

W. S. C. I.

ORIGINAL

AGENDA COVER MEMO

DATE: May 31, 2006
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 CEDAR FLAT ROAD (COUNTY ROAD NUMBER 539) FROM HIGHWAY 126, SOUTHERLY, TO EAST CEDAR FLAT ROAD, LOCATED WITHIN SECTION 32, TOWNSHIP 17 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN.

I. MOTION

Move to Approve an Order Altering a Portion of Cedar Flat Road (County Road Number 539) from Highway 126, Southerly, to East Cedar Flat Road, Located within Section 32, Township 17 South, Range 1 West of the Willamette Meridian

II. ISSUE

Right of way acquisition and improvements associated with reconstruction have been completed on a portion of Cedar Flat Road (County Road Number 539), from Highway 126 (McKenzie Highway), southerly approximately 0.5 miles, to the intersection with East Cedar Flat Road. It is now necessary for the Board of Commissioners to decide whether the completed road project and its alignment should be legally altered.

III. DISCUSSION

A. Background

County Road Number 539 (commonly known as Cedar Flat Road) was originally established in 1904. Cedar Flat Road is a rural local road that stems off Highway 126, east of Springfield. The portion of the road to be altered is approximately 0.5 miles in length and extends southerly from its intersection with Highway 126, to the intersection with East Cedar Flat Road. The southerly portion of Cedar Flat Road, from milepost 0.5 to 2.2, was altered in 1988. The proposed alteration of the northerly segment will complete the formal modernization phase of Cedar Flat Road.

The road's poor pavement condition resulting from drainage problems and deficient road base indicated a need for improvement for the safety of the traveling public on this road.

A public meeting was held on January 14, 2004 at Walterville Elementary School to discuss the project and answer questions, and a Public Hearing was held on January 28, 2004 at the Lane County Public Works Operations Building. Upon consideration of public testimony and recommendations, and further, through Capital Improvement Programs from FY 2003-04 through FY 2007-08, and Board Order No. 04-5-19-10, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with the right of way plans; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for the improvement of the Cedar Flat Road Project.

B. Analysis

The Public Works Director's Report, attached to the Order as Exhibit "B", notes that the alteration and construction of Cedar Flat Road has 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 and vacates portions of the former right of way determined to be in excess. 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. 39847 with the County Surveyor, which includes road centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106.

C. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the Order of Alteration of Cedar Flat Road from Highway 126 to the intersection with East Cedar Flat Road.
2. Have staff review and alter any component of the Order of Alteration of said portion of Cedar Flat Road, or
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 this portion of Cedar Flat Road, as proposed and supported by the Public Works Director.

E. Timing

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.

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 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.

V. ATTACHMENTS

Order With Attachments:

Exhibit "A" - Legal Descriptions

Exhibit "B" - Director's Report

Attachment "A" - Vicinity Map

Contact Person: Bill Robinson, x4198

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

File No. 4137

IN THE MATTER OF THE ALTERATION OF A)	
PORTION OF CEDAR FLAT ROAD (COUNTY ROAD)	ORDER OF
NO. 539) FROM HIGHWAY 126, SOUTHERLY, TO)	ALTERATION
EAST CEDAR FLAT ROAD, LOCATED WITHIN)	NO.
SECTION 32, TOWNSHIP 17 SOUTH, RANGE 1 WEST)	
OF THE WILLAMETTE MERIDIAN)	

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 the portion of Cedar Flat Road that runs from the intersection with Highway 126 (McKenzie Highway), southerly approximately 0.5 miles, to its intersection with East Cedar Flat Road; and

WHEREAS, a public hearing was held on January 28, 2004 at the Lane County Public Works Operations Building regarding the proposed road improvements, and through adoption of the Capital Improvement Programs from FY 2003-04 through FY 2007-08, and Board Order No. 04-5-19-10, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with the right of way plans; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for the improvement of the Cedar Flat 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 Cedar Flat 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 Cedar Flat Road, and accept the alignments including acquisitions made as a part of this project, as county road right of way; and

