

WASHINGTON COUNTY RESOLUTION & ORDER

Pages



RESOLUTION & ORDER

2009-018

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APR 16 2009

CITY OF SHERWOOD
RECORDER'S OFFICE

FOR WASHINGTON COUNTY CLERK'S USE ONLY



FILED

APR - 2 2009

Washington County
County Clerk

Rec.

AGENDA

WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Land Use and Transportation CPO 5

Agenda Title: **TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS
(PORTIONS OF SW OLD HIGHWAY 99W AND SW MIDDLETON
ROAD) TO THE CITY OF SHERWOOD (CR 3263 T/J)**

Presented by: Gregory S. Miller, County Engineer

SUMMARY: (Attach Supporting Documents if Necessary)

The City of Sherwood has, by City Resolution No. 2009-006, requested the Transfer of Jurisdiction of portions of SW Old Highway 99W and SW Middleton Road from the County to the City of Sherwood. The Board, by Minute Order No. 09-44, set 10:00am on April 7, 2009, as the time for the public hearing on this matter. Notices were posted as required by State law, and an affidavit was filed. SW Old Highway 99W is a collector and SW Middleton Road is a local street, as shown on figure 4F of the Washington County 2020 Transportation Plan. Both are located within the City of Sherwood.

- Attachment:
1. Resolution and Order
 2. Road Description – Exhibit "A"
 3. Map – Exhibit "B"

DEPARTMENT'S REQUESTED ACTION:

Transfer Jurisdiction to the City of Sherwood (CR NO. 3263 T/J).

COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

603020

Agenda Item No.	5.a.
Date:	4/7/09

RO 09-18

IN THE BOARD OF COUNTY COMMISSIONERS

FOR WASHINGTON COUNTY, OREGON

In the Matter of Transfer of Jurisdiction)
Of Certain County Roads to the City of)
Sherwood, Oregon.)

RESOLUTION AND ORDER

NO. 09-18
C.R. NO. 3263 T/J

This matter having been considered by the Board of County Commissioners at its regular meeting of April 7, 2009; and

It appearing to the Board that the City of Sherwood, Oregon, has requested of this Board its transfer of jurisdiction of Certain County Roads, as described and depicted in Exhibits "A" and "B", attached hereto and by this reference incorporated herein, now under the jurisdiction of Washington County, Oregon; and

It appearing to the Board that the said roads are within the boundaries of the City of Sherwood and that jurisdiction over and across said roads should be transferred properly to the City of Sherwood; and

It appearing to the Board that by its Minute Order No. 09-44, dated March 3, 2009, duly required the setting of a time and place of public hearing on said request and required that notice of said hearing be posted pursuant to law; and

It appearing to the Board that in accordance with said Minute Order, notice was duly given and a public hearing was held on the 7th day of April, 2009, at the hour of 10:00a.m. in the Auditorium of the Public Services Building, Hillsboro, Oregon; and

It appearing to the Board that at said public hearing the Board heard the matter and considered objections and testimony offered by all persons interested in the proposed transfer of the jurisdiction, and the Board having considered this matter found that the best interests of Washington County would be served by granting said request, the Board hereby

FINDS AND DETERMINES that it is necessary, expedient and in the best interests of Washington County to transfer jurisdiction to the City of Sherwood, Oregon, Certain County Roads as herein described, and it is hereby

RESOLVED AND ORDERED that the jurisdiction of the County over said roads as described and depicted in Exhibits "A" and "B" and responsibility for the maintenance, construction and repair and the full and absolute jurisdiction over said roads for all purposes of repair, construction improvement and levy collection of assessments thereof shall vest in the City of Sherwood, Oregon, and the City shall have the same control, power and jurisdiction of the roads or portions thereof as are by its Charter and the laws of the State of Oregon given or granted over any of the public streets and alleys of said City; and it is further

RESOLVED AND ORDERED that the County Surveyor of Washington County, Oregon, be and hereby is ordered to amend as necessary the official records of Washington County, Oregon, to indicate the transfer of jurisdiction as herein above described; and it is further

RESOLVED AND ORDERED that the County Surveyor be, and hereby is authorized and directed to forward a certified copy of this Resolution and Order to the City of Sherwood, Oregon, as due notice of transfer of jurisdiction.

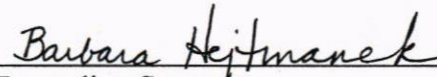
DATED this 7th day of April, 2009.

BOARD OF COUNTY COMMISSIONERS
FOR WASHINGTON COUNTY, OREGON

	AYE	NAY	ABSENT
BRIAN			✓
SCHOUTEN	✓	—	—
STRADER	✓	—	—
ROGERS	✓	—	—
DUYCK	✓	—	—

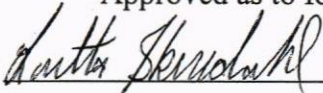


Chairperson



Recording Secretary

Approved as to form



Sr. Assistant County Counsel

Date: 4/1/09

Page 2 - R&O No. 09-18
Transfer of Jurisdiction C.R. No. 3263 T/J

EXHIBIT "A"

1. **OLD HIGHWAY 99W**
FROM ±240 FEET SOUTH OF SW CROOKED RIVER LANE SW
TRIMBREL LANE

SEE EXHIBIT "B"

All that portion of County Road No. 1426 lying between that portion of said road transferred to the City of Sherwood in C.R. 2903T/J and the westerly extension of the southerly line of Pinehurst Estates, a subdivision of record. Said road being situated in the Southwest one-quarter of Section 31, T2S, R1W, W.M, and in the Southeast one-quarter of Section 36, T2S, R2W, W.M.

