



Memorandum Date: April 12, 2024
Order Date: April 30, 2024

TO: Board of County Commissioners

DEPARTMENT: Public Works/Engineering and Construction Services/Surveyors

PRESENTED BY: Mikeal Jay Blommé, County Surveyor

AGENDA ITEM TITLE: ORDER / IN THE MATTER OF THE SURRENDER OF SEVEN COUNTY ROADS OR PORTIONS THEREOF TO THE CITY OF EUGENE WITH A PUBLIC HEARING.

I. MOTION

MOVE TO APPROVE THE ORDER TO SURRENDER PORTIONS OF SEVEN COUNTY ROADS TO THE CITY OF EUGENE.

II. AGENDA ITEM SUMMARY

The City of Eugene has requested the surrender of portions of seven County Roads located within an annexed portion of the city limits of Eugene. As provided by ORS 373.270, it is required to consider public testimony of the city's request to surrender the roads prior to approval or denial by the Board.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The City of Eugene, pursuant to Council Resolution No. 5400, dated February 14, 2024, is formally requesting jurisdiction over portions of the following seven County Roads:

- Bailey Hill Road, County Road No. 1297.
- Greenhill Road, County Road No. 36 and 465.
- Marion Lane, County Road No. 1256.
- Cornwall Avenue, County Road No. 1772.
- Byron Street, County Road No. 1891 and 2146.
- River Road, County Road No. 200.
- Irvington Drive, County Road No. 540.

The portions of roads proposed for surrender as described on Exhibit "A" to the Order have been annexed into the city limits of Eugene and consist of approximately 5.78 miles of right of way collectively.

The Board of County Commissioners, pursuant to Order 24-03-19-02, set April 30, 2024, to consider this matter during public hearing.

B. Policy Issues

ORS 373.270 provides for the transfer from County jurisdiction to City jurisdiction of County Roads within the corporate limits of a City, whenever the County governing body deems it 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 Roads or parts thereof to the same extent as it has over other public streets and alleys of the City.

C. Board Goals

This action is consistent with Lane County's Strategic Plan of working together to create vibrant communities. Surrendering the portions of County Roads that have been annexed into the City of Eugene will allow them to maintain, develop and improve them as necessary to the City's specifications, standards, and timetables.

D. Financial and/or Resource Considerations

On March 12th, the Board approved Order No. 24-03-12-03 which included an Intergovernmental Agreement (IGA) between the City of Eugene and Lane County. The IGA stipulates the County provide \$940,000 to the City upon the completion of the jurisdictional transfer of River Road. The \$940,000 will be used by the City of Eugene for future street improvements.

Road Maintenance Staff estimates the County expends an average of nearly \$29,000 per road mile for maintenance activities on County Roads within the City of Eugene Urban Growth Boundary. If this jurisdictional transfer is approved, it is estimated the County will save approximately \$167,000 per year on road maintenance.

E. Health Implications

There are no significant health implications.

F. Analysis

ORS 373.270 provides for the transfer of jurisdiction over County Roads within a city and that legal notice of hearing be posted or published. The City of Eugene has adopted Council Resolution No. 5400, dated February 14, 2024, formally requesting jurisdiction over portions of seven County Roads within the city limits be transferred from Lane County to the City of Eugene. Legal notice has been provided by publication as required by ORS 373.270, as detailed in the Affidavit of Notice by Publication, Exhibit "D."

G. Alternatives/Options

The Board of County Commissioners has the option to:

1. Approve the Order to surrender the County Roads to the City of Eugene.
2. Deny the Order and direct staff otherwise.

IV. RECOMMENDATION

The Public Works Director's Report, attached as Exhibit "B," recommends the Board of Commissioners approve the Order to surrender the County Roads as described in Exhibit "A" to the Order to the City of Eugene.

V. TIMING/IMPLEMENTATION

The City of Eugene respectfully requests the Board consider this matter in a timely manner.

VI. FOLLOW-UP

If approved by the Board, the County's involvement in the process will be concluded. The County Clerk shall file the Order in the Commissioner's Journal of Administration and forward copies to the Lane County Surveyor who shall update appropriate indexes and County Road records.

If the Board does not support the surrender, an Order to deny will be presented at a later date.

VII. ATTACHMENTS

Order with Exhibits:

- Legal Description – Exhibit "A"
- Director's Final Report – Exhibit "B"
- Council Resolution No. 5400 – Exhibit "C"
- Affidavit of Notice by Publication – Exhibit "D"
- Vicinity Maps – Exhibit "E"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 24-04-30-03

IN THE MATTER OF THE SURRENDER OF SEVEN
COUNTY ROADS OR PORTIONS THEREOF TO THE
CITY OF EUGENE WITH A PUBLIC HEARING.

WHEREAS, the City of Eugene, pursuant to Council Resolution 5400, dated February 14, 2024, has requested the jurisdiction over portions of seven County Roads be transferred to the City of Eugene; and

WHEREAS, the portions of County Roads herein proposed for surrender are those portions described in attached Exhibit "A;" and

WHEREAS, the County Roads herein proposed for surrender lie entirely within the city limits of Eugene; 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, Pursuant to Order 24-03-19-02, the Board set a public hearing date of April 30, 2024, to consider public testimony on this matter as required by 373.270(4). Notice of the hearing was provided pursuant to ORS 373.270(2)(b); and

WHEREAS, the Public Works Director of Lane County has provided a recommendation to the Board to approve the surrender of the County Roads as described in Exhibit "A" to the City of Eugene; and

WHEREAS, the Board is of the opinion that approval of the surrender of the described seven County Roads to the City of Eugene is in the best interest of the public; 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 the portions of seven County Roads as described in Exhibit "A" to the City of Eugene.

2. This Order shall 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 30th day of April 2024.

Laurie Trieger, Chair
LANE COUNTY BOARD OF COMMISSIONERS

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

BAILEY HILL ROAD (County Road Number 1297)

0.85

From the southerly end of that portion of Bertelsen Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending southwesterly for approximately 4,500 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 3, 9, and 10, Township 18 South, Range 4 West, Willamette Meridian.

BYRON STREET (County Road No's. 1891 and 2146)

0.20

From the northerly right of way line of Irvington Drive, thence extend northerly for approximately 690 feet, more or less to the southerly right of way line of Argon Avenue, all in Section 2, Township 17 South, Range 4 West, Willamette Meridian.

Also, from the southerly right of way line of Irvington Drive, thence extend southerly for approximately 350 feet, more or less to the westerly line of Land Partition Plat No. 2000-P1328, all in Section 2, Township 17 South, Range 4 West, Willamette Meridian.

CORNWALL AVENUE (County Road No. 1772)

0.09

From the northeasterly right of way line of the NW Expressway, thence extend easterly for approximately 450 feet, more or less to the westerly right of way line of N. Park Avenue, all in Section 23, Township 17 South, Range 4 West, Willamette Meridian.

GREENHILL ROAD (County Road No's. 36 and 465)

2.25

From the southerly right of way line of the Coos Bay Rail Line of that portion of Greenhill Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending northerly for approximately 11,900 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 19, 20, 29, and 30, Township 17 South, Range 4 West, Willamette Meridian.

IRVINGTON DRIVE (County Road No. 540)

0.02

All that portion of Irvington Drive, County Road Number 540, beginning at the easterly end of that portion of Irvington Drive surrendered to the City of Eugene pursuant to Lane County Board of County Commissioners Final Order No. 13-09-10-08; thence extending in an easterly direction 500 feet, more or less, ending at River Road, County Road No. 200, all in Section 2, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon.