WHEREAS, the Department of Public Works has filed road survey numbered County Survey File 39847 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>
Gail D. Keffer Janice L. Keffer	Oct. 19, 1988	Reel 1540R RR 8843878	17-01-32-20 2000
Helen Louise Stepzinski Eugene F. Stepzinski	Oct. 19, 1988	Reel 1540R RR 8843879	17-01-32-20 2000
Eugene F. Stepzinski Helen Louise Stepzinski	Sept. 8, 2004	Deed Instrument No. 2004-070499	17-01-32-20 2000
Ted Kerkhof Nelly Kerkhof	Oct. 7, 2004	Deed Instrument No. 2004-078100	17-01-32-20 2700
Robert W. Henson Robin Henson	Aug. 16, 2004	Deed Instrument No. 2004-064418	17-01-32-20 2600
Robert W. Henson Robin Henson	Nov. 24, 2004	Deed Instrument No. 2004-090914	17-01-32-20 2600
Doreatha Trenary	Oct. 26, 2004	Deed Instrument No. 2004-082710	17-01-32-20 2400
Merritt Douglas Orem Shannon Michelle Orem	Aug. 30, 2004	Deed Instrument No. 2004-068195	17-01-32-20 2500
Lysbeth Toribio	Aug. 24, 2004	Deed Instrument No. 2004-066693	17-01-32-30 102

and, it is further

ORDERED, that the portions of said county road referred to above and commonly known as Cedar Flat 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 all portions of County Road Number 539 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 portions of County Road Number 539 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 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 be, and is hereby final and does operate to alter said portion of Cedar Flat Road, and to accept it as County Road Number 539.

DATED this _____ day of _____, 2006.

Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 6-14-06 By

[Handwritten Signature] *[Handwritten Signature]*

OFFICE OF PUBLIC WORKS

CEDAR FLAT ROAD**CENTERLINE DESCRIPTION**

A strip of land variable feet in width lying on each side of the centerline of Cedar Flat Road in Section 32, Township 17 South, Range 1 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 2005; the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline Station L 0+00.00 POB, said station being 2,055.79 feet North and 1,375.69 feet East of the (L.C.S.O.) Brass Cap marking the West Quarter Corner of Section 32, Township 17 South, Range 1 West of the Willamette Meridian, Lane County, Oregon; run thence South 2° 05' 43" West, 1,387.70 feet; thence along a 954.93 foot radius curve left (the long chord of which bears South 7° 20' 47" East, 313.30 feet) a distance of 314.72 feet; thence South 16° 47' 17" East, 21.11 feet; thence along a 2,864.79 foot radius curve left (the long chord of which bears South 19° 31' 53" East, 274.23 feet) a distance of 274.33 feet; thence South 22° 16' 29" East, 359.60 feet to Engineers' Centerline Station L 23+57.46 POT Bk. = L2 23+57.46 PC Ahd.; thence along a 358.10 foot radius curve left (the long chord of which bears South 42° 37' 44" East, 249.11 feet) a distance of 254.43 feet; thence South 62° 58' 59" East, 8.75 feet to Engineers' Centerline Station L2 26+20.64 PI 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>
L 0+20.62 POT	L 0+35.00 POT		28 ft tapering on a straight line to 18.42 ft
L 0+35.00 POT	L 4+99.37 POT		18.42 ft tapering on a straight line to 20.06 ft
L 4+99.37 POT	L 4+99.37 POT		20.06 ft tapering on a straight line to 18.85 ft
L 4+99.37 POT	L 12+70.00 POT		18.85 ft tapering on a straight line to 19.71 ft
L 0+62.62 POT	L 0+67.87 POT	67.50 ft tapering on a straight line to 46 ft	
L 0+67.87 POT	L 1+10.94 POT	46 ft tapering on a straight line to 21.29 ft	
L 1+10.94 POT	L 4+19.91 POT	21.29 ft tapering on a straight line to 20.17 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 4+19.91 POT	L 12+71.05 POT	20.17 ft tapering on a straight line to 21.01 ft	
L 12+71.05 POT	L 12+71.02 POT	21.01 ft tapering back on a straight line to 31.01 ft	
L 12+71.02 POT	L 14+75.00 POC	31.01 ft tapering on a straight line to 35.34 ft	
L 14+75.00 POC	L 15+00.00 POC	35.34 ft tapering on a straight line to 40 ft	
L 15+00.00 POC	L 16+00.00 POC	40 ft tapering on a straight line to 55 ft	
L 12+70.00 POT	L 13+00.00 POT		19.71 ft tapering on a straight line to 30 ft
L 13+00.00 POT	L 13+87.70 PC		30 ft tapering on a straight line to 19.77 ft
L 13+87.70 PC	L 15+05.63 POC		19.77 ft tapering on a straight line to 12.60 ft
L 15+05.63 POC	L 17+80.00 POC		12.60 ft tapering on a straight line to 20.75 ft
L 17+80.00 POC	L 18+50.00 POC		20.75 ft tapering on a straight line to 45 ft
L 18+50.00 POC	L 19+50.00 POC		45 ft tapering on a straight line to 60 ft
L 19+50.00 POC	L 19+97.86 PT		60 ft tapering on a straight line to 55 ft
L 19+97.86 PT	L 20+50.00 POT		55 ft tapering on a straight line to 50 ft
L 20+50.00 POT	L 21+10.00 POT		50 ft tapering on a straight line to 22.60 ft
L 21+10.00 POT	L 21+54.14 POT		22.60 ft tapering on a straight line to 23.66 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 21+54.14 POT	L 21+53.77 POT		23.66 ft tapering back on a straight line to 22.84 ft
L 16+00.00 POC	L 17+50.00 POC	55 ft tapering on a straight line to 35 ft	
L 17+50.00 POC	L 19+00.00 POC	35 ft tapering on a straight line to 18.69 ft	
L 19+00.00 POC	L 19+36.37 POC	18.69 ft tapering on a straight line to 20.29 ft	
L 19+36.37 POC	L 20+89.84 POT	20.29 ft tapering on a straight line to 19.54 ft	
L 21+53.77 POT	L 22+50.00 POT		22.84 ft tapering on a straight line to 21.51 ft
L 22+50.00 POT	L 23+15.00 POT		21.51 ft tapering on a straight line to 65 ft
L 23+15.00 POT	L 23+57.46 POT Bk. = L2 23+57.46 PC Ahd.		65 ft
L 23+57.46 POT Bk. = L2 23+57.46 PC Ahd.	L2 24+30.00 POC		65 ft tapering on a straight line to 41.38 ft