2. **SW MIDDLETON ROAD**
FROM SW HARRISON STREET TO SW TRIMBREL LANE

SEE EXHIBIT "B"

All that portion of County Road No. 176 lying between C.R. 2903T/J (SW Trimbrel Lane) and the westerly extension of the northerly line of SW Harrison Street. Said road being situated in the Southwest one-quarter of Section 31, T2S, R1W, W.M, and in the Northwest one-quarter of Section 6, T3S, R1W, W.M.

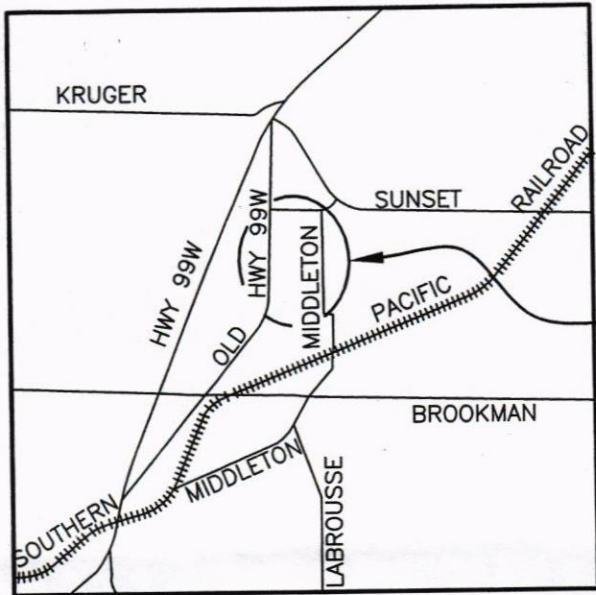
TRANSFER OF JURISDICTION

C.R. 3263 T/J

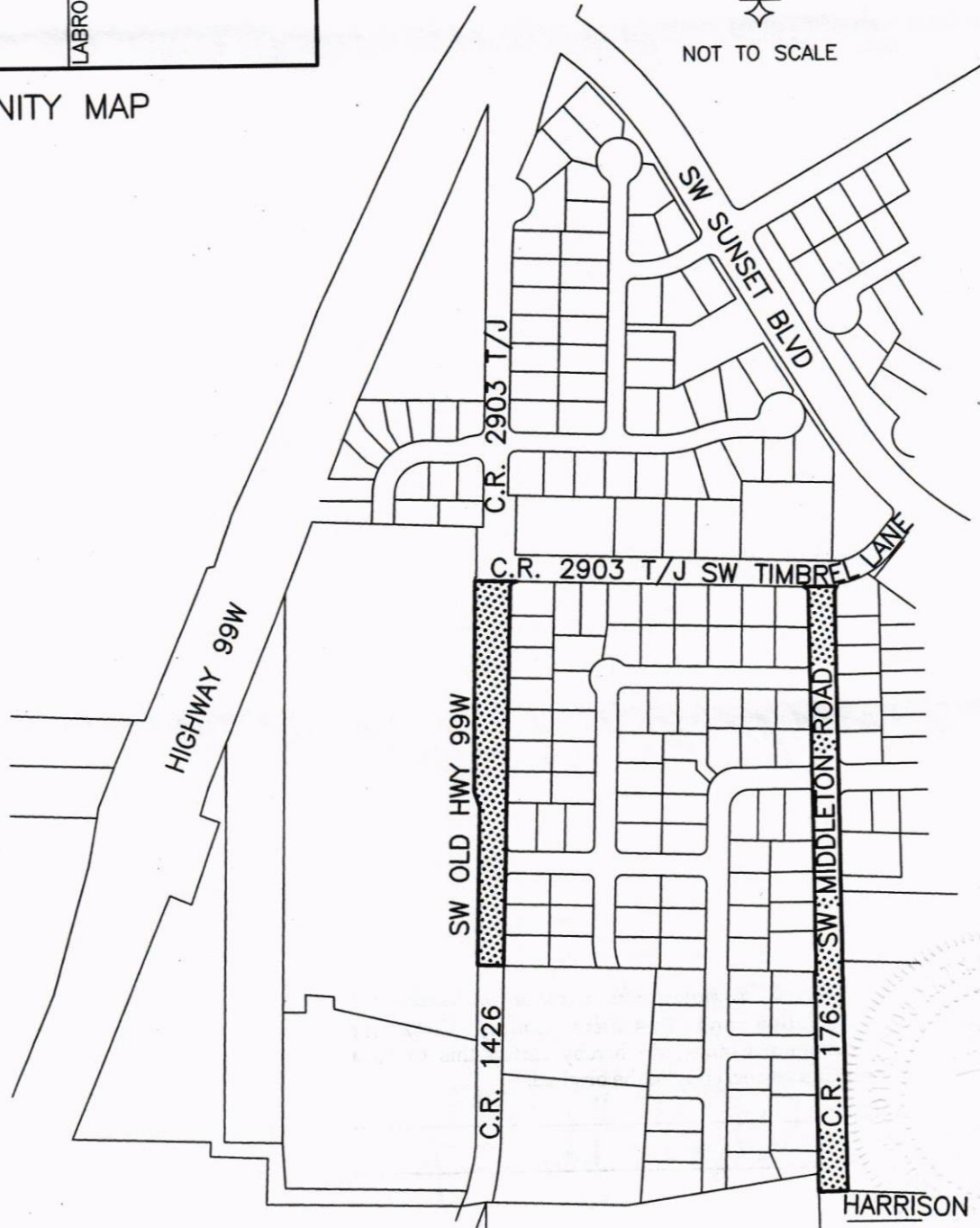
N



NOT TO SCALE



VICINITY MAP



HARRISON STREET
EXHIBIT "B"



I, *Richard W. Hobernicht*, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, do hereby certify this to be a true and correct copy of the original.

Date: *April 14, 2009*

By: *Super. Deputy*



WASHINGTON COUNTY
OREGON

RECEIVED

APR 16 2009

CITY OF SHERWOOD
RECORDER'S OFFICE

April 14, 2009

Sylvia Murphy
Recorder
City of Sherwood
22560 SW Pine Street
Sherwood, Or 97140

Dear Sylvia,

I am forwarding a certified copy of Washington County Resolution and Order No. 09-18 as notice of the transfer of jurisdiction of certain County Roads to the City of Sherwood. I sent a copy of this to Craig Sheldon, Public Works Director, for his records.

If you have any questions or if I can be of any further help please call me at 846-7931.

Sincerely,

Anthony Devore
Survey Technician II

c: file

After Recording Return to:
City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

COPY



Washington County, Oregon 2009-106151
12/08/2009 01:58:43 PM
D-R&O Cnt=1 Str=29 RECORDS1
\$15.00 \$5.00 \$11.00 \$15.00 - Total = \$46.00



01433833200901061510030034

I, Richard Hobermicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

Richard Hobermicht, Director of Assessment and Taxation, Ex-Officio County Clerk



RESOLUTION 2009-006