EXHIBIT "A"

LEGAL DESCRIPTION	MILEAGE
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MARION LANE (County Road No. 1256)	0.27
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From the westerly right of way line of River Road, thence extend westerly for approximately 1,450 feet, more or less to the extension of the easterly right of way line of Hoover Lane, all in Section 24, Township 17 South, Range 4 West, Willamette Meridian.

RIVER ROAD (County Road No. 200)	2.10
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From the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 06-4-19-6, described as the northerly right of way of Horn Lane, thence extending northwesterly for approximately 1,320 feet, more or less to southerly end of that portion of River Road surrendered the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the northerly right of way of Merry Lane, all in Sections 13 and 24, Township 17 South, Range 4 West, Willamette Meridian.

Also, from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the southerly right of way of Maynard Lane, thence extending northwesterly for approximately 750 feet, more or less to southerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 06-4-19-6, described as the southerly right of way of Rosewood Avenue (West), all in Section 13, Township 17 South, Range 4 West, Willamette Meridian.

Also, from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the Eugene City Limits at Wedgewood Drive, thence extending northwesterly for approximately 9,070 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 2 and 11, Township 17 South, Range 4 West, Willamette Meridian, and Section 35, Township 16 South, Range 4 West, Willamette Meridian.

EXHIBIT "B"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S FINAL REPORT

IN THE MATTER OF THE SURRENDER OF SEVEN
COUNTY ROADS OR PORTIONS THEREOF TO
THE CITY OF EUGENE WITH A PUBLIC HEARING.

The City of Eugene has adopted Council Resolution No. 5400, dated February 14, 2024, formally requesting the transfer of portions of seven County Roads within their city limits.

The combined portions of the County roads consist of approximately 5.78 miles of right of way as described on Exhibit "A," and depicted on Exhibit "D," attached to and made a part of the Order for the proposed surrender of said County Roads. The subject portions of the roads are currently under the jurisdiction of Lane County, and the transfer of jurisdiction over these County Roads would enable the City of Eugene to maintain, develop, and improve the roads to the city's own specifications, standards, and timetables.

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. ORS 373.270 also requires a public hearing for these proceedings, with notice to the public provided by posting or publication. Legal notice has been provided by publication as required by ORS 373.270.

It is recommended the Board of County Commissioners approve the Order to surrender the County Roads as described in Exhibit "A" to relieve the County's responsibilities to expend Road Fund monies on maintenance activities. Approval by the Board will also allow the City of Eugene to maintain, develop, and improve the roads to the City's own specifications, standards, and timetables.

DATED this _____ day of _____, 2024.

Dan Hurley, Director
Department of Public Works

Exhibit C

COUNCIL RESOLUTION NO. 5400

**A RESOLUTION REQUESTING THAT JURISDICTION
OVER PORTIONS OF COUNTY ROAD NOS. 1297, 465, 1256,
1551, 1891, 2146, 200, AND 540 BE TRANSFERRED TO THE
CITY OF EUGENE.**

PASSED: 6:0

REJECTED:

OPPOSED:

ABSENT: Clark, Leech

CONSIDERED: February 14, 2024



RESOLUTION NO. 5400

A RESOLUTION REQUESTING THAT JURISDICTION OVER PORTIONS OF COUNTY ROAD NOS. 1297, 465, 1256, 1551, 1891, 2146, 200, AND 540 BE TRANSFERRED TO THE CITY OF EUGENE.

The City Council of the City of Eugene finds that:

A. The City Council finds it expedient and in the best interests of the City to acquire jurisdiction over portions of the following county roads as particularly described in Exhibit A attached to this Resolution and incorporated herein by reference, all of which lie within the corporate limits of the City of Eugene: County Road Nos. 1297 (Bailey Hill Road), 465 (Greenhill Road), 1256 (Marion Lane), 1551 (Cornwall Avenue), 1891 and 2146 (Byron Street), 200 (River Road), and 540 (Irvington Drive).

B. The Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to release jurisdiction over county roads within the limits of the City of Eugene and should be requested to do so.

NOW, THEREFORE,

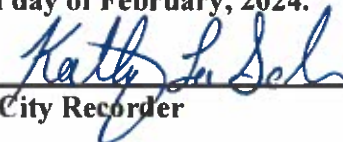
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:

Section 1. In accordance with ORS 373.270(6), the City of Eugene hereby requests that Lane County take action in accordance with ORS 373.270 to surrender jurisdiction to the City of Eugene the portions of the following county roads that are described in Exhibit A attached to this Resolution, all of which lie within the corporate limits of the City of Eugene: County Road Nos. 1297, 465, 1256, 1551, 1891, 2146, 200, and 540.

Section 2. Upon its passage, the City Manager shall forward a copy of this Resolution to the Lane County Administrator for consideration by the Lane County Board of County Commissioners, seeking final Board action in response to this request.

Section 3. Upon adoption of an order of the Board of County Commissioners of Lane County surrendering jurisdiction of any or all of the above described portions of county road, the full and absolute jurisdiction over that portion of road for all purposes of repair, construction, improvement, and the levying and collection of assessments therefor, shall vest in the City of Eugene and the City shall have the same jurisdiction over the road or portion thereof as by its charter, and the laws of the state are given or granted it over any of the public streets and alleys of the City.

The foregoing Resolution adopted the 14th day of February, 2024.



City Recorder

**Right of Way Jurisdiction Transfer Requests of Annexed County Roads to the City of Eugene
January 14, 2024**

<u>LEGAL DESCRIPTIONS</u>	<u>MILEAGE</u>
BAILEY HILL ROAD (County Road Number 1297, also known as Bailey Hill Cutoff) from the southerly end of that portion of Bertelsen Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending southwesterly for approximately 4,500 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 3, 9, and 10, Township 18 South, Range 4 West, Willamette Meridian.	0.85
GREENHILL ROAD (County Road Number 465) from the southerly right of way line of the Coos Bay Rail Line of that portion of Greenhill Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 87-12-16-1, thence extending northerly for approximately 11,900 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 19, 20, 29, and 30, Township 17 South, Range 4 West, Willamette Meridian.	2.25
MARION LANE (County Road Number 1256) from the westerly right of way line of River Road, thence extend westerly for approximately 1,450 feet, more or less to the extension of the easterly right of way line of Hoover Lane, all in Section 24, Township 17 South, Range 4 West, Willamette Meridian.	0.27
CORNWALL AVENUE (County Road Number 1551) from the northeasterly right of way line of the NW Expressway, thence extend easterly for approximately 450 feet, more or less to the westerly right of way line of N. Park Avenue, all in Section 23, Township 17 South, Range 4 West, Willamette Meridian.	0.09
BYRON STREET (County Road Numbers 1891 and 2146) from the northerly right of way line of Irvington Drive, thence extend northerly for approximately 690 feet, more or less to the southerly right of way line of Argon Avenue, all in Section 2, Township 17 South, Range 4 West, Willamette Meridian.	0.13
Also, from the southerly right of way line of Irvington Drive, thence extend southerly for approximately 350 feet, more or less to the westerly line of Lane Partition Plat No. 2000-P1328, all in Section 2, Township 17 South, Range 4 West, Willamette Meridian.	0.07
RIVER ROAD (County Road Number 200) from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County	0.24

LEGAL DESCRIPTIONS**MILEAGE**

Board of Commissioners Final Order of Surrender Number 06-4-19-6, described as the northerly right of way of Horn Lane, thence extending northwesterly for approximately 1,320 feet, more or less to southerly end of that portion of River Road surrendered the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the northerly right of way of Merry Lane, all in Sections 13 and 24, Township 17 South, Range 4 West, Willamette Meridian.

