

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 18-05-22-06

IN THE MATTER OF SURRENDER OF A
PORTION OF COAST GUARD STATION ROAD
(COUNTY ROAD NUMBER 65) AND A PORTION
OF S. HARBOR VISTA DRIVE (COUNTY ROAD
NUMBER 1301) TO THE CITY OF FLORENCE
(18-12-10 & 15)

WHEREAS, the Board of Commissioners approved Order Number 18-04-10-06 setting May 22, 2018 at 1:30 p.m. to conduct a Public Hearing on the matter of the surrender and transfer of jurisdiction over portions of Coast Guard Station Road (County Road No. 65) and S. Harbor Vista Drive (County Road No. 1301) as described in Exhibit "A", to the City of Florence; and

WHEREAS, the City of Florence, by Resolution No. 2, Series 2018, dated February 5, 2018, marked as Exhibit "B", which is attached and made a part of this Order, formally requested jurisdiction over the portions of the above mentioned Coast Guard Station Road and S. Harbor Vista Drive be transferred to the City of Florence; and

WHEREAS, the portion of Coast Guard Station Road herein proposed for surrender extends from the west right of way of Rhododendron Drive in a northwesterly direction approximately 573 feet to the south line of the property owned by the U.S. Coast Guard, as described in Exhibit "A"; and

WHEREAS, the portion of S. Harbor Vista Drive herein proposed for surrender extends from the west right of way of Rhododendron Drive in a westerly direction approximately 431 feet, as described in Exhibit "A"; and

WHEREAS, the portions of Coast Guard Station Road and S. Harbor Vista Drive proposed for surrender, lie entirely within the city limits of Florence; and

WHEREAS, the section of Coast Guard Station Road herein proposed for surrender was annexed into the City by Final Order 923, dated February 1, 1990 and the section of S. Harbor Vista Drive was annexed into the City by Ordinance No. 3, Series 2017, on February 28, 2017; and

WHEREAS, ORS 373.270 provides for the surrender and transfer of jurisdiction over county roads within a city, the county may transfer jurisdiction over county roads or parts thereof within a city when it is considered to be necessary, expedient, or in the best interest of the county to do so; and the governing body of the city deems it necessary or expedient and in the best interest of the city to acquire jurisdiction over the county roads

or portions thereof and to the same extent as it has over public streets and alleys of the city; and

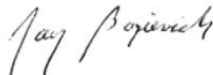
WHEREAS, the Public Works Director of Lane County has recommended these roads be surrendered, as stated in the Director's Final Report, marked as Exhibit "C" which is attached hereto and made a part hereof by this Order; and

WHEREAS, all legal notice has been provided regarding this matter as required by law as witnessed by an Affidavit of Posting by the Lane County Surveyor, marked as Exhibit "D", attached and made a part of this Order; and

NOW, THEREFORE, the Board of Commissioners of Lane County **ORDERS** as follows:

1. Lane County, in accordance with ORS 373.270, hereby surrenders jurisdiction of a portion of Coast Guard Station Road (County Road No. 65) and S. Harbor Vista Drive (County Road No. 1301), as described in Exhibit "A", attached and made a part of this Order, to the City of Florence;
2. This Order to be filed with the Lane County Clerk in the Commissioner's Journal of Administration and copies forwarded to the Lane County Surveyor and Department of Public Works for updating appropriate indexes and County Road records.

ADOPTED this 22nd day of May, 2018



Jay Bozievich, Chair
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date 5-9-18



LANE COUNTY OFFICE OF LEGAL COUNSEL

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

COAST GUARD STATION ROAD (COUNTY ROAD NUMBER 65)

0.11

All that portion of Coast Guard Station Road (County Road Number 65) from the westerly right of way line of Rhododendron Drive, thence northwesterly approximately 573 feet to a point on the South line of the tract of land conveyed to the United States by that certain deed recorded in Book 109, Page 398, Lane County Oregon Deed Records, all in Section 15, Township 18 South, Range 12 West of the Willamette Meridian, Lane County, Oregon.

S. HARBOR VISTA DRIVE (COUNTY ROAD NUMBER 1301)

0.08

All that portion of S. Harbor Vista Drive (County Road Number 1301) from the westerly right of way of Rhododendron Drive, thence westerly approximately 431 feet to the west section line of Sections 10 and 15, Township 18 South, Range 12 West of the Willamette Meridian. The portion of S. Harbor Vista Drive described herein is all in Sections 10 and 15, Township 18 South, Range 12 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "B"

CITY OF FLORENCE
RESOLUTION NO. 2, SERIES 2018

A RESOLUTION REQUESTING SURRENDER OF JURISDICTION OF COAST GUARD
ROAD AND PORTION OF SOUTH HARBOR VISTA DRIVE.

