

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 15-07-14-12

IN THE MATTER OF SURRENDER OF A PORTION OF  
MILLIRON ROAD (COUNTY ROAD NUMBER 339) TO  
THE CITY OF JUNCTION CITY (16-04-17 & 16-04-20)

**WHEREAS**, the Board of Commissioners approved Order Number 15-06-02-09 setting July 14, 2015 at 1:30 pm to conduct a public hearing on the matter of the surrender and transfer of jurisdiction of a portion of Milliron Road, as described in Exhibit "A" to the city of Junction City; and

**WHEREAS**, the city of Junction City, by its Resolution Number 1113, dated February 10, 2015, marked as Exhibit "B", which is attached and made a part of this Order, formally requesting jurisdiction over the portion of the above mentioned Milliron Road (County Road Number 339) which lies within the city limits, be transferred to Junction City; and

**WHEREAS**, the portion of Milliron Road herein proposed for surrender extends from the easterly right of way of Highway 99 easterly approximately 0.14 mile to the northerly extension of the east line of a 40-foot wide public road easement dedicated as part of the State of Oregon Department of Corrections' facility access, commonly known as Dreas Way; and

**WHEREAS**, the portion of road proposed for surrender lies within the city limits of Junction City, and was included within an annexation by Junction City in conjunction with development of the new correctional facility and hospital by the State of Oregon Department of Corrections; and

**WHEREAS**, the annexation was approved by Junction City Council Ordinance 1203 dated March 12, 2011, and was subsequently finalized as Annexation File C JC 2011-A-10-02; and

**WHEREAS**, this transfer comes as the final action of an Intergovernmental Agreement (IGA) between Lane County, Junction City and the State of Oregon, by and through its Department of Corrections, authorized in 2012. This IGA, in part, facilitated improvements to Milliron Road to mitigate the impact of increased vehicular traffic resulting from the construction of the new correctional facility and hospital by the State of Oregon Department of Corrections. All road improvements were completed during the summer of 2013; and

**WHEREAS**, 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; and

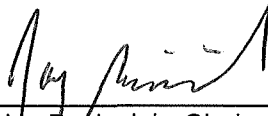
**WHEREAS**, the Public Works Director of Lane County has recommended this road be surrendered, as stated in the Director's Final Report, marked as Exhibit "C" which is attached and made a part of this Order; and

**WHEREAS**, all legal notice has been provided regarding this matter as required by law as witnessed by an Affidavit of Posting by the Interim Lane County Surveyor, marked as Exhibit "D", attached and made a part of this Order; 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 portion of County Road Number 339, as described in Exhibit "A" and shown on Exhibit "E", to the city of Junction City.
2. This Order to 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: 14th day of July, 2015.



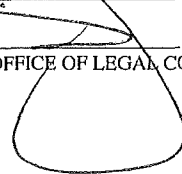
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Jay Bozievich, Chair  
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date



\_\_\_\_\_  
LANE COUNTY OFFICE OF LEGAL COUNSEL



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**MILEAGE**

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MILLIRON ROAD (COUNTY ROAD NUMBER 339)

0.14

All that portion of Milliron Road (County Road Number 339) from the easterly right of way of U.S. Highway 99, thence easterly approximately 758 feet to the northerly extension of the easterly line of a 40.00 foot wide public road easement over the westerly 40.00 feet of the Plat of Booth Industrial Park, said plat recorded at Reception No. 2005-035436, Lane County, Oregon Plat Records and Lane County Surveyor's Office County Survey File No. 39286; said 40.00 foot wide public road easement was dedicated in those documents recorded at Reception Numbers 2011-001546 and 2011-001547, Lane County, Oregon Deed Records. The portion of Milliron Road described herein is all in Sections 17 and 20, Township 16 South, Range 4 West of the Willamette Meridian, Lane County, Oregon.

The above description for Milliron Road is shown on Exhibit "E" attached hereto and made a part hereof.

## EXHIBIT "B"

### RESOLUTION NO. 1113

A RESOLUTION REQUESTING THE BOARD OF COMMISSIONERS OF LANE COUNTY TO SURRENDER JURIDICION OF PORTIONS OF COUNTY ROAD NO. 339, MILLIRON ROAD IN JUNCTION CITY, OREGON.

WHEREAS, the City Council of the City of Junction City has determined that it is in the public interest to seek surrender of jurisdiction from the Board of Commissioners of Lane County the portion of the County Road No. 339 located in Junction City, Oregon, described in Exhibit A; and

WHEREAS, in the event that such surrender occurs, the City of Junction City assumes all jurisdiction of said street in its existing condition and all maintenance responsibilities; and

WHEREAS, the Board of Commissioners of Lane County, Oregon has authority under the provisions of ORS 373.270 to release jurisdiction over county roads within the limits of the City of Junction City, and should be requested to do so; now, therefore,

#### THE CITY OF JUNCTION CITY DOES RESOLVE AS FOLLOWS:

Section 1. The Board of County Commissioners of Lane County is hereby requested to surrender to the City of Junction City portions of County Road No. 339 as described in Exhibit A.

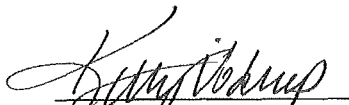
Section 2. City of Junction City personnel are hereby directed to provide Lane County all information and documentation requested in order to support this Resolution to the Board of County Commissioners of Lane County.

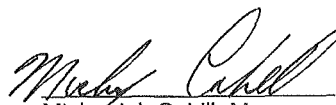
Passed by the City Council this 10<sup>th</sup> day of February, 2015.

Approved by the Mayor this 10<sup>th</sup> day of February, 2015.

