

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO.: 19-08-20-11

IN THE MATTER OF THE ESTABLISHMENT OF
TERRITORIAL HIGHWAY (OR 200), AS COUNTY
ROAD NO. 2282, LOCATED BETWEEN THE LANE
AND BENTON COUNTY LINE AND THE LANE
AND DOUGLAS COUNTY LINE

WHEREAS, ORS 190.110, 366.572 and 366.576 allows the State to enter into cooperative agreements with counties, cities, and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties; and

WHEREAS, by the authority granted in Oregon Revised Statute (ORS) 366.395, the State may relinquish title to any of its property not needed by it for highway purposes to any other governmental body or political subdivision within the State of Oregon, subject to such restrictions, if any, imposed by deed or other legal instrument or otherwise imposed by the State; and

WHEREAS, under the provisions of ORS 366.290(3) with the written consent of the county in which a particular highway or part hereof is located, the State may, when in its opinion the interest of the State will be best served, eliminate from the state highway system any bridge, road, or highway or part thereof. Thereafter the bridge, road, or highway or part thereof eliminated shall become a County road, highway, or bridge, and the construction, repair, maintenance or improvement, and jurisdiction over such highway shall be exclusively under the county in which such road, highway or bridge is located; and

WHEREAS, the Board approved Jurisdictional Transfer Agreement No. 828, hereinafter referred to as "Agreement", between the Oregon Department of Transportation (ODOT) and Lane County on February 5th, 2019, pursuant to Order No. 19-02-05-09, formally transferring jurisdiction of ODOT's interest in Territorial Highway (OR 200), to Lane County; and

WHEREAS, said Agreement was fully executed by both parties on February 14th, 2019; and

WHEREAS, the portion of Territorial Highway to be transferred is described in Exhibit "A" of this Order; and

WHEREAS, under the provisions of ORS 368.106, Territorial Highway needs to be established as County road right of way; and

WHEREAS, Lane County Transportation Engineering has examined the road and recommends it be classified as a Rural Minor Arterial; and

WHEREAS, the Board of County Commissioners is satisfied that Territorial Highway will be of public utility and benefit.

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

1. Territorial Highway is hereby established as described in the legal description marked Exhibit "A", which is attached and made a part of this Order.
2. In support of this action, the Board of County Commissioners adopts the report of the Director of Public Works as set forth in Exhibit "B", which is attached and made part of this Order.
3. Territorial Highway is classified as a Rural Minor Arterial.
4. This Order be filed with the County Clerk and entered into the records of the Lane County Board of Commissioners Journal of Administration and into the County Road Files administered by the Lane County Department of Public Works and the Lane County Surveyor; and that this Order is final and operates to establish the road as County Road No. 2282, also known as Territorial Highway.

ADOPTED this 20th day of August, 2019



Pete Sorenson, Chair
Lane County Board of Commissioners

APPROVED AS TO FORM

Date

8/13/19

LANE COUNTY OFFICE OF LEGAL COUNSEL