

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

PASSED

File No. 4009

IN THE MATTER OF THE ALTERATION OF A PORTION OF)	
COUNTY ROAD NUMBER 538 (COMMONLY KNOWN AS)	FINAL ORDER
SOUTH 6TH STREET) FROM THE I-5 INTERCHANGE)	OF
NORTHERLY APPROXIMATELY 3920 FEET TO JOHNSON)	ALTERATION
AVENUE, BEING LOCATED WITHIN SECTION 33, TOWNSHIP)	NO.
20 SOUTH, RANGE 3 WEST AND SECTION 4, TOWNSHIP 21)	
SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN.)	00-4-25-11

THIS MATTER now coming before the Board of County Commissioners for Lane County, Oregon, and the Board through adoption of the Capital Improvement Program for the Department of Public Works has determined that it was necessary to alter and reconstruct South 6th Street, County Road Number 538; and

WHEREAS, through adoption of the Capital Improvement for FY 1993/98 through FY 1994/99; Order No. 94-11-7-1, and Order No 95-10-18-3, the Board of Commissioners authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans, and acquisition of right of way of South 6th Street from the I-5 Interchange northerly to Johnson Avenue; and

WHEREAS, a Public Hearing was held on April 28, 1994 at the Cottage Grove City Hall regarding the proposed road improvements and upon consideration of public testimony and recommendations, decisions were made that the Public Works Department proceed with the final road designs and begin right of way acquisitions; and

WHEREAS, the Department of Public Works has acquired all necessary right of way on and over which the project has been laid out; and

WHEREAS, the Public Works Department has completed the construction of South 6th Street in accordance with the plans and specifications prepared and administered by the Public Works Director; and

WHEREAS, it has been determined necessary to legally alter this portion of South 6th Street and accept the alignment including acquisitions of areas of land made as a part of this project, as county road right of way; and

WHEREAS, the Department of Public Works has filed road surveys with the County Surveyor for public record all in compliance with ORS chapters 209.250 and 368.106; and

WHEREAS, the Board of County Commissioners is satisfied that necessary road construction and improvements have been completed and will be of public utility and benefit; now therefore, it is hereby

ORDERED, that the deeds or portions thereof which lie within the road right of way specified herein, presented to the said Board of County Commissioners through purchase, donation, or agreement, as herein set forth below, on the dates set after the names of the Grantors, and before the recording information in the Lane County Deed Records, are hereby accepted as County road right of way:

<u>GRANTOR'S</u>	<u>RECORDING DATE</u>	<u>LANE COUNTY DEED RECORDS</u>	<u>LANE COUNTY TAX LOT NUMBER</u> New Tax Lot Numbers in ()	
Clifford A. Bush Michael J. Bush	Apr. 3, 1996	Reel 2158R RR 9621637	21-03-04	2400
Charles W. Vaughn Tammy D. Denham William L. Denham, Jr.	Sept. 7, 1995	Reel 2094R RR 9550143	21-03-04-20 (21-03-04-24	7700 1400)
Clarence Sletager Gertrude Sletager	Sept. 29, 1997	Reel 2339R RR 9765765	21-03-04-20 (21-03-04-24	7600 1500)
Millard M. Smith Doris I. Smith	Sept. 12, 1995	Reel 2095R RR 9551103	21-03-04-20 (21-03-04-24	6200 1600)
Theo W. Veal Dorothy A. Veal	Jan. 23, 1996	Reel 2133R RR 9604437	21-03-04-20 (21-03-04-24	6100 1700)
Agnes M. Picknell Shirley A. Picknell	Aug. 1, 1995	Reel 2083R RR 9542159	21-03-04-20 (21-03-04-24	6000 1800)
W. B. Cooper Ruth Cooper	Oct. 15, 1908	Book 78 Page 8	Picknell Street & Roosevelt Avenue	
Phillip J. Price, Sr. Georgie Murphy	Aug. 1, 1995	Reel 2083R RR 9542158	21-03-04-20 (21-03-04-24	5900 1900)
Gary E. Wundrow Jeanne S. Wundrow	Aug. 3, 1995	Reel 2084R RR 9542483	21-03-04-20 (21-03-04-24	5800 2000)
Clarence H. Sletager Gertrude H. Sletager	Sept. 29, 1997	Reel 2339R RR 9765763	21-03-04-20 (21-03-04-24 (21-03-04-21	4300 4100 2300) 2700)
Dorothy Marie Long	Oct. 4, 1995	Reel 2102R RR 9556072	21-03-04 (21-03-04-24	2500 1300)
Reuben Tipton Delores A. Tipton	July 19, 1995	Reel 2079R RR 9539381	21-03-04-20 (21-03-04-24	8400 8200 1200) 1000)
Thomas L. Montgomery Eva L. Montgomery	July 11, 1995	Reel 2077R RR 9537537	21-03-04-20 (21-03-04-24	8100 900)