Also, from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the southerly right of way of Maynard Lane, thence extending northwesterly for approximately 750 feet, more or less to southerly end of that portion of River Road surrendered the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 06-4-19-6, described as the southerly right of way of Rosewood Avenue (West), all in Section 13, Township 17 South, Range 4 West, Willamette Meridian.

0.14

Also, from the northerly end of that portion of River Road surrendered to the City of Eugene in Lane County Board of Commissioners Final Order of Surrender Number 13-09-10-08, described as the Eugene City Limits at Wedgewood Drive, thence extending northwesterly for approximately 9,070 feet, more or less to the Urban Growth Boundary as located in 2023, all in Sections 2 and 11, Township 17 South, Range 4 West, Willamette Meridian, and Section 35, Township 16 South, Range 4 West, Willamette Meridian.

1.72

IRVINGTON DRIVE (County Road Number 540) All that portion of Irvington Drive, County Road Number 540, beginning at the easterly end of that portion of Irvington Drive surrendered to the City of Eugene pursuant to Lane County Board of County Commissioners Final Order No. 13-09-10-08; thence extending in an easterly direction 500 feet, more or less, ending at River Road, County Road No. 200, all in Section 2, Township 17 South, Range 4 West of the Willamette Meridian, Lane County, Oregon.

0.02

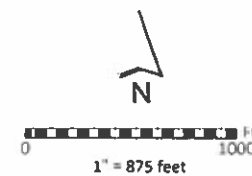
Bailey Hill Road - South Bertelsen Road to UGB