The bearings used herein are based on values determined by GPS tied to Lane County control point LCCM 1156, 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

File No. 4137

IN THE MATTER OF THE ALTERATION OF A PORTION)	
OF CEDAR FLAT ROAD (COUNTY ROAD NO. 539), FROM)	DIRECTOR'S
HIGHWAY 126, SOUTHERLY, TO EAST CEDAR FLAT ROAD,)	REPORT
LOCATED WITHIN SECTION 32, TOWNSHIP 17 SOUTH,)	
RANGE 1 WEST OF THE WILLAMETTE MERIDIAN)	

Cedar Flat Road, as it is commonly known, is a rural local road that stems off Highway 126 east of Springfield. The road is approximately 2.2 miles in length. The portion of the road to be altered is the most northerly segment extending from Highway 126 to East Cedar Flat Road, being approximately 0.5 miles in length. The southerly portion of Cedar Flat Road, from milepost 0.5 to milepost 2.2, was altered in 1988. The proposed alteration will complete the formal modernization phase of Cedar Flat Road.

The road's poor pavement condition resulting from drainage problems and deficient road base indicated a need for improvement for the safety of the traveling public.

A public meeting was held on January 14, 2004 at the Walterville Elementary School regarding the proposed road improvements and a Public Hearing was held on January 28, 2004 at the Lane County Operations Building. Upon consideration of public testimony and recommendations, and further through Capital Improvement Programs from FY 2003-04 through FY 2007-08, and Board Order No. 04-5-19-10, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with the right of way plans; pursue all necessary planning actions; acquire right of way and prepare plans and specifications for the improvement of the Cedar Flat Road Project.

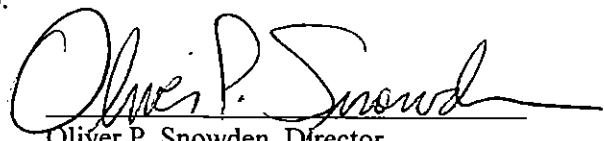
The Cedar Flat Road project construction plans were prepared and all necessary surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed. All construction of this portion of road was completed in accordance with plans and specifications administered by the Department of Public Works.

An Order of Alteration to legally alter this portion of Cedar Flat 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, 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 County Survey File No. 39847 with the County Surveyor, which include 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 Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor for public record.

DATED this 9th day of June, 2006.