Lloyd A. Strickland Susan L. Strickland	Sept. 1, 1995	Reel 2093R RR 9549236	21-03-04-20 (21-03-04-24	7801 800)
Martha E. Walton	Oct. 9, 1995	Reel 2103R RR 9556787	21-03-04-20 (21-03-04-24	3801 500)
Alma Chapman	Oct. 26, 1995	Reel 2108R RR 9560954	21-03-04-20 (21-03-04-24	3801 500)
Calvary Baptist Church Of Cottage Grove	July 24, 1995	Reel 2081R RR 9540543	21-03-04-20 (21-03-04-24	3803 400)
Clarence H. Sletager Gertrude H. Sletager	Sept. 29, 1997	Reel 2339R RR 9765764	21-03-04-20 (21-03-04-24	3802 100)
Stephen L. Wiltermood Rhonda A. Wiltermood	Feb. 9, 1996	Reel 2140R RR 9609214	21-03-04-20 (21-03-04-21	3900 2600)
Alice Williams	June 26, 1956	Reel 82-56D RR 88377	McKinley Avenue	
Shirley Quinn Delores Quinn	Aug. 16, 1995	Reel 2088R RR 9545396	21-03-04-20 (21-03-04-21	4000 2800)
Robert T. McDonald Barbara L. McDonald	July 11, 1995	Reel 2077R RR 9537536	21-03-04-20 (21-03-04-21	2300 2900)
Delfred B. Kelley Ellen C. Kelley	Feb. 29, 1996	Reel 2146R RR 9613505	21-03-04-20 (21-03-04-21	2200 3000)
Walter G. Whetstone Mary F. Whetstone	Sept. 14, 1995	Reel 2096R RR 9551602	21-03-04-20 (21-03-04-21	2100 3100)
Homer Dockery Hazel Dockery	Aug. 18, 1995	Reel 2088R RR 9545834	21-03-04-20 (21-03-04-21	2000 3200)
Rex E. Seals Mary Lee Seals	Sept. 14, 1995	Reel 2096R RR 9551600	21-03-04-20 (21-03-04-21	501 500 3400) 3500)
Maene Hamilton Munsell George C. Munsell	Aug. 31, 1995	Reel 2092R RR 9548830	21-03-04-20 (21-03-04-21	600 3600)
Raymond P. Miner	Sept. 14, 1995	Reel 2096R RR 9551601	21-03-04-20 (21-03-04-21	700 3700)

Charles E. Butler Joann Butler	Apr. 8, 1996	Reel 2160R RR 9622590	21-03-04-20 (21-03-04-21)	800 900 3800) 3900)
Betty Jo Newton	Aug. 1, 1995	Reel 2083R RR 9542160	21-03-04-20 (21-03-04-21)	2500 1000)
Roger D. Dickerson Trinna F. Dickerson P. Jodean Kimball, TE	Jan. 5, 1996	Reel 2128R RR 9600796 RR 9600797	21-03-04-20 (21-03-04-21)	2900 800)
Jerry Couch	Nov. 16, 1995	Reel 2114R RR 9566045	21-03-04-20 (21-03-04-21)	3000 700)
Jerry Couch Caroline Shultz Vernon H. Coop	Nov. 16, 1995	Reel 2114R RR 9566042/ 9566043/ 9566044	21-03-04-20 (21-03-04-21)	3001 600)
Vinal T. Randall, Jr., TE Janet L. Randall, TE Randall Living Trust	Sept. 27, 1995	Reel 2099R RR 9554474	21-03-04-20 (21-03-04-21)	300 200 300) 200)
Hugh B. McMahan Linda B. McMahan	Oct. 23, 1995	Reel 2107R RR 9560025	20-03-33-34	600
Caroline Louise Turpin	Nov. 15, 1995	Reel 2114R RR 9565647	20-03-33-34	500
Earl Stewart, TE Earl Stewart Living Trust	Oct. 6, 1995	Reel 2102R RR 9556626	20-03-33-34	400 401
George V. Dugan Marjorie H. Dugan Anna M. Dugan	Dec. 15, 1995	Reel 2123R RR 9571767	20-03-33-33	1000 1100
Fred L. Combie Dora A. Combie	Jan. 12, 1996	Reel 2130R RR 9602480	20-03-33-33	900
Charles A. Heritage Christine L. Heritage	June 4, 1996	Reel 2180R RR 9637041	20-03-33-33	801
Cottage Real Estate Investments	Apr. 10, 1996	Reel 2161R RR 9623224	20-03-33-33	103 102 101

and, it is further

ORDERED, that the portion of said county road referred to above and commonly known as South 6th Street be hereby altered as described in the legal description attached hereto, made a part hereof and marked Exhibit 'A' by this Order; and it is further