Resolution Exhibit A



-  Eugene City Limits
-  Eugene UGB
-  Proposed Jurisdictional Transfer

-  Taxlots
-  Buildings

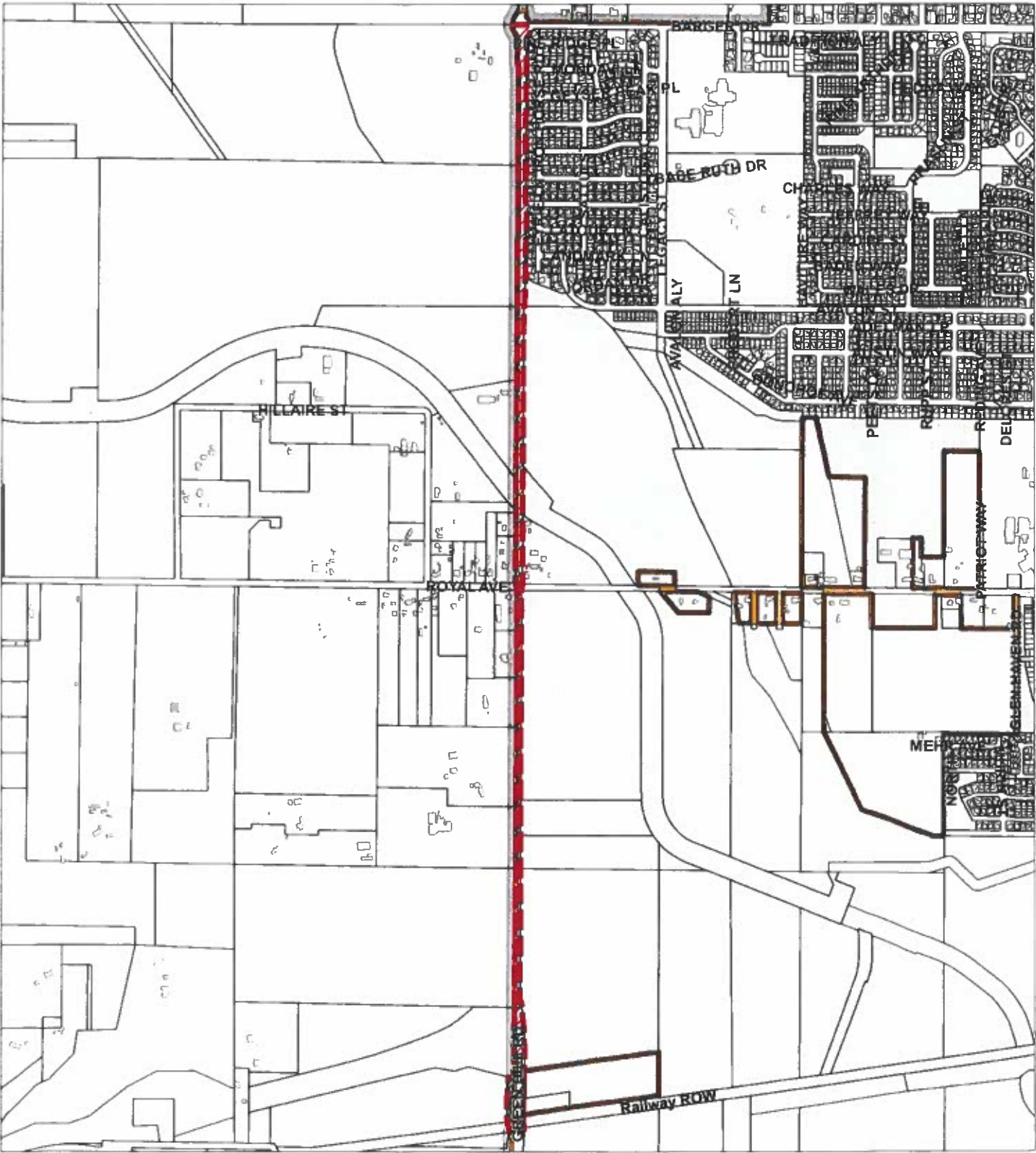


Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

1/11/2024

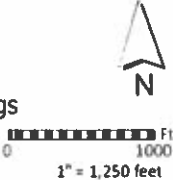


Greenhill Road - Railroad Tracks to Barger Drive



-  Eugene City Limits
-  Eugene UGB
-  Proposed Jurisdictional Transfer

-  Taxlots
-  Buildings



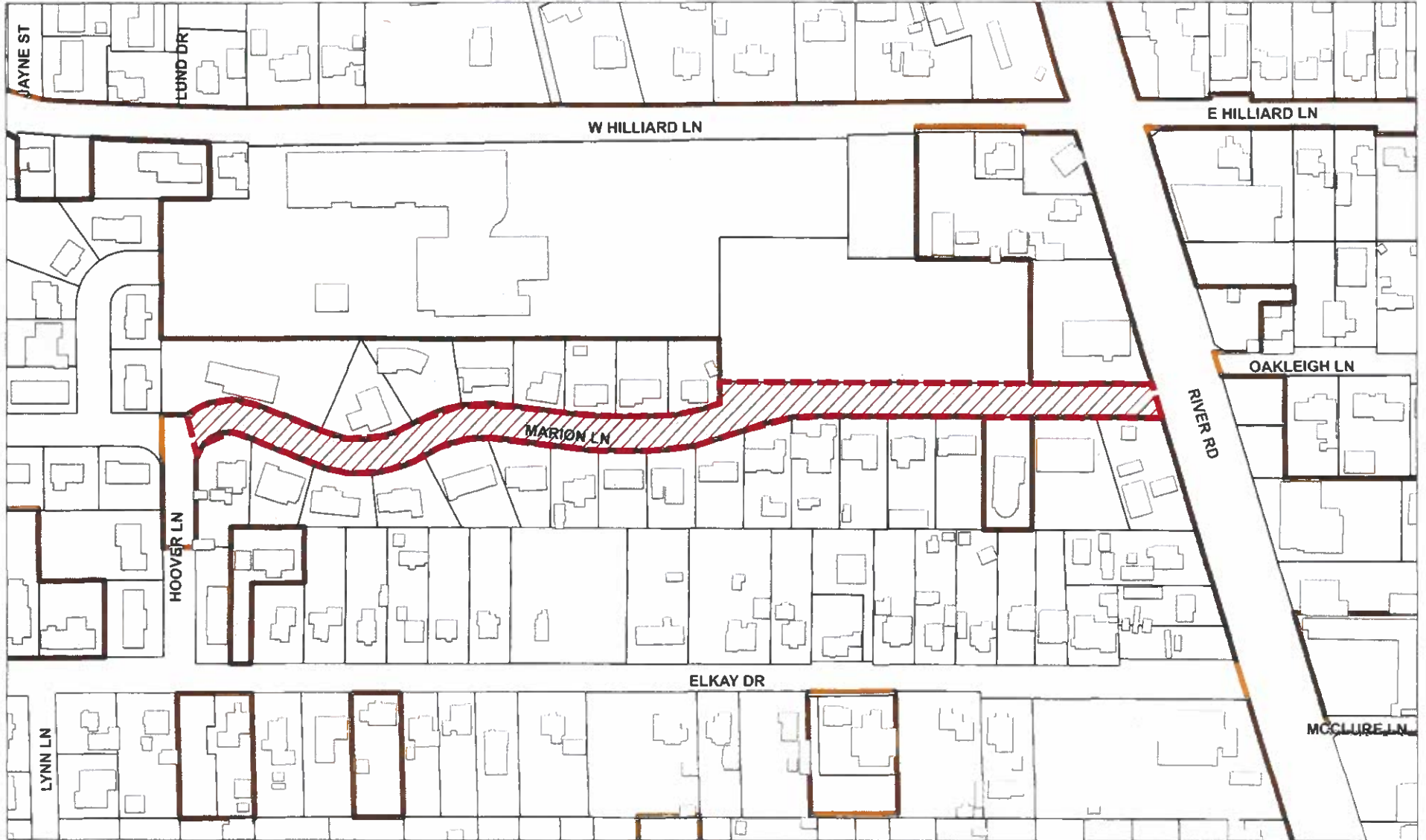
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1/10/2024

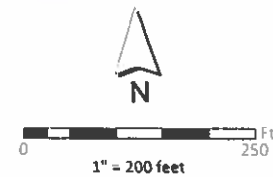


Marion Lane - River Road to Hoover Lane

Resolution Exhibit A



- Eugene City Limits
- Proposed Jurisdictional Transfer
- Taxlots
- Buildings



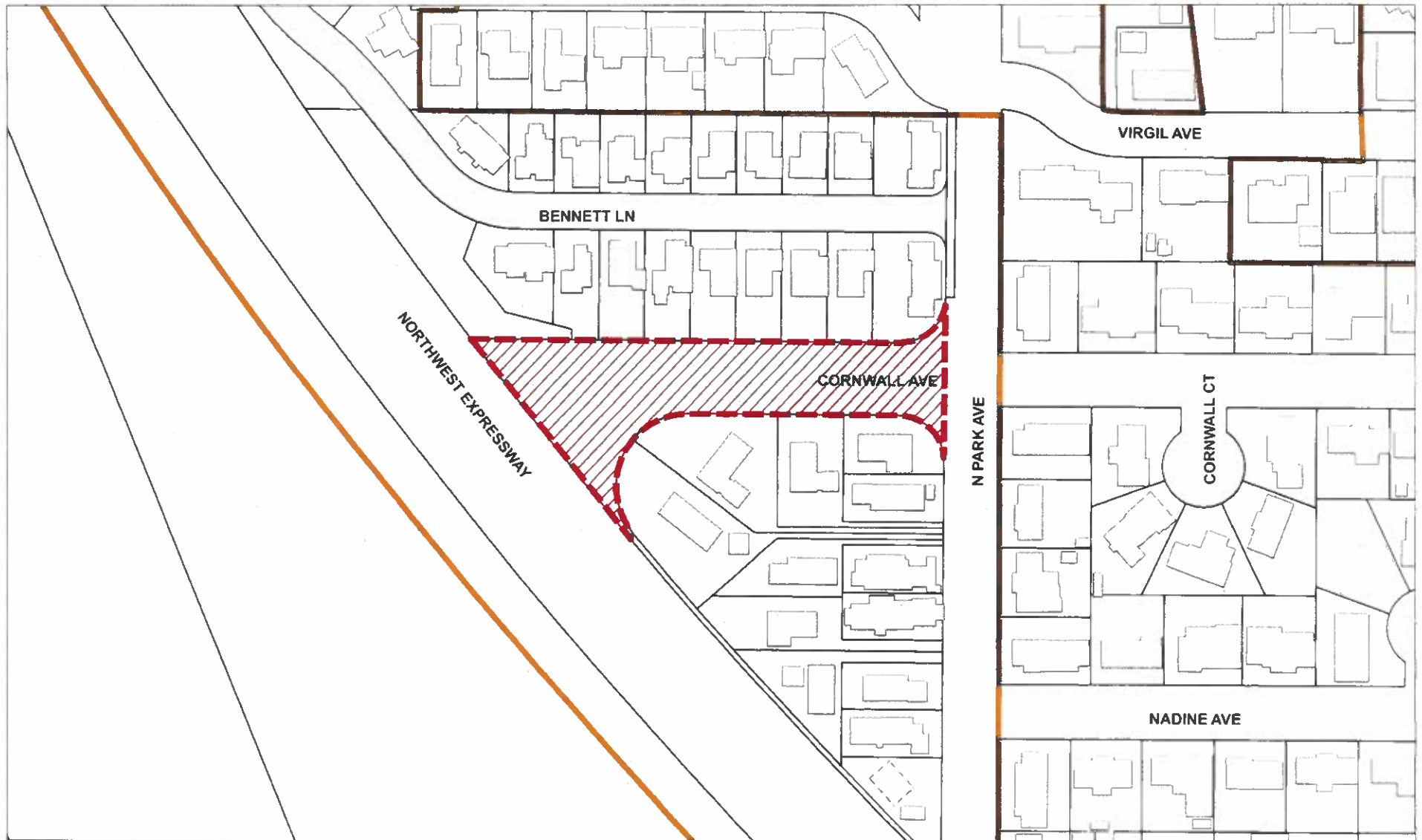
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1/11/2024



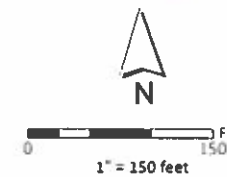
Cornwall Avenue - NW Expressway to North Park Avenue

