



Newberg Community Development
Department

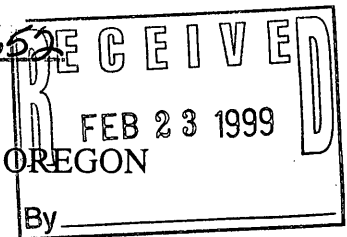
Inter-office Memorandum

Date: February 23, 1999

To: Duane Cole, City Manager
From: John J. Raineri, Engineering Technician II
Copy:
Regarding: Street Jurisdiction

Received this today. Thought you may want a copy for your records.

Found other information under this title in both resolutions and ordinances.



IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Adoption of an Order)
offering to Surrender Jurisdiction to the)
City of Newberg over Portions of the)
following County Roads located within)
the city limits: Villa Road; Deborah Road;)
Douglas Road; Springbrook Way; East)
Second Street; and East Third Street.)

BOARD ORDER 99-98

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on February 18, 1999, commissioners Robert Johnstone and Ted Lopuszynski being present, commissioner Thomas E.E. Bunn being excused.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. ORS 373.270 governs the transfer of jurisdiction over county roads within cities. The City of Newberg has requested the county to initiate a process to surrender jurisdiction over portions of the following county roads within the city: Villa Road, Deborah Road, Douglas Road, Springbrook Way, East Second Street and East Third Street ("the subject roads"). A copy of the city's request is attached as Exhibit "A."

B. By Board Order 99-044 on January 21, 1999, the county initiated a process to surrender jurisdiction over the subject roads to the City of Newberg. In accordance with ORS 373.270(2), public notice of a hearing on February 18, 1999 was posted in three public places within Yamhill County. A copy of the county's Public Notice and Certification of Posting is attached to this Board Order as Exhibit "B."

C. A public hearing was held in Room 32 of the Yamhill County Courthouse on February 18, 1999 on the proposed transfer of jurisdiction. The question before the Board was whether a transfer of jurisdiction over the subject roads was necessary, expedient or in the best interest of the county. No testimony opposed to the proposed transfer of jurisdiction was received.

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D. Based upon the record of the public hearing and the request of the City of Newberg, the Board finds that a transfer of jurisdiction over the subject roads to the City of Newberg is in the best interest of the county. NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. Yamhill County hereby offers to surrender jurisdiction over those portions of the following described public roadways ("the subject roads) to the City of Newberg, Oregon:

<u>NAME OF ROAD</u>	<u>PORTION OF ROAD AFFECTED</u>
Villa Road	South line of Haworth Avenue to 920 feet south at the north line of Villa Homes Addition.
Deborah Road	Highway 99W to the south line of Douglas Avenue.
Douglas Road	West line of Deborah Road to the east line of Springbrook Way.
Springbrook Way	Its intersection with Springbrook Road to the south line of the Solomon Heater D.L.C.
East Second Street	East line of Everest Road to the south line of Highway 219.
East Third Street	East line of Everest Road to the south line of Highway 219.

2. Upon the City of Newberg's enactment of appropriate municipal legislation accepting the county's offer to surrender jurisdiction, and in accordance with ORS 373.270(7) (1997 replacement part), the offer shall be deemed accepted with the following effect:

- a. The jurisdiction of the county over the subject roads or for their improvement, construction or repair shall cease.
- b. The full and absolute jurisdiction over the subject roads for all purposes of repair, construction, improvement and the levying and collection of assessments therefor shall vest in the City of Newberg.

c. The City of Newberg shall have the same jurisdiction over the subject roads as by its charter and the laws of the state are given or granted it over any of the public streets and alleys of the city.

DONE at McMinnville, Oregon on February 18, 1999.

ATTEST

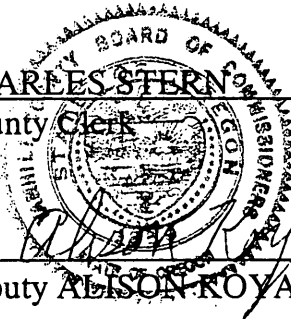
YAMHILL COUNTY
BOARD OF COMMISSIONERS

CHARLES STERN

County Clerk

By:

Deputy ALISON KOYAMA

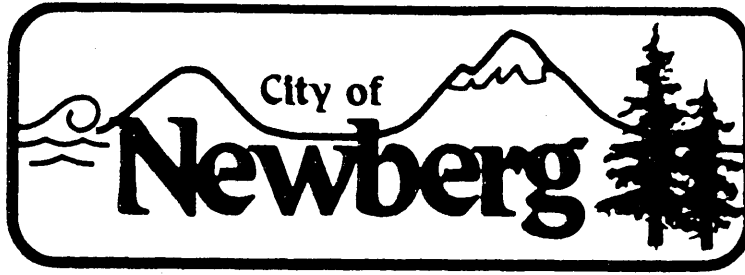


Robert Johnstone
Chairman ROBERT JOHNSTONE

Ted Lopuszynski
Commissioner TED LOPUSZYNSKI

FORM APPROVED BY:

John M. Gray, Jr.
JOHN M. GRAY, JR.
Yamhill County Counsel



City Manager
(503) 538-9421

414 East First Street
Newberg, Oregon 97132-2993

City Attorney
(503) 537-1208

City Hall Fax
(503) 537-5013

Community Development Office

P.O. Box 970 • 719 E. FIRST STREET • NEWBERG, OR 97132 • (503)-537-1240 • FAX: (503)-537-1272

January 11, 1999

Dan Linschied
Yamhill County Surveyor
2050 Lafayette Ave.
McMinnville, Oregon 97128

RE: Surrender of Jurisdiction - County to City

Dear Dan,

Over this past year I have had the opportunity to review the status of a number of our City streets and found there are some that we have improved but are still under county jurisdiction.

