

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 19-11-12-09

IN THE MATTER OF THE SURRENDER OF A  
PORTION OF 19TH STREET (COUNTY ROAD  
NUMBER 667 AND 1141) AND YOLANDA AVENUE  
(COUNTY ROAD NUMBER 840) TO THE CITY OF  
SPRINGFIELD WITH A PUBLIC HEARING  
(17-03-24 & 25)

**WHEREAS**, the City of Springfield, by its Resolution Number 2019-19, dated September 16, 2019, marked as Exhibit "B", which is attached hereto and made a part of this Order, formally requested jurisdiction over the portions of the above mentioned 19th Street (County Road Number 667 and 1141) and Yolanda Avenue (County Road Number 840) be transferred to the City of Springfield; and

**WHEREAS**, the Board of Commissioners approved Order Number 19-10-15-10 setting November 12, 2019 at 1:30 p.m. to conduct a public hearing on the matter of the surrender and transfer of jurisdiction of a portion of 19th Street and Yolanda Avenue, as described in Exhibit "A", to the City of Springfield; and

**WHEREAS**, these sections of roads herein proposed for surrender were originally annexed into the City of Springfield in 2018 and lie entirely within the city limits of Springfield; and

**WHEREAS**, this jurisdictional transfer comes as the final action of an Intergovernmental Agreement (IGA) between Lane County and the City of Springfield authorized in 2015. This IGA facilitated improvements to both County and City facilities as part of a preservation project administered by Lane County; 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**, the Public Works Director of Lane County has recommended these roads be surrendered, as stated in the Director's Final Report, marked as Exhibit "C", attached hereto 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 Lane County Surveyor, marked as Exhibit "D", attached hereto 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 19th Street (County Road Number 667 and 1141) and the portion of Yolanda Avenue (County Road Number 840), as described in Exhibit "A" and shown on Exhibit "E", to the City of Springfield.
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 12th day of November, 2019



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Pete Sorenson, Chair  
LANE COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM

Date

10/31/19

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LANE COUNTY OFFICE OF LEGAL COUNSEL

**Exhibit "A"**

**LEGAL DESCRIPTION**

**MILEAGE**

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19<sup>th</sup> STREET (COUNTY ROAD NUMBER 667 & 1141)

0.39

All that portion of 19<sup>th</sup> Street (County Road Numbers 667 and 1141) from the northerly end of the portion of 19<sup>th</sup> Street surrendered to the City of Springfield in Lane County Board of Commissioners Order No. 82-8-18-13, thence extending northerly 2043 feet, more or less, to the southerly right of way of Yolanda Avenue (County Road Number 840). The portion of 19<sup>th</sup> Street described herein is in Sections 24 and 25, Township 17 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

YOLANDA AVENUE (COUNTY ROAD NUMBER 840)

0.25

All that portion of Yolanda Avenue (County Road Number 840) from the northerly extension of the westerly right of way of 19<sup>th</sup> Street (County Road 667), thence extending easterly 1306 feet, more or less, to the westerly line of the portion of Yolanda Avenue that was surrendered to the City of Springfield by in Lane County Board of Commissioners Order No. 88-2-24-17. The portion of 19<sup>th</sup> Street described herein is in Section 24, Township 17 South, Range 3 West of the Willamette Meridian, Lane County, Oregon.

Exhibit "B"

CITY OF SPRINGFIELD, OREGON  
RESOLUTION NO. 2019-19

**A RESOLUTION REQUESTING SURRENDER OF JURISDICTION OF PORTIONS OF 19<sup>TH</sup>  
STREET AND YOLANDA AVENUE**

**WHEREAS**, it is necessary and in the best interests of the City and the citizens of Springfield to acquire jurisdiction over the portions of county roads referenced and incorporated herein, to provide the same level of service, maintenance, and enforcement provided for other public streets within the city limits of Springfield;

**WHEREAS**, in an intergovernmental agreement executed by the City on April 21, 2015, and by the County on May 11, 2015, the City agreed that the county roads described in Attachment 1, a true copy whereof is annexed hereto and by this reference incorporated herein, will be City streets;

**WHEREAS**, the Board of County Commissioners of Lane County, Oregon has authority under provisions of ORS 373.270 to surrender jurisdiction over county roads within the corporate limits of the City of Springfield;

**WHEREAS**, the described portions of the county roads have been annexed to the City of Springfield and lie within the corporate limits of the City of Springfield;

**WHEREAS**, the referenced county roads are part of the network of roads in the Springfield Comprehensive Plan Urban Growth; and

**WHEREAS**, operations of City streets will be more efficient if these County roads are also City streets and recommends that the City request that the County surrender jurisdiction to the City,

NOW, THEREFORE, BE IT RESOLVED THE COMMON COUNCIL OF THE CITY OF SPRINGFIELD:

Section 1: The Common Council, of the City of Springfield hereby requests that Lane County surrender jurisdiction over the above described portions of county roads to the City of Springfield in accordance with the provisions of ORS 373.270.