Resolution Exhibit A



 Eugene City Limits
 Proposed Jurisdictional Transfer

 Taxlots
 Buildings



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1/10/2024

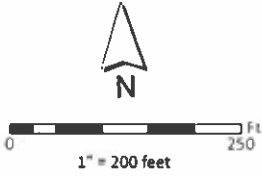


Byron Street

Resolution Exhibit A



- Eugene City Limits
- Proposed Jurisdictional Transfer
- Taxlots
- Buildings

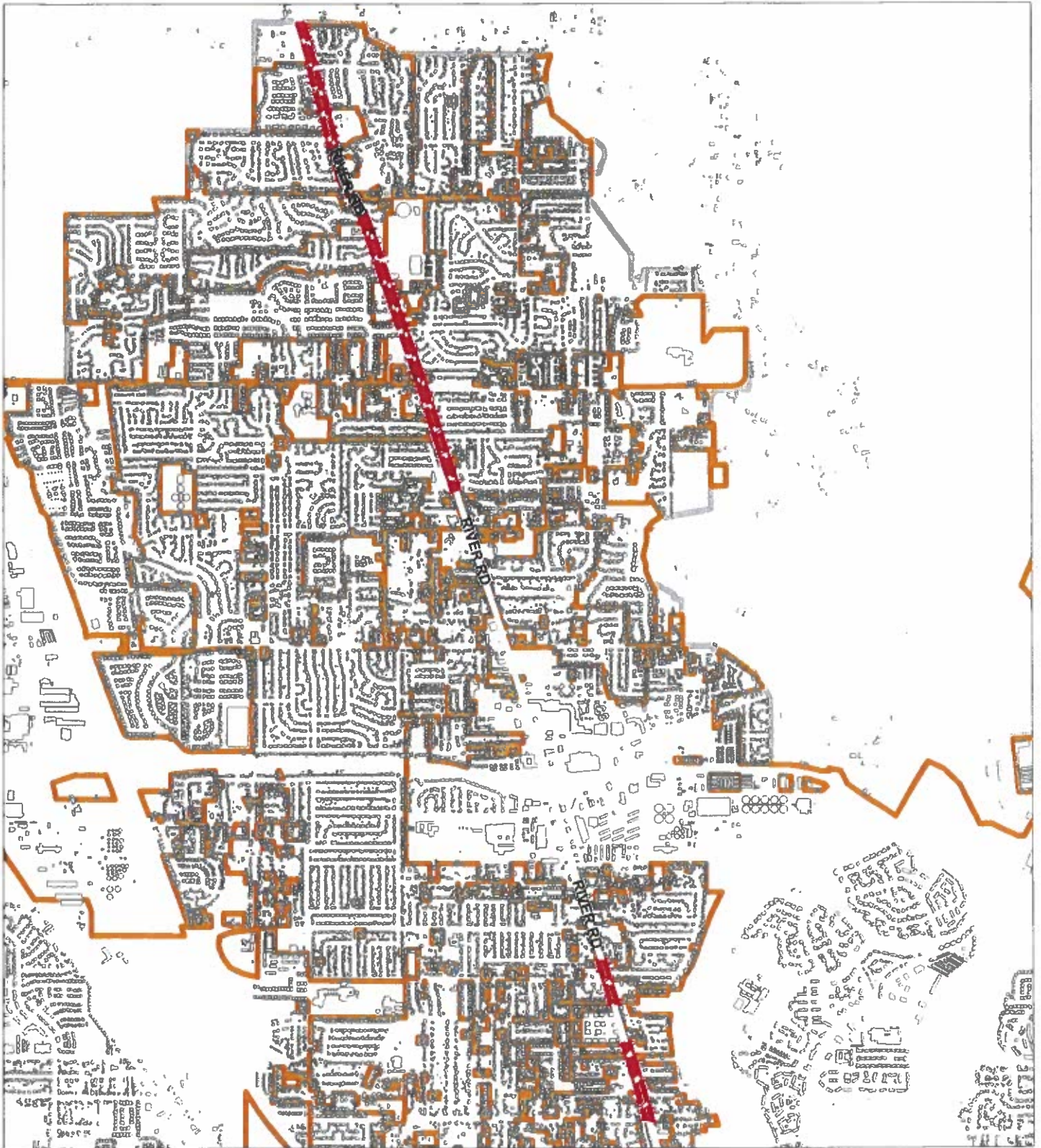


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1/10/2024



River Road: Wedgewood Drive to UGB, Maynard, and Horn



-  Eugene City Limits
-  Eugene UGB
-  Proposed Jurisdictional Transfer
-  Buildings

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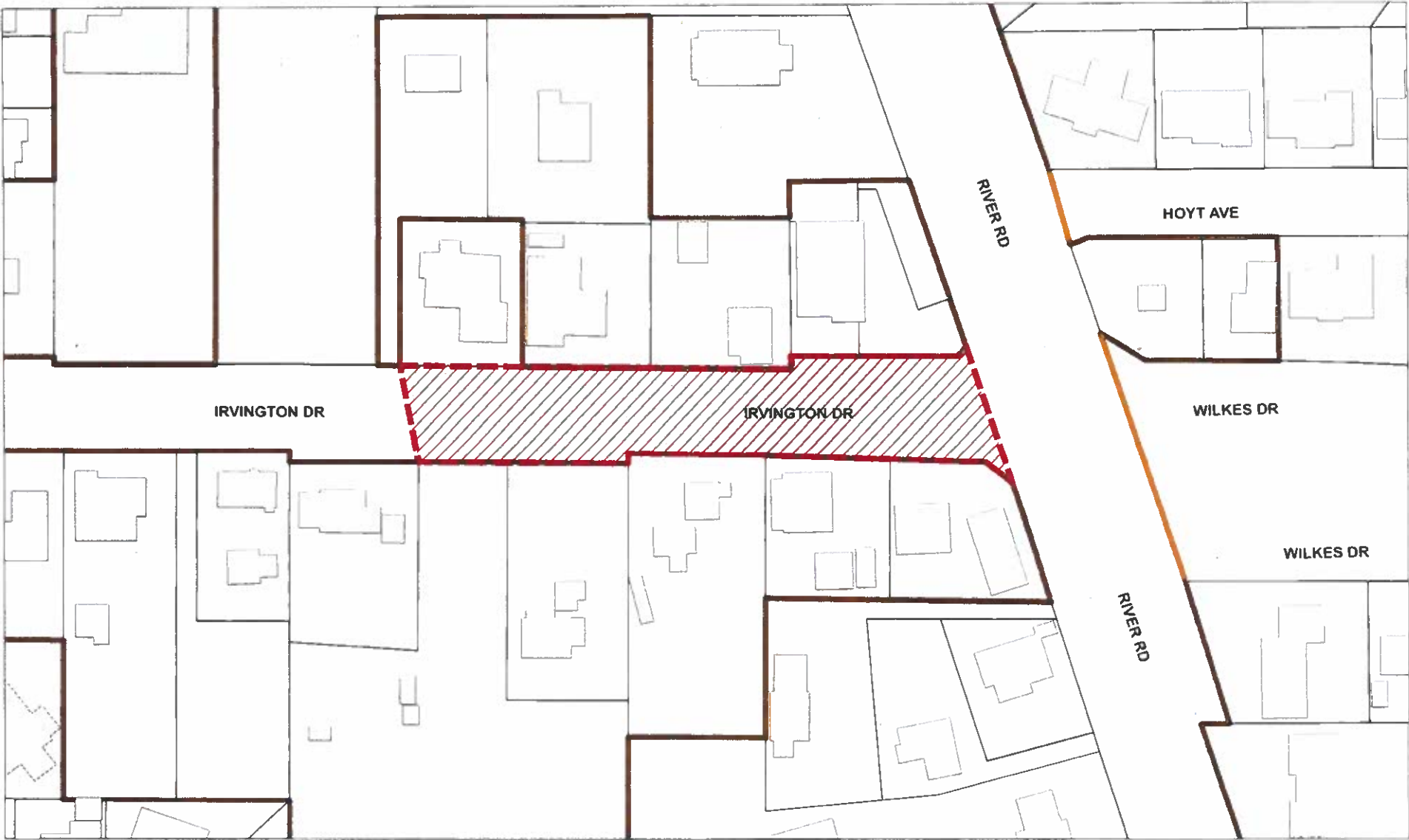
1/31/2024



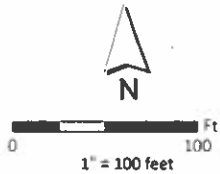
1" = 2,250 feet

Irvington Drive at River Road

Resolution Exhibit A



-  Eugene City Limits
-  Proposed Jurisdictional Transfer
-  Taxlots
-  Buildings



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2/2/2024



EXHIBIT "D"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF NOTICE BY PUBLICATION

IN THE MATTER OF THE SURRENDER OF SEVEN
COUNTY ROADS OR PORTIONS THEREOF TO
THE CITY OF EUGENE WITH A PUBLIC HEARING.

