

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO. 21-11-30-08

IN THE MATTER OF SETTING A PUBLIC HEARING
FOR THE PROPOSED SURRENDER OF PORTIONS
OF RHODODENDRON DRIVE AND 4TH AVENUE,
COUNTY ROAD NUMBER 65, TO THE CITY OF
FLORENCE. (18-12-04)

WHEREAS, the City of Florence, pursuant to Resolution No. 34, Series 2021, dated September 20, 2021, has requested the jurisdiction over portions of Rhododendron Drive and 4th Avenue (County Road No. 65) be transferred to the City of Florence; and

WHEREAS, the portions of Rhododendron Drive and 4th Avenue herein proposed for surrender are those portions described in attached Exhibit "A," and

WHEREAS, both roads herein proposed for surrender lie entirely within the city limits of Florence; 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 public hearing that 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 Florence the portions of Rhododendron Drive and 4th Avenue as described in attached Exhibit "A," and has provided a written report attached hereto and made a part hereof by this Order, and marked as Exhibit "B," and

WHEREAS, the Board is of the opinion that setting a date to hold a Public Hearing 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 held via webinar be set for **January 4, 2022 at 1:30 p.m.**, time certain, to formally consider the surrender of portions of Rhododendron Drive and 4th Avenue (County Road No. 65), as described in Exhibit "A," attached and made a part of this Order, to the City of Florence;
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 30th day of November 2021.



Joe Berney, Chair
LANE COUNTY BOARD OF COMMISSIONERS

EXHIBIT "A"

LEGAL DESCRIPTION

MILEAGE

RHODODENDRON DRIVE (COUNTY ROAD NUMBER 65)

0.37

All that portion of Rhododendron Drive, County Road Number 65, beginning at the northerly end of that portion of Rhododendron Drive surrendered to the City of Florence pursuant to Lane County Board of County Commissioners Final Order No. 09-2-4-3, said point also being the easterly extension of Sebastian Street; thence in a northerly direction 2000 feet, more or less, to the easterly extension of the northerly right of way of Kiwanda Street, County Road No. 856, all being located in Section 4, Township 18 South, Range 12 West of the Willamette Meridian, Lane County, Oregon.

4th AVENUE (COUNTY ROAD NUMBER 65)

0.19

All that portion of 4th Avenue ,County Road Number 65, beginning at the easterly extension of the northerly right of way of Kiwanda Street, County Road No. 856; thence in a northerly direction 1000 feet, more or less, to the current city limit line, said point being 46.5 feet, more or less, from the northerly right of way of Falcon Street, County Road No. 1974, all being located in Section 4, Township 18 South, Range 12 West of the Willamette Meridian, Lane County, Oregon.

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 PROPOSED SURRENDER OF
PORTIONS OF RHODODENDRON DRIVE AND 4TH
AVENUE, COUNTY ROAD NUMBER 65, TO THE
CITY OF FLORENCE (18-12-04)

The City of Florence has adopted Resolution No. 34, Series 2021, dated September 20, 2021, formally requesting the transfer of jurisdiction of portions of Rhododendron Drive and 4th Avenue (County Road No. 65) within their city limits.

The combined portions of the two county roads consist of approximately 0.56 miles of right of way and are described on Exhibit "A," attached to and made a part of the Order setting a Public Hearing on the proposed surrender of said roads. 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.

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 January 4, 2022 at 1:30 p.m. time certain to consider the proposed surrender of jurisdiction of the portion of County roads as described in Exhibit "A" of said Order.

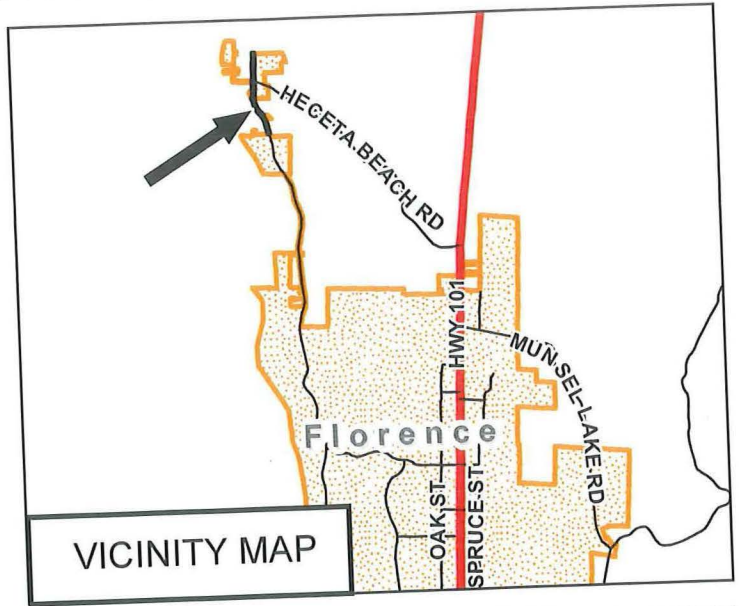
DATED this _____ day of _____, 2021.

Dan Hurley, Director
Department of Public Works

EXHIBIT "C"

PORTION OF RHODODENDRON DRIVE & 4TH AVENUE
TO BE SURRENDERED TO THE CITY OF FLORENCE

E 1/2 SEC. 4 T.18S. R.12W. W.M.
Florence, Lane County, Oregon



 City Limits of Florence

NO SCALE