RECITALS:

1. The City of Florence finds it is necessary and in the best interests of the City and the citizens of Florence to acquire jurisdiction over Coast Guard Road and a portion of South Harbor Vista Drive.
2. The City of Florence will provide the same level of service, maintenance, and enforcement provided for other public streets within the City limits of Florence for these transferred roadways.
3. The Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to surrender jurisdiction over County roads within the corporate limits of the City of Florence.
4. Coast Guard Road and a portion of South Harbor Vista Drive have been annexed to the City of Florence and are within the corporate limits of the City.
5. The City of Florence will provide adequate funding for on-going operations and maintenance of these facilities.

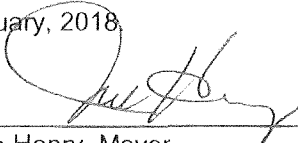
Based on these findings,

THE CITY COUNCIL OF THE CITY OF FLORENCE RESOLVES AS FOLLOWS:

1. The City Council hereby requests that Lane County surrender jurisdiction over Coast Guard Road and a portion of South Harbor Vista Drive to the City of Florence in accordance with the provisions of ORS 373.270.
2. The City Council directs that a copy of this Resolution be forwarded to the Board of County Commissioners of Lane County, Oregon, requesting surrender of jurisdiction of the above described County roads in accordance with the provisions of ORS 373.270.
3. This Resolution takes effect immediately upon adoption.

ADOPTION:

This Resolution is passed and adopted on the 5th day of February, 2018.



Joe Henry, Mayor

Attest:



Kelli Weese, City Recorder

EXHIBIT "C"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S FINAL REPORT

IN THE MATTER OF SURRENDER OF A PORTION
OF COAST GUARD STATION ROAD (COUNTY ROAD
NUMBER 65) AND A PORTION OF S. HARBOR VISTA
DRIVE (COUNTY ROAD NUMBER 1301) TO THE CITY
OF FLORENCE (18-12-10 & 15)

The City of Florence has adopted Resolution No. 2, Series 2018, dated February 5, 2018, formally requesting the transfer of jurisdiction of portions of Coast Guard Station Road (County Road No. 65) and S. Harbor Vista Drive (County Road No. 1301) within their city limits.

By previous action, the Board of County Commissioners approved Order No. 18-04-10-06 setting a Public Hearing date of May 22, 2018 at 1:30 p.m.

ORS 373.270 provides for the transfer of jurisdiction over a county road within a city. The county may transfer jurisdiction over a county road or portion thereof within a city when it is considered to be necessary, expedient, or for the best interest of the county to do so; and the governing body of the city deems it necessary or expedient and for the best interest of the city to acquire jurisdiction over the county road or part thereof to the same extent as it has over public streets and alleys of the city.

Legal notice for the Public Hearing to consider the matter of the surrender of the described portions Coast Guard Station Road and S. Harbor Vista Drive has been provided as required by ORS 373.270.

The surrender of the portion of Coast Guard Station Road and the portion of S. Harbor Vista Drive will enable the City to maintain, develop, and improve the roads to the City's own specifications, standards, and timetables. It is therefore recommended the portions of Coast Guard Station Road (County Road No. 65) and S. Harbor Vista Drive (County Road No. 1301) described in Exhibit "A" of the Order, be surrendered to the City of Florence as it will be in the best interest of the County.

DATED this _____ day of _____, 2018

Dan Hurley, Interim Director
Department of Public Works

EXHIBIT "D"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF POSTING

IN THE MATTER OF SURRENDER OF A PORTION OF COAST GUARD STATION ROAD (COUNTY ROAD NUMBER 65) AND A PORTION OF S. HARBOR VISTA DRIVE (COUNTY ROAD NUMBER 1301) TO THE CITY OF FLORENCE (18-12-10 & 15)

I, Mikeal J. Blommé, Lane County Surveyor, certify as follows:

On the 25th day of April, 2018, and in accordance with ORS 373.270, I posted three (3) copies of the Notice of Hearing in the above entitled matter in three places, positioned to be visible to the traveling public, as follows:

Coast Guard Station Road:

- 1. Posted on a stop sign located at the intersection of Coast Guard Station Road and Rhododendron Drive.
- 2. Posted on Central Lincoln PUD pole no. V15N 27 at the intersection of Coast Guard Station Road and Sea Watch Place.
- 3. Posted on a stop sign near the end of county maintenance at the gated entrance to the U.S. Coast Guard facility.

S. Harbor Vista Drive:

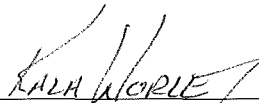
- 1. Posted on a 14" pine tree on the southerly side of S. Harbor Vista Drive near the intersection Rhododendron Drive.
- 2. Posted on Central Lincoln PUD pole no. V10N 12 near the driveway to 04739 S. Harbor Vista Drive.
- 3. Posted on a no parking sign near the brass cap marking the corner common to Sections 9, 10, 15, and 16, Township 18 South, Range 12 West of the Willamette Meridian.



Mikeal J. Blommé
Lane County Surveyor

State of Oregon)
County of Lane)

Subscribed and sworn to before me this 25 day of APRIL, 2018 by
Mikeal J. Blommé, Lane County Surveyor.



NOTARY PUBLIC FOR OREGON
My Commission Expires: MAR 28, 2022

