

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

ORDER AND RESOLUTION

99-2-24-2

(IN THE MATTER OF APPROVING A DESIGN CONCEPT AND ACQUIRING FEE OR OTHER INTERESTS IN PORTIONS OF CERTAIN REAL PROPERTIES FOR IMPROVEMENT OF THE GREEN HILL ROAD/BARGER DRIVE INTERSECTION, AND AUTHORIZING STAFF TO PREPARE A RIGHT-OF-WAY PLAN NECESSARY TO CONSTRUCT THE ROAD, PURSUE ALL NECESSARY PLANNING ACTIONS, ACQUIRE RIGHT-OF-WAY AND PREPARE PLANS AND SPECIFICATIONS FOR IMPROVEMENT OF SAID ROAD

WHEREAS, improvement of the Green Hill Road/Barger Drive intersection has been approved for funding in FY 98-99 through adoption of the FY 99 through FY 03 Capital Improvement Program; and

WHEREAS, Engineering Division staff has reviewed a modern roundabout design as an alternative to a traditional T intersection design for Green Hill/Barger; and

WHEREAS, staff finds that the roundabout has certain advantages over the T intersection design, including lower construction costs, less right-of-way requirements and fewer wetland impacts; and

WHEREAS, the Roads Advisory Committee, at its January 27, 1999 meeting recommended the roundabout design for Green Hill Road/Barger Drive intersection; and

WHEREAS, the Board has determined it is necessary and in the public's interest to acquire fee or other interests in portions of certain real properties from owners and others as their interests may appear of record to serve the needs of Lane County, and that the public welfare will be benefited by the improvement of said public project and the Board being fully advised; and

WHEREAS, the Board has concurred in the necessity of the improvement and believes the proposed project is compatible with the greatest public good and the least private injury;
NOW THEREFORE BE IT

ORDERED, that the Board approves use of a modern roundabout design at the reconstruction of the Green Hill Road/Barger Drive intersection; **AND, BE IT**

ORDERED, that the Board delegates authority for determination of project design standards and exceptions to design standards for improvement of the Green Hill Road/Barger Drive intersection to the County Engineer consistent with this Order; **AND, BE IT**

ORDERED, that staff prepare a right-of-way plan necessary to construct the project; pursue all necessary planning actions; acquire right-of-way and prepare plans and specifications for improvement of the Green Hill Road/Barger Drive intersection pursuant to this Order, **AND, BE IT**

RESOLVED, that under authority granted in ORS Chapter 35 and consistent with ORS Chapter 281, that there exists a necessity and in the public's interest to acquire and immediately occupy fee or other interests in certain real properties or portions thereof as necessary as listed in Exhibit A for the improvement of Green Hill Road/Barger Drive intersection; **AND, BE IT**

RESOLVED AND ORDERED, that if Lane County is unable by negotiations to reach an agreement for the acquisition of the necessary real property rights, the Office of Legal Counsel of Lane County is hereby authorized to commence and prosecute in the Circuit Court of Lane County, in the name of Lane County, and necessary proceedings for the condemnation and immediate possession of necessary real property rights and for the assessment of damages for the taking thereof.

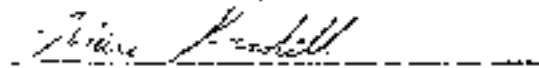
DATED this 24 day of February, 1999.



Chair, Lane County Board of Commissioners

APPROVED AS TO FORM

Date 1-16-99 Lane County


OFFICE OF LEGAL COUNSEL

In the Matter of Approving a Design Concept and Acquiring Fee or Other Interests in Portions of Certain Real Properties for Improvement of the Green Hill Road/Barger Drive Intersection and Authorizing Staff to Prepare a Right-of-Way Plan Necessary to Construct the Road, Pursue all Necessary Planning Actions, Acquire Right-of-Way and Prepare Plans and Specifications for Improvement of Said Road

EXHIBIT A

**REAL PROPERTY, OR PORTION(S) THEREOF, TO BE ACQUIRED FOR
GREENHILL ROAD IMPROVEMENT PROJECT
(Barger Drive Intersection)**

| <u>TAX MAP</u> | <u>TAX LOT</u> |
|----------------|----------------|
| 17-04-17 | 1500 |
| 17-04-18 | 500 |
| 17-04-19 | 100 |
| 17-04-20 | 1600 |