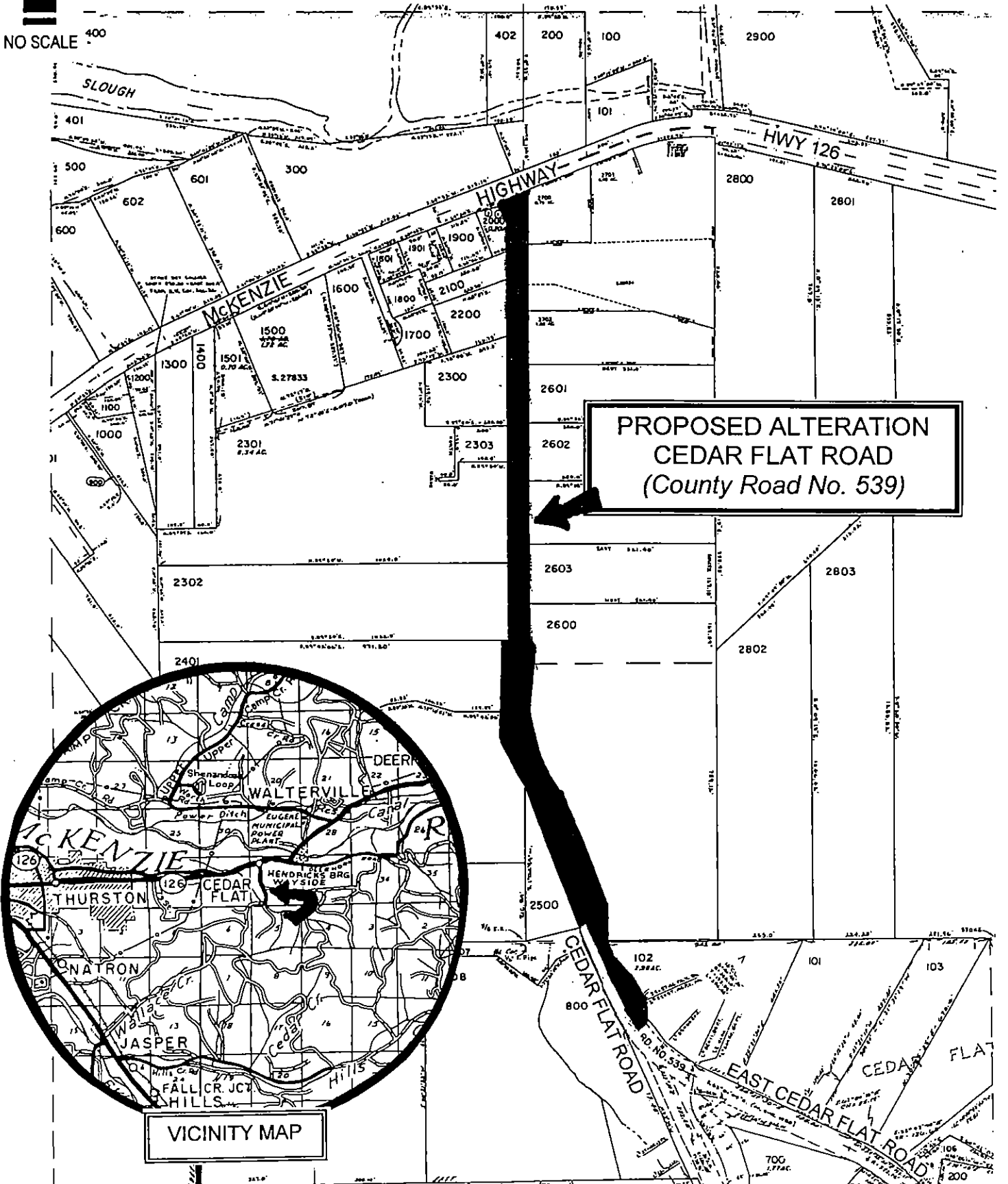


Oliver P. Snowden, Director
Department of Public Works

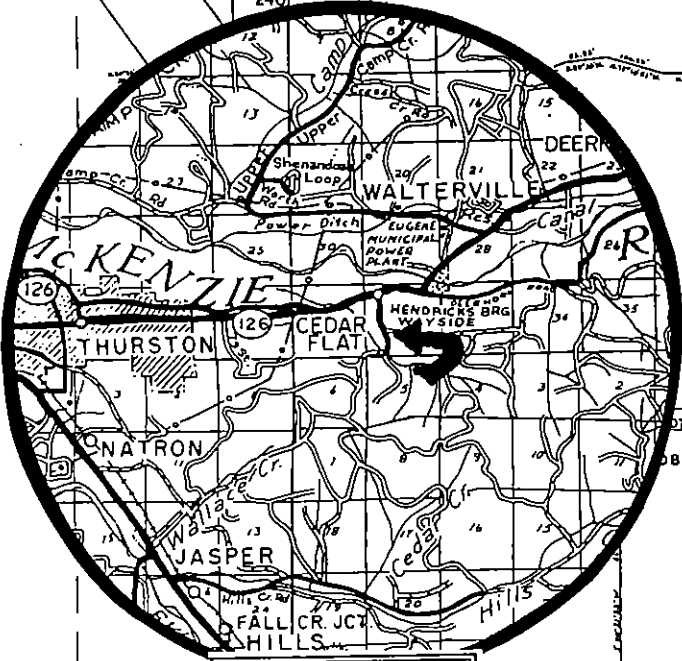
Sec. 32 T. 17S. R. 1W. W.M.
LANE COUNTY



NO SCALE 400



PROPOSED ALTERATION
CEDAR FLAT ROAD
(County Road No. 539)



VICINITY MAP