

PASSED

BOOK **161** PAGE **1026**

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

FILE: 3991

IN THE MATTER OF THE SURRENDER OF)	
A PORTION OF COUNTY ROAD NUMBER)	
439, (FORMERLY HARLOW ROAD) TO THE)	FINAL ORDER NO.
CITY OF SPRINGFIELD.)	98-11-4-7

WHEREAS, by Resolution and Order Number 98-9-16-13 the Board of County Commissioners set November 4, 1998 at 1:30 P.M. to conduct a public hearing on the matter of the surrender of a portion of County Road Number 439 (formerly Harlow Road), to the City of Springfield; and

WHEREAS, Lane County has shown an intent to surrender to the City of Springfield a segment of County Road No. 439 (formerly Harlow Road) according to Lane County Board of Commissioners Order No. 71-3-11-6 and the agreement with the City of Springfield filed on Reel 49, Page 908-912 of the Board of Commissioners Journal of Administration; and

WHEREAS, a transfer of jurisdiction was never completed; and

WHEREAS, the City of Springfield, by a letter from the City of Springfield Surveyor, Don Rogers, to the Lane County Department of Public Works Director, has requested that Lane County initiate the transfer of jurisdiction of a portion of County Road Number 439 (formerly Harlow Road) and the letter further explains that the transfer began in 1971 but was never formally completed; and

WHEREAS, ORS 373.270 provides for the 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, all legal notice has been provided regarding this matter as required by law as witnessed by an Affidavit of Posting and Publication by the Lane County Surveyor marked as Exhibit "B", attached hereto and made a part hereof, and the Public Works Director of Lane County recommends that the segment of County Road Number 439 (formerly Harlow Road) be surrendered; as shown on the Director's Report, Exhibit "A" attached hereto, and made a part hereof, by this order; and

WHEREAS, there are no known objections to the proposed surrender and it appears that surrender of the segment of County Road Number 439 (formerly Harlow Road), would be in the best interest of the county; now therefore it is hereby

FILED

NOV 10 REC'D 1998

**FINAL ORDER - SURRENDER TO CITY OF SPRINGFIELD
A PORTION OF COUNTY ROAD NUMBER 439 (FORMERLY HARLOW ROAD)**
Page 1 of 2

COUNTY CLERK
By *M. Belding*

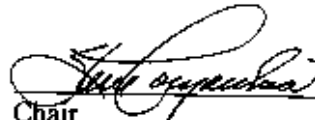
ORDERED, that Lane County, in accordance with ORS 373.270, hereby surrenders jurisdiction of County Road Number 439 (formerly Harlow Road), as follows:

Beginning at a point in the center of County Road No. 439 (Harlow Road), said point being on the North line of the John Day Donation Land Claim No. 58 in Township 17 South, Range 3 West, of the Willamette Meridian, 1133.88 feet North 88° 05' 32" West from the Northeast corner of said Donation Land Claim No. 58 according to the record thereof and being 403.48 feet South and 374.07 feet West of the Southwest corner of Donation Land Claim No. 46 in said Township and Range; and running thence North 71° 10' 43" East 68.04 feet; thence South 88° 05' 32" East 197.77 feet; thence North 1° 54' 28" East 20.0 feet; thence South 88° 05' 32" East 425.86 feet; thence North 1° 54' 28" East 80.0 feet; thence South 88° 05' 32" East 40.0 feet; thence South 1° 54' 28" West 140.0 feet; thence North 88° 05' 32" West 485.03 feet; thence South 1° 54' 28" West 20.0 feet; thence North 88° 05' 32" West 241.83 feet; thence North 1° 54' 28" West 40.0 feet to the place of beginning in Lane County, Oregon.

To the City of Springfield; and it is further

ORDERED, that said offer shall stand until accepted by the City of Springfield, or for 150 days from the date of this order.


DATED this 4th day of November, 1998



Chair

Lane County Board of Commissioners

APPROVED TO FORM

Date 10-27-98 Lane County

 OFFICE OF LEGAL COUNSEL