



Memorandum Date: October 4, 2024
Order Date: October 22, 2024

TO: Board of County Commissioners

DEPARTMENT: Public Works/Engineering and Construction Services/Surveyors

PRESENTED BY: Mikeal J. Blommé, Lane County Surveyor

AGENDA ITEM TITLE: ORDER / IN THE MATTER OF ACCEPTING DEDICATIONS OF PERMANENT ROAD EASEMENTS TO BE USED FOR COUNTY ROAD PURPOSES FOR GILHAM ROAD, COUNTY ROAD NO. 2283. (17-03-08).

I. MOTION

TO APPROVE THE ORDER ACCEPTING DEDICATIONS OF PERMANENT ROAD EASEMENTS TO BE USED FOR GILHAM ROAD, COUNTY ROAD NO. 2283.

II. AGENDA ITEM SUMMARY

Right of way was acquired to support the Gilham Road Sidewalk and Safety Improvement Project which is scheduled for construction in 2025. The Board is being asked to approve the Order to accept the dedications of permanent road easements as County Road.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

Strips of land adjacent to Gilham Road have been acquired as right of way for public road purposes. These acquisitions are the result of the project known as the Gilham Road Sidewalk and Safety Improvement Project. The right of way acquired was needed to accommodate the engineering design for this project which includes curbs, sidewalks, and stormwater facilities. The Board approved the project design concept and authorized Lane County Public Works to initiate property acquisition, including condemnation proceedings, to support the project in accordance with Orders 20-07-21-08 and 23-04-04-05.

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 the dedication and formal acceptance requirements.

C. Board Goals

One of Lane County's Strategic Priorities for 2022-2024 is Robust Infrastructure. Accepting the deeds for right of way purposes helps ensure the acquisitions will be maintained as part of the County Road.

D. Financial and/or Resource Considerations

If approved by the Board, the dedicated road sections will be maintained by the County until the road is surrendered to the City of Eugene upon completion of construction.

E. Health Implications

There are no significant health implications.

F. Analysis

The formal acceptance of the acquired properties by the Board will ensure they will be included as part of the County Road right of way record for Gilham Road.

G. Alternatives/Options

The Board of County Commissioners has the options to:

1. Approve the acceptance of the permanent road easements and stipulated judgement referred to in the Order.
2. Deny the Order to accept the permanent road acquisitions.

IV. RECOMMENDATION

It is recommended the Board support Option Number 1, approving the acceptance of these permanent road acquisitions for public road purposes, and expressly as part of County Road No. 2283.

V. TIMING/IMPLEMENTATION

Approval of the Order will ensure the improvements located on the acquired land will be maintained by Lane County Road Maintenance Staff.

VI. FOLLOW-UP

If the Board of County Commissioners approves the Order accepting the permanent road easements, the Order is to be filed into the Board of County Commissioners' Journal of Administration, after which copies are to be forwarded to the County Surveyor and County Assessor for appropriate action. If the Order is denied, an Order to Deny will be presented to the Board at a later regularly scheduled meeting.

VII. ATTACHMENTS

Order

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 24-10-22-06

IN THE MATTER OF ACCEPTING DEDICATIONS
OF PERMANENT ROAD EASEMENTS TO BE
USED FOR COUNTY ROAD PURPOSES FOR
GILHAM ROAD, COUNTY ROAD NO. 2283.
(17-03-08).

WHEREAS, this matter now coming before the Board of County Commissioners of Lane County and said Board deeming it in the best interest of Lane County to dedicate to the public the real property which was conveyed to Lane County for the purpose of widening the right of way of Gilham Road, County Road No. 2283.

WHEREAS, Resolution and Order No. 23-04-04-05, approved by the Board of Commissioners, authorized Lane County Public Works to initiate property acquisition for the Gilham Road Sidewalk and Safety Improvement Project; and

WHEREAS, Pursuant to LM 15.015, public road dedications shall be accepted and placed on record by the Board; and

WHEREAS, the Department of Public Works acquired certain deeds for real property for Lane County, being properly executed on the instrument numbers listed below after the names of the Grantors, and the Board of County Commissioners of Lane County deeming it proper, as a convenience for property owners in the area and as a benefit to the general public, hereby accept the following deeds and stipulated judgement as county road as set forth below:

<u>GRANTORS</u>	<u>RECORDING NO.</u>	<u>MAP & TAX LOT NO.</u>
Dane A. Butler Kathryn R. Butler (1547-01)	2023-036570	17-03-08-34-13800
Daniel V. Edgar Edward J. Edgar (1547-02)	Lane County Circuit Court Case No. 24CV10731	17-03-08-33-00100
Neil Payson Woolsey Teresa Lynn Woolsey (1547-05)	2023-025763	17-03-08-31-03200
Kenneth N. Feldman Lona F. Feldman (1547-06)	2023-025764	17-03-08-32-11300

<u>GRANTORS</u>	<u>RECORDING NO.</u>	<u>MAP & TAX LOT NO.</u>
Anthony Bloom Julia Bloom (1547-07)	2023-025765	17-03-08-31-02600
Candy Walker (1547-08)	2023-025766	17-03-08-32-10700
Tommy Wayne Westfall Elizabeth Marie Westfall (1547-09)	2023-025767	17-03-08-31-08200
Rodney Turner (1547-12)	2023-025768	17-03-08-32-09800

NOW, THEREFORE, IT IS HEREBY ORDERED the right of way, as described in said stipulated judgement and deeds, is hereby accepted by the Board of County Commissioners of Lane County as a public road easement, and expressly accepted as part of Gilham Road, County Road No. 2283, by this Order; and

IT IS FURTHER ORDERED the above Order shall be entered in the records of the Board of County Commissioners' Journal of Administration and in the road records for County Road Number 2283 in the Master Road Files in the County Surveyor's Office.

ADOPTED this 22nd day of October, 2024.

Laurie Trieger, Chair
Lane County Board of Commissioners