

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 23-03-21-08

IN THE MATTER OF SETTING A PUBLIC HEARING
FOR THE SURRENDER OF SOUTH 6TH STREET,
COUNTY ROAD NO. 538, TO THE CITY OF
COTTAGE GROVE. (21-03-04-21, 21-03-04-24)

WHEREAS, the City of Cottage Grove, pursuant to Resolution 2090, dated February 13, 2023, has requested Lane County surrender jurisdiction of a portion of South 6th Street to the City of Cottage Grove; and

WHEREAS, the portion of South 6th Street herein proposed for surrender is described in attached Exhibit "A,"; and

WHEREAS, South 6th Street was annexed into Cottage Grove city limits pursuant to Ordinance No. 3169 on January 23, 2023; and

WHEREAS, ORS 373.270 provides for the surrender and 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, ORS 373.270 requires the governing body to give notice either by posting or publishing the time and place of the public hearing the County governing body shall hear the matter, consider any objections or testimony offered by any person interested and determine whether it is necessary, expedient or for the best interests of the County to surrender jurisdiction over the County Road or portion thereof to the City; and

WHEREAS, the Public Works Director of Lane County has recommended a Public Hearing date be established to consider the offer of surrender to the City of Cottage Grove the portion of South 6th Street as described in attached Exhibit "A," and has provided a written report attached hereto and made a part hereof by this Order marked as Exhibit "B," and

WHEREAS, the Board is of the opinion that setting a date to hold a Public Hearing to consider the request to surrender South 6th Street to the City of Cottage Grove is in the best interest of the public; and

NOW, THEREFORE, the Board of Commissioners of Lane County **ORDERS** as follows:

1. A Public Hearing shall be held on **April 25, 2023 at 1:30 p.m.**, time certain, to formally consider the City of Cottage Grove's request to surrender jurisdiction of South 6th Street, as described in Exhibit "A," attached and made a part of this Order, to the City of Cottage Grove.
2. Legal notice of the Public Hearing be posted or published, in accordance with ORS 373.270;
3. The Director of the Lane County Department of Public Works to prepare and provide a Final Report on the proposed surrender.

ADOPTED this 21st day of March _____ 2023.



Pat Farr, Chair

LANE COUNTY BOARD OF COMMISSIONERS

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

SOUTH 6TH STREET (COUNTY ROAD NUMBER 538)

0.02

All that portion of South 6th Street (County Road No. 538) beginning at the southerly end of that portion of South 6th Street surrendered to the City of Cottage Grove pursuant to Lane County Board of Commissioner's Final Order No. 07-11-7-7; thence in a southerly direction ending at Engineer's Centerline Station L4 50+40.42 P.O.T., said Engineer's Centerline Station being opposite and 30 feet westerly from the intersection of the easterly right of way margin of South 6th Street and the southerly right of way margin of Taft Street, all located in the Northeast One-Quarter of Section 4, Township 21 South, Range 3 West of the Willamette Meridian.

EXHIBIT "B"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S PRELIMINARY
REPORT

IN THE MATTER OF SETTING A PUBLIC HEARING
FOR THE SURRENDER OF SOUTH 6TH STREET,
COUNTY ROAD NO. 538, TO THE CITY OF
COTTAGE GROVE. (21-03-04-21, 21-03-04-24)

The City of Cottage Grove has adopted Resolution No. 2090, dated February 13, 2023, formally requesting Lane County surrender jurisdiction of South 6th Street to the City of Cottage Grove.

The length of South 6th Street herein proposed to be surrendered is approximately 900 feet (0.17 mile) in length and has a variable width right of way as described on Exhibit "A," and depicted on Exhibit "D," attached to and made a part of the Order setting a Public Hearing on the proposed surrender of said street. South 6th Street is currently under the jurisdiction of Lane County, and the transfer of jurisdiction over this street would enable the City to maintain, develop, and improve the street to the City's own specifications, standards, and timetables.

ORS 373.270 provides for the transfer of jurisdiction over a County Road within a city. The County may transfer jurisdiction over a County Road or portion thereof within a City when it is considered to be 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 Road or part thereof to the same extent as it has over public streets and alleys of the City. ORS 373.270 also requires a public hearing for these proceedings, with notice to the public provided by posting or publication.

It is recommended the Order be approved setting a Public Hearing date of April 25, 2023 at 1:30 p.m. time certain to consider the proposed surrender of jurisdiction of the portion of South 6th Street as described in Exhibit "A" of said Order.

DATED this 7th day of March, 2023.



Dan Hurley, Director
Department of Public Works