ATTEST:

APPROVED:

  
Kitty Vodrup, City Recorder

  
Michael J. Cahill, Mayor

**EXHIBIT "A"**  
**OF RESOLUTION NO. 1113**

**LEGAL DESCRIPTION**

**MILEAGE**

\*\*\*\*\*

MILLIRON ROAD (COUNTY ROAD NUMBER 339)

0.14

All that portion of Milliron Road (County Road Number 339) from the easterly right of way of U.S. Highway 99, thence easterly approximately 758 feet to the northerly extension of the easterly line of a 40.00 foot wide public road easement over the westerly 40.00 feet of the Plat of Booth Industrial Park, said plat recorded at Reception No. 2005-035436, Lane County, Oregon Plat Records and Lane County Surveyor's Office County Survey File No. 39286; said 40.00 foot wide public road easement was dedicated in those documents recorded at Reception Numbers 2011-001546 and 2011-001547, Lane County, Oregon Deed Records. The portion of Milliron Road described herein is all in Sections 17 and 20, Township 16 South, Range 4 West of the Willamette Meridian, Lane County, Oregon.

## EXHIBIT "C"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S FINAL REPORT

IN THE MATTER OF SURRENDER OF A PORTION OF  
MILLIRON ROAD (COUNTY ROAD NUMBER 339) TO  
THE CITY OF JUNCTION CITY (16-04-17 & 16-04-20)

The City of Junction City has adopted Resolution Number 1113, dated February 10, 2015, formally requesting the transfer of jurisdiction of a portion of Milliron Road (County Road Number 339) located within the city limits and described in Exhibit "A" of the attached Order.

By previous action, the Board of County Commissioners approved Order No. 15-06-02-09 setting a public hearing date of July 14, 2015.

In 2011, in conjunction with development of a new correctional facility and hospital by the State of Oregon Department of Corrections by the State of Oregon Department of Corrections (D.O.C.), Junction City approved the annexation of the D.O.C. site by Ordinance No. 1203 dated March 12, 2011. Annexation File C JC 2011-A-10-02 by Junction City was subsequently finalized and included the subject portion of Milliron Road along with the D.O.C. site. The portion of Milliron Road herein proposed for surrender extends from the easterly right of way of Highway 99 easterly approximately 0.14 mile to the northerly extension of the east line of a public road easement dedicated as part of the D.O.C.'s facility access, commonly known as Dreas Way.

This transfer comes as the final action of an Intergovernmental Agreement (IGA) between Lane County, the city of Junction City and the State of Oregon, by and through its Department of Corrections, authorized in 2012. This IGA, in part, facilitated improvements to Milliron Road to mitigate the impact of increased vehicular traffic resulting from the construction of the new correctional facility and hospital by the State of Oregon Department of Corrections. All road improvements were completed during the summer of 2013.

Junction City has adopted Resolution Number 1113 formally requesting jurisdiction over the portion of the above mentioned county road, all within the city limits and described in Exhibit "A" of the attached Order, be transferred from Lane County to the city of Junction City.

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.

**EXHIBIT "C"**

Legal notice for the public hearing to consider the matter of the surrender of this portion of Milliron Road (County Road Number 339) has been provided as required by ORS 373.270.

The surrender of this portion of Milliron Road will allow the City to have full jurisdiction of the road and allow them to maintain, develop and improve it and the surrounding area to their own specifications, standards and timetables. It is therefore recommended that the portion of Milliron Road (County Road Number 339) as described in Exhibit "A" of the Order, be surrendered to the city of Junction City, as it will be in the best interest of the County.

**DATED** this 30th day of JUNE, 2015.

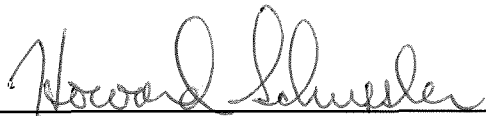
  
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FOR Marsha A. Miller, Director  
Department of Public Works

EXHIBIT "D"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF POSTING

IN THE MATTER OF SURRENDER OF A  
PORTION OF MILLIRON ROAD (COUNTY ROAD  
NUMBER 339) TO THE CITY OF JUNCTION CITY  
(16-04-17 & 16-04-20)

I, Mikeal J. Blommé, Interim Lane County Surveyor, certify as follows:

On the 19th day of June, 2015, and in accordance with ORS 373.270, I caused to be posted four (4) copies of the Notice of Hearing in the above entitled matter in four places, positioned to be visible to the traveling public, as follows:

1. Posted on a power pole labeled "T17 A 6L" near the southeast intersection of Booth Street and Milliron Road.
2. Posted on a stop sign at the intersection of Dreas Way and Milliron Road.
3. Posted on a power pole labeled "18/16" on the south side of Milliron Road near Dreas Way.
4. Posted on a power pole labeled "13/16 391 1R 2A" on the south side of Milliron Road approximately 400 feet west of Highway 99.

  
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 Mikeal J. Blommé  
 Interim Lane County Surveyor

State of Oregon )  
County of Lane )

Subscribed and sworn to before me this 22<sup>nd</sup> day of June, 2015 by  
Mikeal J. Blommé, Interim Lane County Surveyor.

  
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 NOTARY PUBLIC FOR OREGON  
 My Commission Expires:

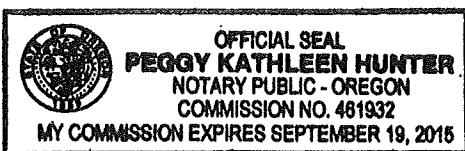




EXHIBIT "E"

Portion of Milliron Road  
To be Surrendered to Junction City

Section 17 & 20, T. 16S. R. 4W. W.M.

Lane County



City limits of Junction City

Vicinity Map