ORDERED, that all portions of County Road Number 538 lying between the termini specified herein above which are not included within the limits of the road herein above described are **HEREBY DECLARED VACATED** in accordance with ORS Chapter 368.126, retaining, however, unto any and all existing public utilities the right to preserve, maintain, repair, replace, remove or reinstall any public utility that may now exist within the bounds of the portions of County Road Number 538 herein described by these proceedings as vacated; and it is further

ORDERED, that road plats depicting the right of way limits of this project be prepared from specifications of the County Surveyor and filed with the County Clerk, for public record in the County Surveyors Office and in the County Road Files in compliance with ORS 368; and, it is further

ORDERED, that in support of this action, the said Board of County Commissioners does hereby adopt the report of the Director of Public Works as set forth in Exhibit "B", which is attached hereto, and made a part hereof, by this Order; and, it is further

ORDERED, that this Order be filed with the Lane County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration and into the Road Index Books and County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor and that said Order be, and is hereby final and does operate to alter said portion of County Road No. 538, herein known as South 6th Street.

DATED this 25th day of April, 2000.



Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date 17 11 00

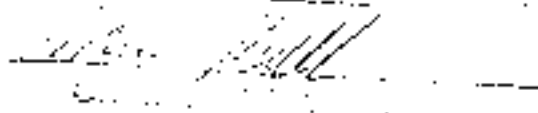


EXHIBIT 'A'

**SOUTH 6TH STREET
CENTERLINE DESCRIPTION**

A strip of land variable feet in width lying on each side of the centerline of South 6th Street, in Section 33, Township 20 South, Range 3 West and Section 4, Township 21 South, Range 3 West of the Willamette Meridian, Lane County, Oregon, as surveyed by Lane County in 1995, the centerline and widths in feet being described as follows:

Beginning at Engineers' Centerline L4 39+90.00 POT, said station being 577.68 feet South and 3,295.15 feet West of the Brass Cap marking the Northeast Corner of the William Currin Donation Land Claim Number 44, located in Section 4, Township 21 South, Range 3 West of the Willamette Meridian, Lane County, Oregon; run thence North 1° 53' 44" East, 3918.81 feet to Engineers' Centerline Station L4 79+08.81 POT, said station being the intersection of the present centerline of Johnson Avenue in Section 33, Township 20 South, Range 3 West, and there ending, all in Lane County, Oregon.

The widths in feet of the strip of land herein described are as follows:

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L ⁴ 39+90.00 POT	L ⁴ 40+00.00 POT	25 ft tapering on a straight line to 30 ft	
L ⁴ 40+00.00 POT	L ⁴ 43+53.98 POT	30 ft	
L ⁴ 40+80.00 POT	L ⁴ 55+12.80 POT		30 ft
L ⁴ 43+53.98 POT	L ⁴ 43+54.01 POT	30 ft tapering on a straight line to 40 ft	
L ⁴ 43+54.01 POT	L ⁴ 45+21.24 POT	40 ft	
L ⁴ 45+21.24 POT	L ⁴ 45+21.23 POT	40 ft tapering back on a straight line to 30 ft	
L ⁴ 45+21.23 POT	L ⁴ 59+27.88 POT	30 ft	
L ⁴ 55+12.80 POT	L ⁴ 55+22.78 POT		30 ft tapering on a straight line to 40 ft
L ⁴ 55+22.78 POT	L ⁴ 55+52.82 POT		40 ft
L ⁴ 55+52.82 POT	L ⁴ 55+62.83 POT		40 tapering on a straight line to 30 ft