Section 2: The Council directs that a copy of this Resolution be forwarded to the Board of County Commissioners of Lane County, Oregon, requesting surrender of jurisdiction of the above described portions of County Roads in accordance with the provisions of ORS 373.270.

Section 3: Upon receipt by the City Manager of a certified copy of an order of the Board of County Commissioners of Lane County, Oregon releasing jurisdiction of the described portions of County Road to the City of Springfield, the City shall have the same control, power and jurisdiction over the road as it has over all other streets and alleys within the City of Springfield.

Section 4: In the event the Board of County Commissioners of Lane County fails to enter the order referred to in Section 3 within 150 days from the date this Resolution is adopted, the request and authorization contained herein shall terminate as though this Resolution had not been adopted.

Section 5: This Resolution will take effect upon adoption by the Council and approval by the Mayor.

ADOPTED by the Common Council of the City of Springfield this 16 day of September 2019, by a vote of 6 for and 0 against.

  
Mayor

ATTEST:

  
City Recorder

REVIEWED & APPROVED  
AS TO FORM

  
DATE: 9/12/19  
OFFICE OF CITY ATTORNEY

EXHIBIT "C"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

DIRECTOR'S FINAL REPORT

IN THE MATTER OF THE SURRENDER OF A PORTION OF 19TH STREET (COUNTY ROAD NUMBERS 667 AND 1141) AND A PORTION OF YOLANDA AVENUE (COUNTY ROAD NUMBER 840) TO THE CITY OF SPRINGFIELD WITH A PUBLIC HEARING (17-03-24 & 25)

The City of Springfield has adopted Resolution No. 2019-19, dated September 16, 2019, formally requesting the transfer of jurisdiction of portions of 19th Street (County Road No. 667 and 1141) and Yolanda Avenue (County Road No. 840) within their city limits.

This transfer comes as the final action of an Intergovernmental Agreement (IGA) between Lane County and the City of Springfield authorized in 2015. This IGA facilitated improvements to both County and City facilities as part of a preservation project administered by Lane County.

The combined portions of the two county roads consists of approximately 0.64 miles of right of way and are described on Exhibit "A", attached to the Order. The subject portions of roads are currently under the jurisdiction of Lane County, and the transfer of jurisdiction over these County roads would enable the City to maintain, develop, and improve the roads to the City's own specifications, standards, and timetables.

Approving the surrender of these roads will relieve the County of the obligation of future maintenance and improvement costs.

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.

Legal notice for the Public Hearing to consider the matter of the surrender of the described portions of 19th Street and Yolanda Avenue has been provided as required by ORS 373.270.

**EXHIBIT "C"**

It is therefore recommended that the portions of 19th Street (County Road Number 667 and 1141) and Yolanda Avenue (County Road Number 840) as described in Exhibit "A" of the Order, be surrendered to the City of Springfield as it will be in the best interest of the County.

**DATED** this 30<sup>th</sup> day of October, 2019



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Dan Hurley, Director  
Department of Public Works

EXHIBIT "D"

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

AFFIDAVIT OF POSTING

IN THE MATTER OF THE SURRENDER OF A PORTION OF 19TH STREET (COUNTY ROAD NUMBER 667 AND 1141) AND YOLANDA AVENUE (COUNTY ROAD NUMBER 840) TO THE CITY OF SPRINGFIELD WITH A PUBLIC HEARING (17-03-24 & 25)

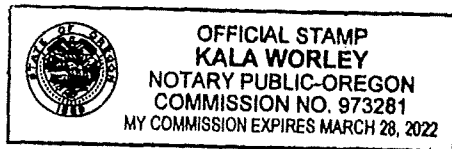
I, Mikeal J. Blommé, Lane County Surveyor, certify as follows:

On the 18th day of October, 2019, and in accordance with ORS 373.270, I posted six (6) copies of the Notice of Hearing in the above entitled matter in six places, positioned to be visible to the traveling public, as follows:

1. Posted on a street light at the southeast corner of 19th Street and Bonnie Lane.
2. Posted on a street light on the west side of 19th Street at Lomond Avenue intersection.
3. Posted on Power Pole No. 96007, east side of 19th Street at Hayden Bridge Road intersection.
4. Posted on Power Pole No. 96013, north side of Yolanda Avenue at 19th Street intersection.
5. Posted on a street light on the south side of Yolanda Avenue approximately 150 feet east of 20th Street, in front of a business named Emerald Dance Center.
6. Posted on a street light, south side of Yolanda Avenue at 23rd Street intersection at westerly entrance to Briggs Middle School.

Mikeal J. Blommé  
Lane County Surveyor

State of Oregon )  
County of Lane ) §



Subscribed and sworn to before me this 18 day of OCTOBER, 2019  
by Mikeal J. Blommé, Lane County Surveyor.

NOTARY PUBLIC FOR OREGON  
My Commission Expires: MARCH 28, 2022



**EXHIBIT "E"**

Sec 24 T. 17S. R.3W. W.M.  
Sec 25 T. 17S. R.3W. W.M.



NO SCALE

Portions of 19th Street (Co. Rd. No.'s 1141 & 667)  
&  
Yolanda Avenue (Co. Rd. No. 840)

