excess. 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 a survey map in the Office of the Lane County Surveyor as County Survey File No. 30370 through 30375, which includes centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

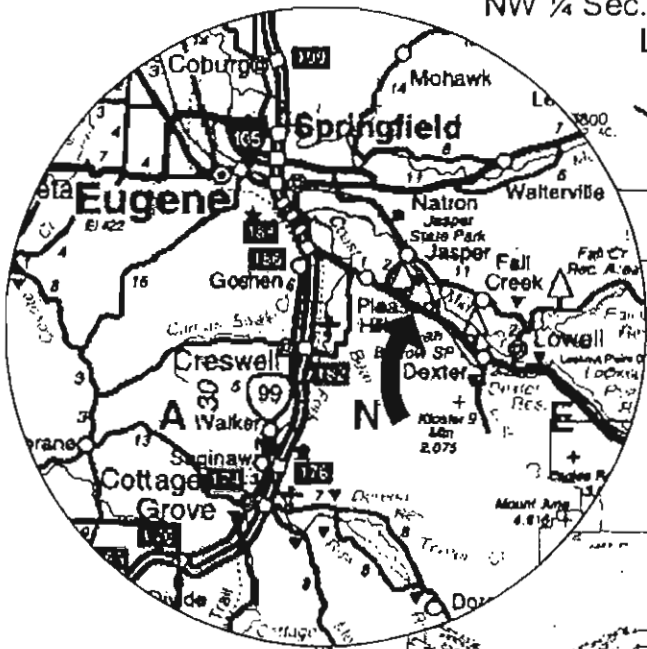
The public interest will be served by the alteration of this road. It is therefore recommended that the Order of Alteration and related attachments be approved and that it be filed with the County Clerk and entered in the Board of Commissioners Journal of Administration. The Order of Alteration and the 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 1st day of March, 2011.

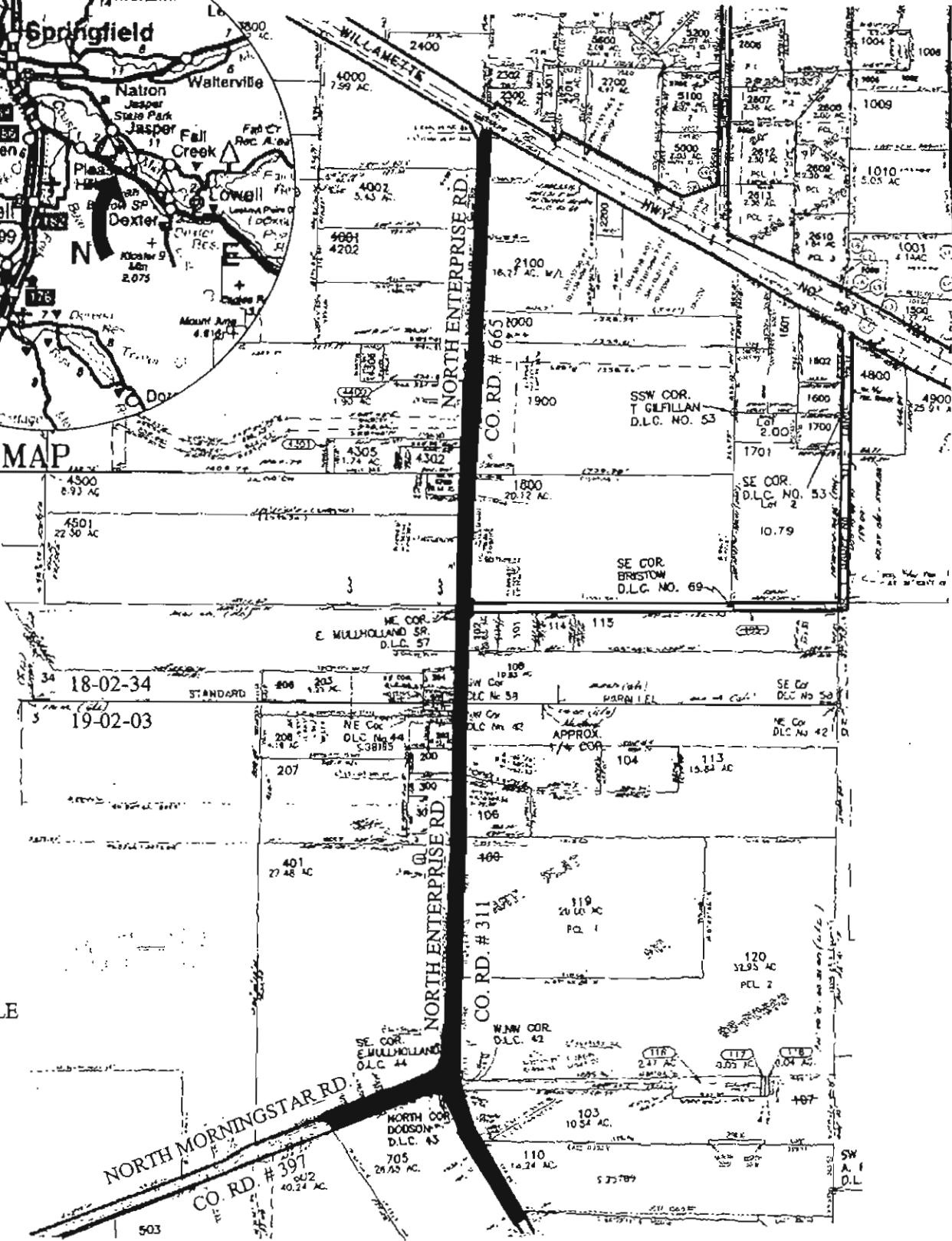

Director
Department of Public Works

ATTACHMENT 'A'

ALTERATION OF A PORTION OF
N. ENTERPRISE ROAD and N. MORNINGSTAR ROAD
W 1/2 Sec. 34, T. 18 S., R. 2 W. W. M.
NW 1/4 Sec. 3, T. 19 S., R. 2 W. W. M.
LANE COUNTY



VICINITY MAP
NOT TO SCALE



NOT TO SCALE