<u>STATION TO STATION</u>		<u>WIDTH ON WEST'LY SIDE OF C/LINE</u>	<u>WIDTH ON EAST'LY SIDE OF C/LINE</u>
L ⁴ 55+62.83 POT	L ⁴ 79+08.84 POT		30 ft.
L ⁴ 59+27.88 POT	L ⁴ 59+77.84 POT	30 ft tapering on a straight line to 50 ft	
L ⁴ 59+77.84 POT	L ⁴ 60+00.00 POT	50 ft tapering on a straight line to 30 ft	
L ⁴ 60+00.00 POT	L ⁴ 76+50.00 POT	30 ft	
L ⁴ 76+50.00 POT	L ⁴ 76+74.27 POT	30 ft tapering on a straight line to 50 ft	
L ⁴ 76+74.27 POT	L ⁴ 77+24.27 POT	50 ft	
L ⁴ 77+24.27 POT	L ⁴ 77+50.00 POT	50 ft tapering on a straight line to 30 ft	
L ⁴ 77+50.00 POT	L ⁴ 79+08.81 POT	30 ft.	

EXCEPT: That portion of the westerly right of way deeded to the City of Cottage Grove by that certain Warranty Deed recorded March 22, 1976 on Reel 787R, Recorders Reception No. 7613080, Lane County, Oregon Deed Records.

ALSO EXCEPT: That portion of the westerly right of way dedicated to the Public in the plat of Boardwalk, as platted and recorded in File 75, Slide 149 and 150, Lane County, Oregon Plat Records.

ALSO EXCEPT: Any portion of the road lying within the right of way of Interstate 5.

The bearings used herein are based on a bearing of South 00° 30' 30.7" East between two found Lane County Surveyor's Office Brass Caps marked LCCM 752 and LCCM 753. Said bearing based on the Oregon Coordinate System of 1983 (NAD 83/91), South Zone.

EXHIBIT "B"

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

File No. 4009

IN THE MATTER OF THE ALTERATION OF A PORTION OF)	
COUNTY ROAD NUMBER 538 (COMMONLY KNOWN AS)	
SOUTH 6TH STREET) FROM THE I-5 INTERCHANGE)	DIRECTOR'S
NORTHERLY APPROXIMATELY 3920 FEET TO JOHNSON)	
AVENUE, BEING LOCATED WITHIN SECTION 33, TOWNSHIP)	REPORT
20 SOUTH, RANGE 3 WEST AND SECTION 4, TOWNSHIP 21)	
SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN.)	

County Road Number 538 (commonly known as South 6th Street) was originally established in 1904. The altered portion of the road is approximately 3920 feet in length. A portion of the road lies within the Urban Growth Boundary of the City of Cottage Grove. Another portion lies within the City Limits, but is still under jurisdiction of Lane County. Lack of shoulders, narrow roadway, pedestrian and bicycle traffic, inadequate sight distance and storm drainage indicated a need for improvement for the safety of the traveling public in this area.

A Public Hearing was held for the section of road from the I-5 Interchange to the former Cottage Grove City Limits at Johnson Avenue on April 28, 1994 at the Cottage Grove City Hall regarding the proposed road improvements for South 6th Street. Upon consideration of public testimony and recommendations, a decision was made by the Board of County Commissioners and the City that the Lane County Public Works Department was to proceed with the final road design and begin right of way acquisitions.

Through Capital Improvement Programs from FY 1993/98 through FY 1994/99; Board Order No. 94-11-7-1, and Board Order No. 95-10-18-3, the Lane County Board of Commissioners authorized the Lane County Department of Public Works to proceed with the design, preparation of construction plans and acquisitions of right of way for the improvement of South 6th Street from the I-5 Interchange to the former Cottage Grove City Limits at Johnson Avenue.

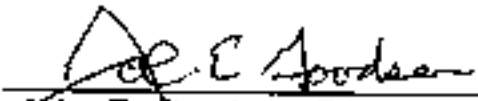
The South 6th Street project construction plans were prepared and all necessary re-surveying, alignment design and mapping, additional right of way acquisition and reconstruction has been completed. All construction of this portion of road was completed in accordance with plans and specifications administered by the Department of Public Works.

A Final Order to legally alter South 6th Street has been prepared. The Order provides for acceptance of parcels of land and portions thereof acquired as right of way in conjunction with this project and vacates portions of the former right of way determined to be in excess. The Order will establish a right of way for that portion of the road which is planned for surrender to the City of Cottage per the County/City Roads Partnership Program Agreement between Lane County and the City of Cottage Grove of July, 1998. The legal description of the new alignment including right of way widths is marked Exhibit "A" and attached to the Final Order.

The Department of Public Works has filed surveys with the County Surveyor, which include centerline and right of way monumentation in compliance with ORS Chapters 209.250 and 368.106. Road plats depicting the right of way limits of this project will be prepared by the County Surveyor.

