

CITY OF TOLEDO

ORDINANCE NO. 1338

AN ORDINANCE ACCEPTING JURISDICTION OVER A NUMBER OF COUNTY ROADS OR PORTIONS OF COUNTY ROADS DESCRIBED IN EXHIBITS "A", "B", "C" AND AS SHOWN ON THE MAP IN EXHIBIT "D" IN TOLEDO, OREGON.

WHEREAS, the City of Toledo requested that Lincoln County transfer to the City jurisdiction over a number of county roads or portions of county roads described in Exhibits "A", "B", "C" and as shown on Map "D" in Toledo, Oregon; and

WHEREAS, the Lincoln County Commissioners therefore initiated proceedings to surrender jurisdiction over the county roads or portions of county roads described in said exhibits to the City; and

WHEREAS, November 10, 2010, was set as the date for hearing on the matter, and notice of the hearing was posted in accordance with ORS 373.270(2); and

WHEREAS, the Lincoln County Commissioners conducted a public hearing on November 10, 2010 pursuant to ORS 373.270(4), and determined that it is in the best interests of the County to surrender jurisdiction over the county roads or portions of county roads described in said exhibits to the City; and

WHEREAS, the County adopted Order #11-10-359 to transfer to the City jurisdiction of the county roads or portions of county roads described in said exhibits, and to offer the City \$85,937 in lieu of further improvements to Arcadia Drive; and

WHEREAS, the purpose of this ordinance is to complete the transfer as provided in ORS 373.270(7),

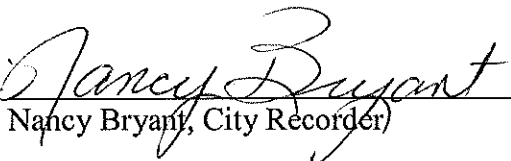
NOW THEREFORE, THE CITY OF TOLEDO ORDAINS AS FOLLOWS:

1. To accept the offer and County Order #11-10-359 for jurisdiction over the county roads or portions of county roads as described in Exhibits "A", "B", "C" and as shown on the map in Exhibit "D" attached hereto and incorporated herein.

APPROVED AND ADOPTED by the City Council of the City of Toledo, Oregon on this 5th day of January, 2011:

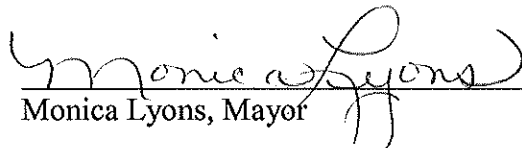
APPROVED by the Mayor of the City of Toledo, Oregon, on this 5th day of January, 2011.

ATTEST:



Nancy Bryant, City Recorder

APPROVED:



Monica Lyons, Mayor

Exhibit "A"

Description of Lincoln County to City of Toledo Road Transfers – 2010

All of the existing portions of the following roads not previously transferred to the City of Toledo and within the city limits of the City of Toledo:

Run Bottom County Road #523 – As described in Lincoln County Commissioner's Journal #8-Page #204 and Lincoln County Commissioner's Journal #16-Page #196. Records indicate that this road may have been previously transferred to the City in 1975 and 1980.

Toledo to Derrick County Road #524 – As described in Lincoln County Road Record No. 1, Pages 267 (Order opening) and 269 (Map). This road is also known as "Main Street Toledo."

Arcadia Drive County Road #525 – As described in Lincoln County Commissioner's Journal #4-Page #29, Lincoln County Commissioner's Journal #4-Page #44 and Lincoln County Road Record No. 1, Pages 405 (Order opening) and 407 (Plat). Records indicate that portions of this road were previously transferred to the City of Toledo.

Burgess County Road #526 – As described in Lincoln County Commissioner's Journal #14-Page #349. Records indicate that portions of this road were previously transferred to the City of Toledo in 1966.

Olson County Road #527 – As described in Lincoln County Commissioner's Journal #16-Page #282 and Lincoln County Road Plat Book No. 1, Page 164.

Butler Bridge County Road #530 – See attached Exhibit "B". Records indicate that portions of this road were previously transferred to the City of Toledo in 1959.

Dundon County Road #551 – As described in Lincoln County Commissioner's Journal #1-Page #263 and Lincoln County Road Plat Book No. 1, Page 261 (order opening) and Page 263 (Map). Records indicate that this road was previously transferred to the City of Toledo in 1980..

Toledo and J.W. Harrison County Road #553 – As described in Lincoln County Commissioner's Journal #5-Page #445. Records indicate this road was vacated in 1954.

Skyline Drive County Road #565 – See attached Exhibit "C".

Ammon County Road #578 – As described in Lincoln County Commissioner's Journal #5-Page #271 and MF Lincoln County Commissioner's Journal #3-Page #543.

Exhibit "B"
Butler Bridge Road
BUTLER BRIDGE
County Road #530

CCJ #7		
94	Resolution to establish	Apr. 4, 1924 40' R/W
108	Order appointing viewers	May 7, 1924
137	Order establishing as a County Road	June 7, 1924 40' R/W

Note: This road was formerly listed as Road #531, however the map in 1924 Road Locations File shows that the descriptions were in error and it fits in approximately the same location as the present road leading to Butler Bridge.

CCJ #7		
316	Resolution to establish (bridge south for 1200')	
346	Order appoint viewers	May 7, 1925
396	First reading	July 1, 1925
408	Order to establish	July 5, 1925

CCJ #14		
89	Resolution to establish	Apr. 13, 1936 60' R/W
140	Order appointing viewers	June 4, 1936
195	Order establishing as a public road	July 20, 1936
290	Resolution to vacate a 500' portion at the Bridge	Oct. 8, 1936
506	Order vacating	Mar. 23, 1937

CCJ #17		
225	Order accepting deed from Guy Roberts Lumber Company (88-456)	Aug. 19, 1941 60' R/W

CCJ #18		
147	Order to accept deed from R.D. Burgess Portion of Lot 5, "Jones and Gaithers Add."	Apr. 8, 1942

CCJ #31		
576	Order accepting deed from Georgia-Pacific Corp. (202-168)	Aug. 19, 1959
1958	Right of way encroachment to cross S.P. Railroad (194-474)	Sept. 2,
613	Resolution to surrender jurisdiction to Toledo of all except the bridge	Sept. 8, 1959

CCJ #32		
71	Order to offer jurisdiction to Toledo	Oct. 21, 1959
245	Order accepting Ordinance #717 from Toledo and surrendering jurisdiction	Dec. 30, 1959

ROAD PLAT BOOK NO.1
189 Map
203

ROAD LOCATIONS 1924
Map

ROAD PLAT BOOK NO. 2

ROAD RECORD NO. 2
9 Order accepting deed 1897
9 Field notes
10Map

Exhibit "C"

Toledo Cemetery To Dundon Bridge Road
Old Corvallis-Newport Wagon Road
Hospital Road
SKYLINE DRIVE
County Road #565

CCJ #16

384 Order for resurvey of Toledo Cemetery to Dundon Bridge Mar. 26, 1940
402 Order accepting survey

CCJ #35

7 Discussed right of way re-alignment Mar. 21, 1962
91 Order accepting cooperative construction agreement May 2, 1962
between State Highway Commission and Lincoln County
for Hospital access
92 Agreement Apr. 13, 1962

CCJ #44

211 Order accepting letters petitioning for a change in agreement Jan. 19,
1967
316 Order accepting deed for a section of new alignment from: Feb. 23,
1967
Oregon State Highway Commission (275-306)
Section 7 (11-10)
Unused portion vacated to property owners.

ROAD PLAT BOOK NO. 1

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