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

In accordance with ORS 373.270(2)(b), I caused to be published the Notice of Hearing in the above-entitled matter once per week for four successive weeks in the Register Guard on the following dates:

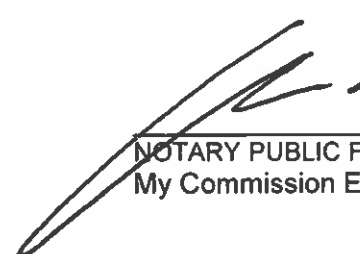
1. Tuesday, April 2, 2024.
2. Tuesday, April 9, 2024.
3. Tuesday, April 16, 2024.
4. Tuesday, April 23, 2024.


Mikeal J. Blommé, PLS
Lane County Surveyor



State of Oregon)
County of Lane) §

Subscribed and sworn to before me this 9 day of April, 2024 by Mikeal J. Blommé,
Lane County Surveyor.


NOTARY PUBLIC FOR OREGON

My Commission Expires: September 15, 2026

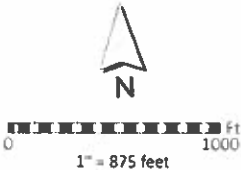
Bailey Hill Road - South Bertelsen Road to UGB

Exhibit "E"



- Eugene City Limits
- Eugene UGB
- Proposed Jurisdictional Transfer

- Taxlots
- Buildings



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1/11/2024



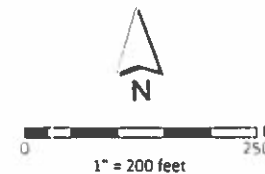
Byron Street

Exhibit "E"



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- Buildings



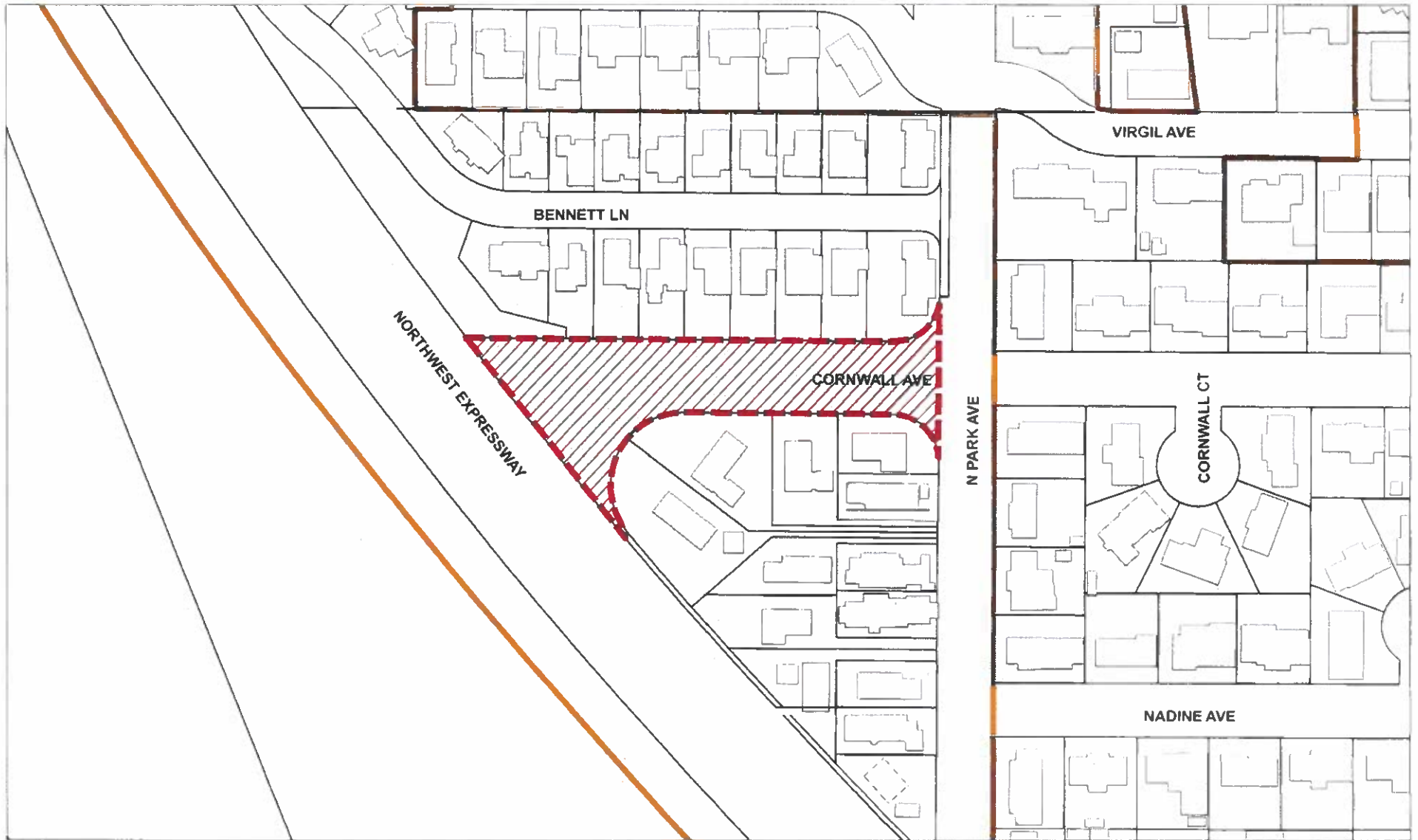
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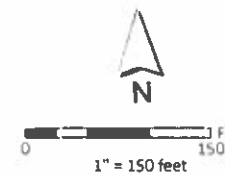


Cornwall Avenue - NW Expressway to North Park Avenue

Exhibit "E"