Upon approval, the Final Order will be filed with the Lane County Clerk and entered in the Board of Commissioners Journal of Administration. The County Surveyor will file the road plats with the County Clerk. The Final Order and Road Book plats will be filed and indexed into the Road Index Books and legal County Road Files administered by the Department of Public Works and the County Surveyor.

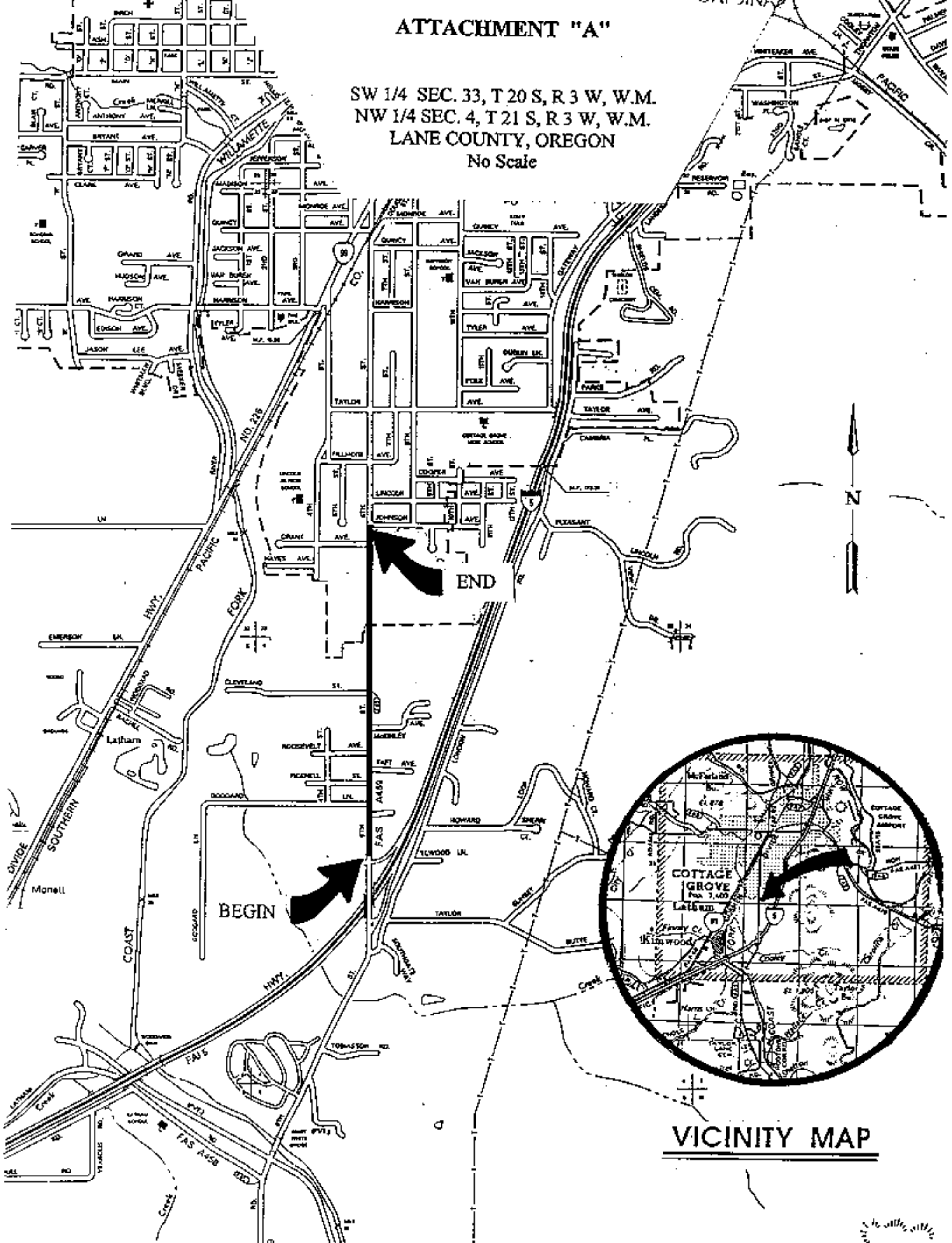
DATED this 10th day of APRIL, 2000.



John E. Goodson, Director
Department of Public Works

ATTACHMENT "A"

SW 1/4 SEC. 33, T 20 S, R 3 W, W.M.
NW 1/4 SEC. 4, T 21 S, R 3 W, W.M.
LANE COUNTY, OREGON
No Scale



VICINITY MAP