Listed below are the streets that we show no record of being surrendered to the City of Newberg yet have been improved to City Standards and are maintained by the City.

<u>Street</u>	<u>Location</u>
Villa Road	South line of Haworth Ave. to 920 feet south at the north line of Villa Homes Addition
Deborah Road	Highway 99W to the south line of Douglas Ave.
Douglas Ave.	West line of Deborah Rd. to the east line of Springbrook Way
Springbrook Way	Its intersection with Springbrook Rd. to the south line of the Solomon Heater D.L.C.
East Second Street	East line of Everest Rd. to the south line of Highway 219
East Third Street	East line of Everest Rd. to the south line of highway 219

Please let me know when you are available to meet regarding the issues and proper protocol in preparing the documents to surrender jurisdiction of the above referenced streets.

Sincerely,

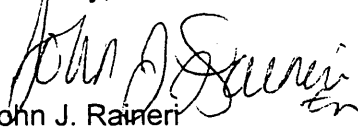
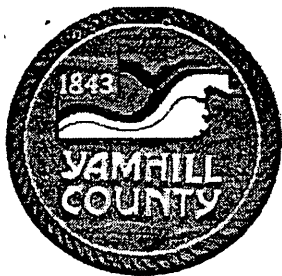

John J. Rainer
Engineering Technician

Exhibit "A" 1/1

K:\WP\ENGINEER\MISC\JR\SurrenderStreets.wpd
Administration: 538-9421/Fax: 537-5013 • Community Development: 537-1214/Fax: 537-1272 • Court: 537-1203/Fax: 537-1277
Finance/Water Billing: 537-1205/Fax: 537-5013 • Fire: 537-1230/Fax: 538-7441 • Police: 538-8321/Fax: 538-5393
Public Library: 538-7323/Fax: 538-9720 • Public Works: 537-1233 • Treatment Plant: 537-1671/Fax: 538-9113

"Working Together For A Better Community - Serious About Service"



Yamhill County Surveyor

2060 Lafayette Avenue, McMinnville, OR 97128

Ph. 503.434.7415 Fax 503.472.4068 E-mail: surveyor@co.yamhill.or.us

Dan Linscheid, P.L.S.
County Surveyor

Lawrence Jones, P.L.S.
Deputy County Surveyor

AFFIDAVIT

RECEIVED

FEB 02 1999

February 2, 1999

YAMHILL COUNTY COUNSEL

This is to affirm and certify that I, Dan Linscheid, Yamhill County Surveyor, posted on this date 3 copies of the Notice of Public Hearing regarding the Surrender of Jurisdiction of various County Roads to the City of Newberg in three public places within Yamhill County, to wit;

One on the Public Notices bulletin board in the Newberg City Hall annex, one on the Public Notices bulletin board in the Newberg Community Development office, and one on the Public Notices bulletin board in the County Courthouse in McMinnville.


Dan Linscheid, P.L.S.,
Yamhill County Surveyor

Exhibit "B" 1/2

NOTICE OF PUBLIC HEARING
(Surrender of Jurisdiction of various County Roads
to City of Newberg)

NOTICE IS HEREBY GIVEN that the Yamhill County Board of Commissioners ("the Board") will hold a public hearing on Thursday, February 18, 1999 at 10:00 a.m. in Room 32 of the Yamhill County Courthouse, 535 NE Fifth Street, McMinnville, to consider a request by the City of Newberg for the County to transfer jurisdiction to the City over of certain county roads located within city limits. The hearing is required and authorized by ORS 373.270.

The portions of roadways being considered for surrender of jurisdiction by the County to the City are described below:

Villa Road	South line of Haworth Avenue to 920 feet south at the north line of Villa Homes Addition.
Deborah Road	Highway 99W to the south line of Douglas Avenue.
Douglas Road	West line of Deborah Road to the east line of Springbrook Way.
Springbrook Way	Its intersection with Springbrook Road to the south line of the Solomon Heater D.L.C.
East Second Street	East line of Everest Road to the south line of Highway 219.
East Third Street	East line of Everest Road to the south line of Highway 219.

At the public hearing the Board will accept oral and written testimony and determine whether the proposed transfer of jurisdiction is in the best interests of the citizens of Yamhill County. Questions should be referred to Dan Linscheid, County Surveyor, telephone 434-7415. Dated: January 27, 1999.



John M. Gray, Jr.
Yamhill County Legal Counsel

NOTE: In accordance with ORS 373.270(2)(a), this notice shall be posted in three public places within Yamhill County, one of which shall be within the City of Newberg.

Exhibit "B" 2/2