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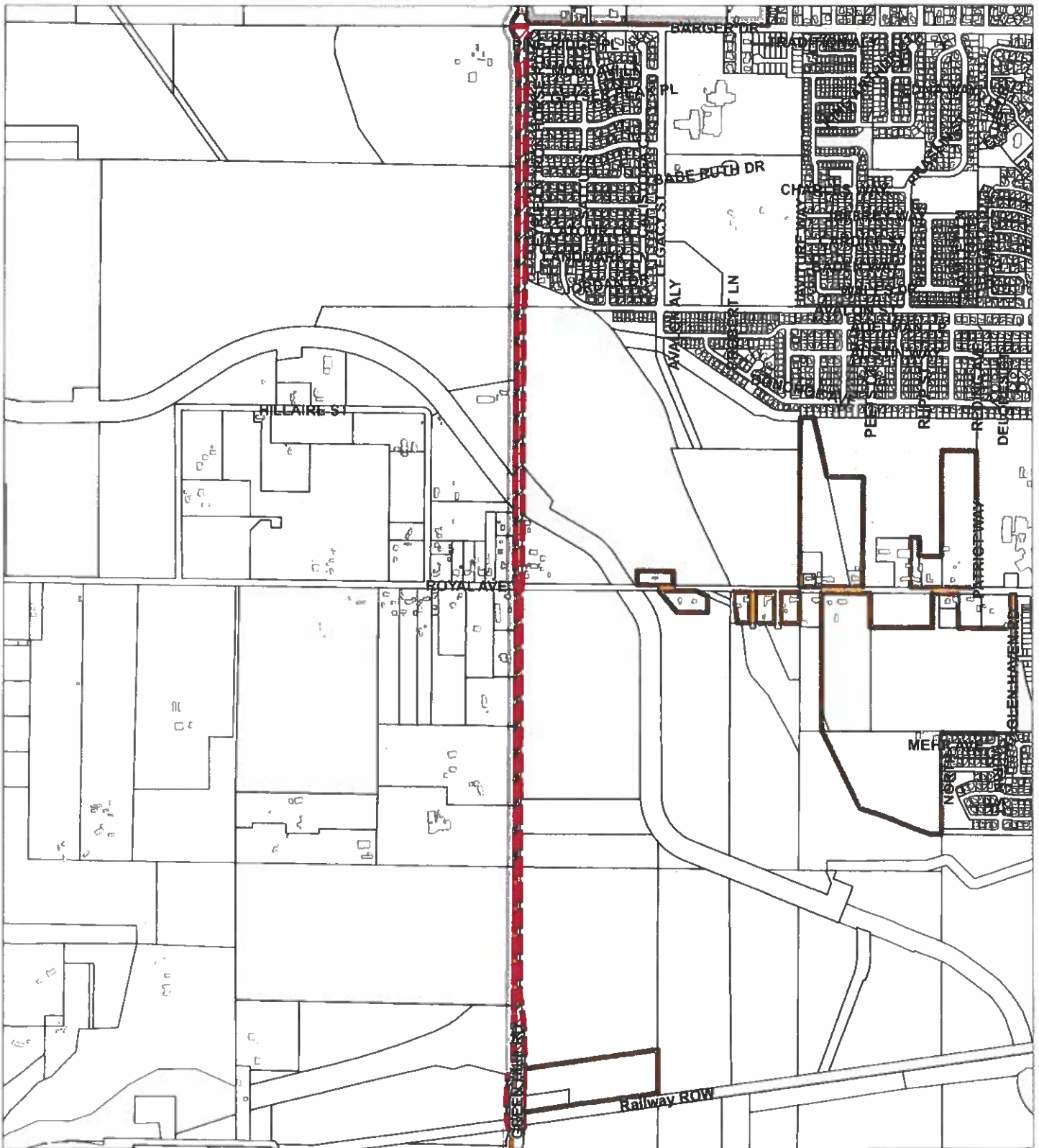
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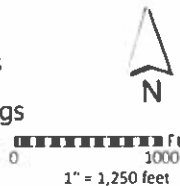
Greenhill Road - Railroad Tracks to Barger Drive

Exhibit "E"



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-  Taxlots
-  Buildings



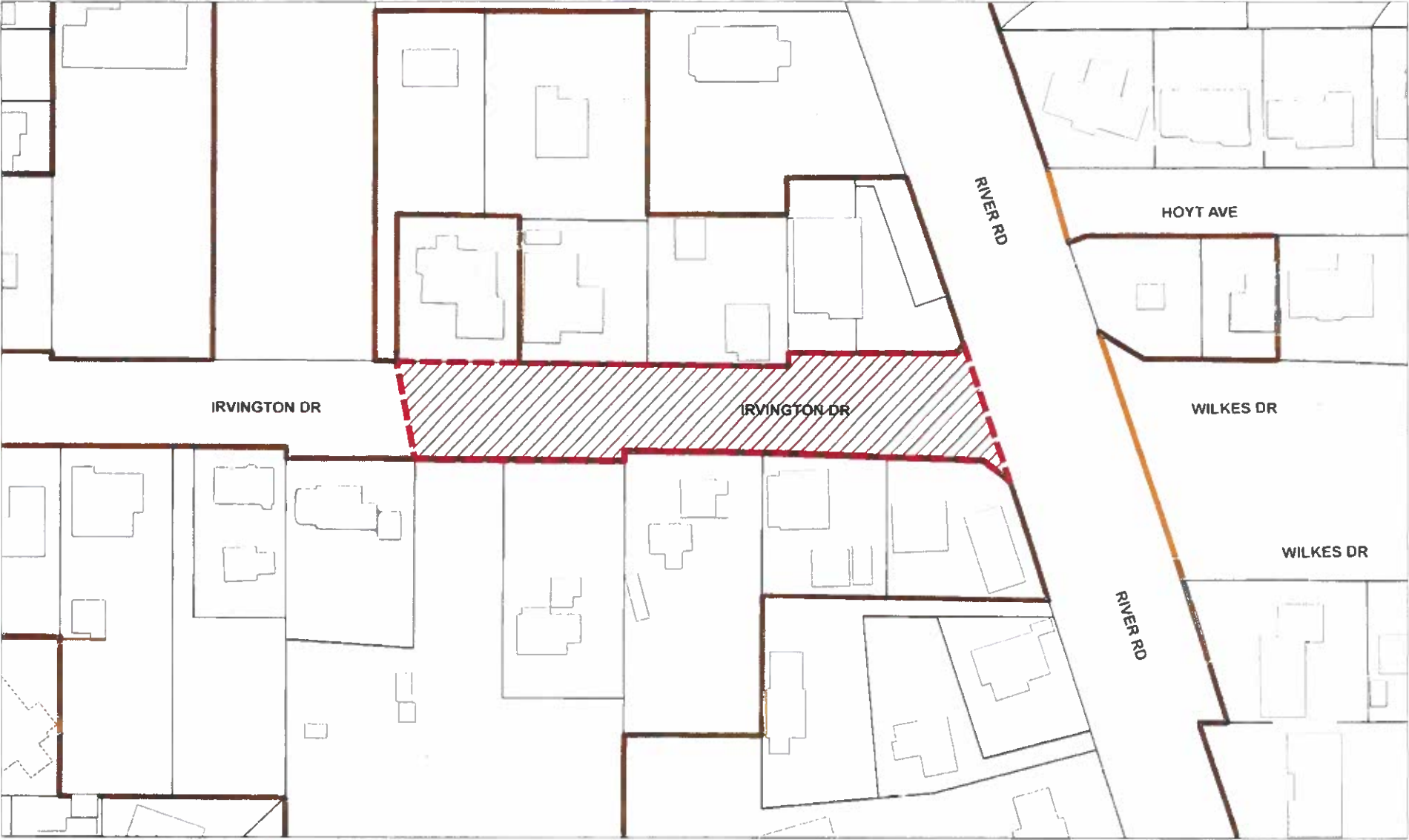
Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

1/10/2024

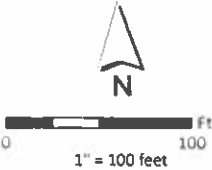


Irvington Drive at River Road

Exhibit "E"



-  Eugene City Limits
-  Proposed Jurisdictional Transfer
-  Taxlots
-  Buildings



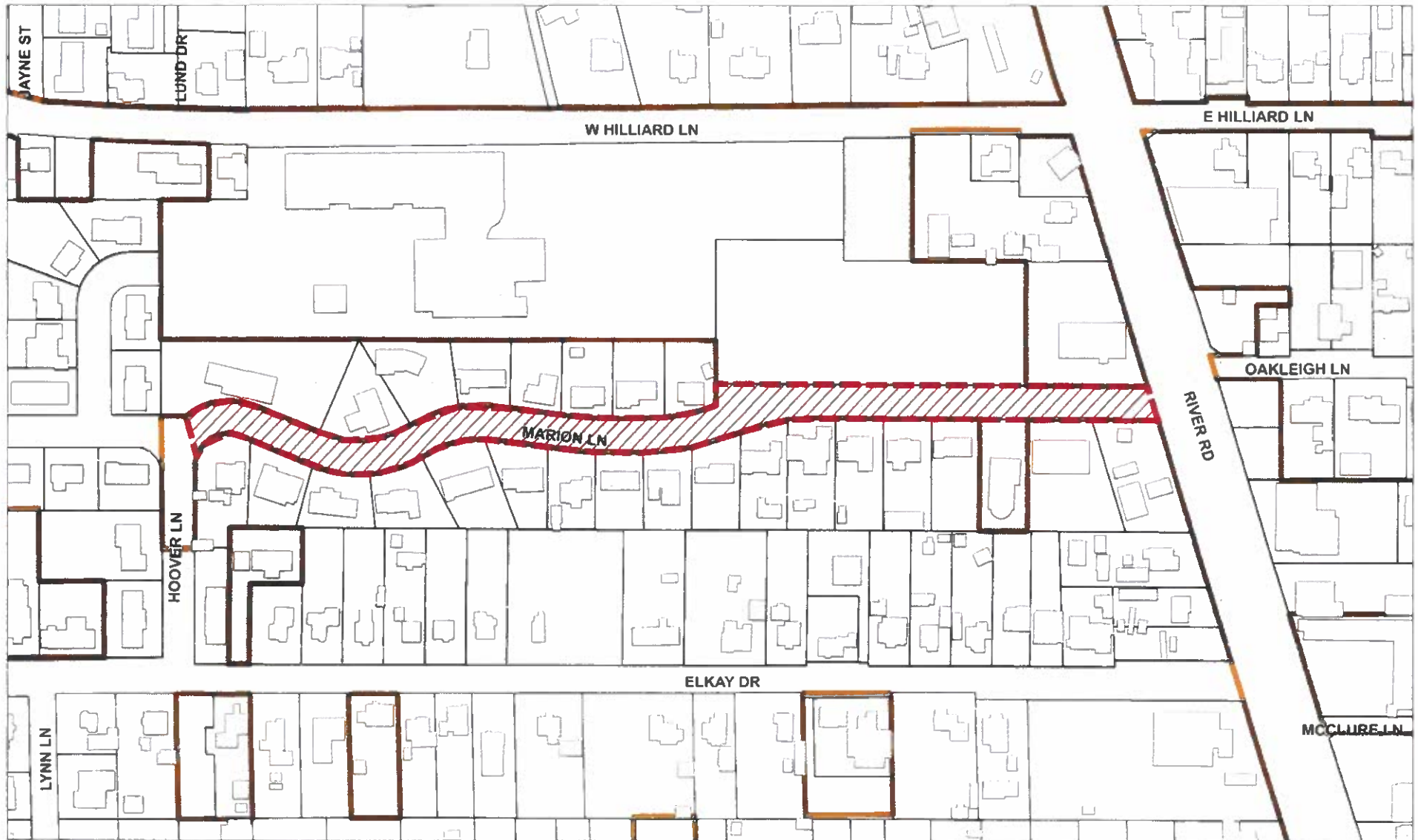
Caution:
This map is based on imprecise
source data, subject to change,
and for general reference only.

2/2/2024

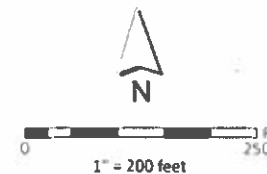


Marion Lane - River Road to Hoover Lane

Exhibit "E"



-  Eugene City Limits
-  Proposed Jurisdictional Transfer
-  Taxlots
-  Buildings



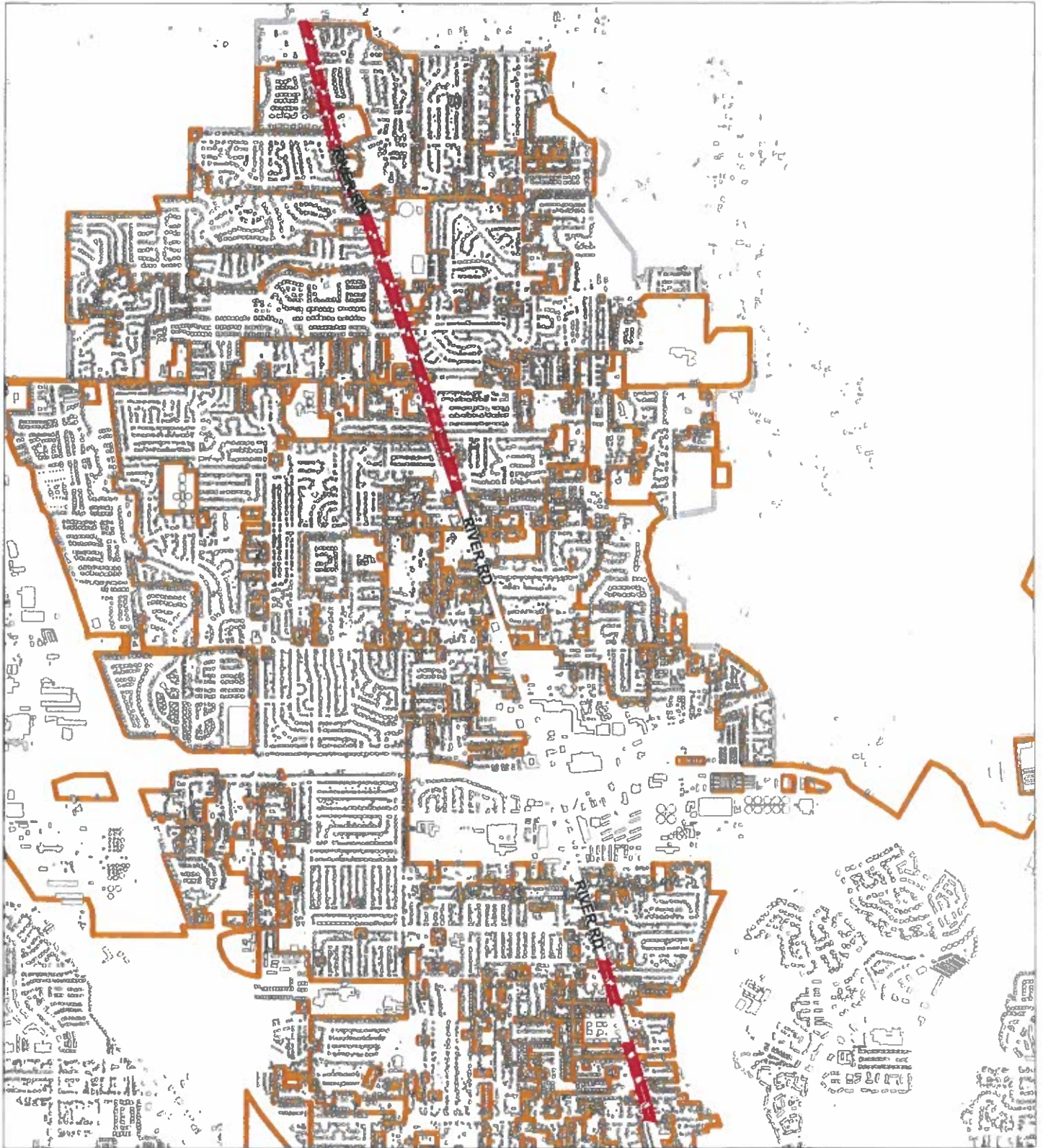
Caution:
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and for general reference only.

1/11/2024



Exhibit "E"

River Road: Wedgewood Drive to UGB, Maynard, and Horn

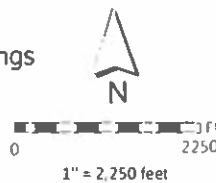


 Eugene City Limits

 Buildings

 Eugene UGB

 Proposed Jurisdictional Transfer



Caution:
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source data, subject to change,
and for general reference only.

1/31/2024