A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS WITHIN THE CITY LIMITS TO THE CITY OF SHERWOOD AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Oregon Revised Statute (ORS) 373.270(6) provides a mechanism to transfer jurisdiction of County Roads located within a City to a City; and

WHEREAS, the City of Sherwood has determined it necessary, expedient and for the best interests of the City to acquire jurisdiction over certain county roads, or part thereof, to the same extent as it has over other public streets within the City; and

WHEREAS, portions of SW Old Highway 99W and SW Middleton Road are located within the City, and it is in the best interest of the City to transfer jurisdiction.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1: Transfer Request: The Sherwood City Council hereby requests that the Commissioners of Washington County, Oregon transfer jurisdiction of those County Roads, described and depicted in Exhibits "A" and "B" attached hereto, to the City of Sherwood, Oregon. The said request is to be granted or denied within one year of the date of this Resolution becomes effective.

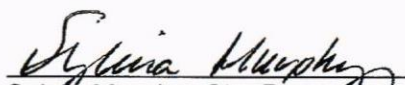
Section 2: Effective Date: This Resolution shall become effective upon approval and adoption.

The City Recorder is hereby instructed to deliver a signed certified copy of the foregoing Resolution to the Board of County Commissioners of Washington County.

Duly passed by the City Council this 20th day of January 2009.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, City Recorder

I certify this is a true and correct photocopy of the original document.

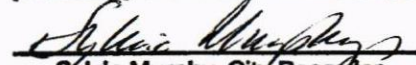

Sylvia Murphy, City Recorder

EXHIBIT "A"

- 1. OLD HIGHWAY 99W**
FROM ±240 FEET SOUTH OF SW CROOKED RIVER LANE SW
TRIMBREL LANE

SEE EXHIBIT "B"

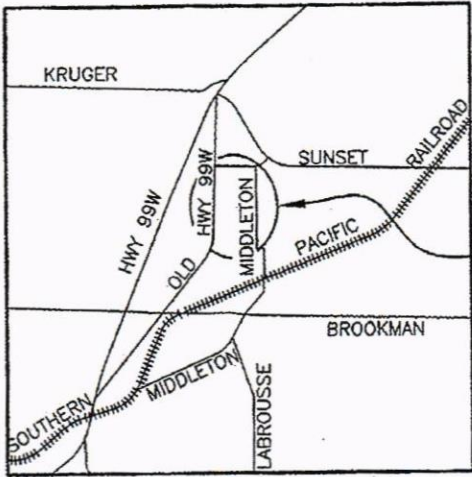
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- 2. SW MIDDLETON ROAD**
FROM SW HARRISON STREET TO SW TRIMBREL LANE

SEE EXHIBIT "B"

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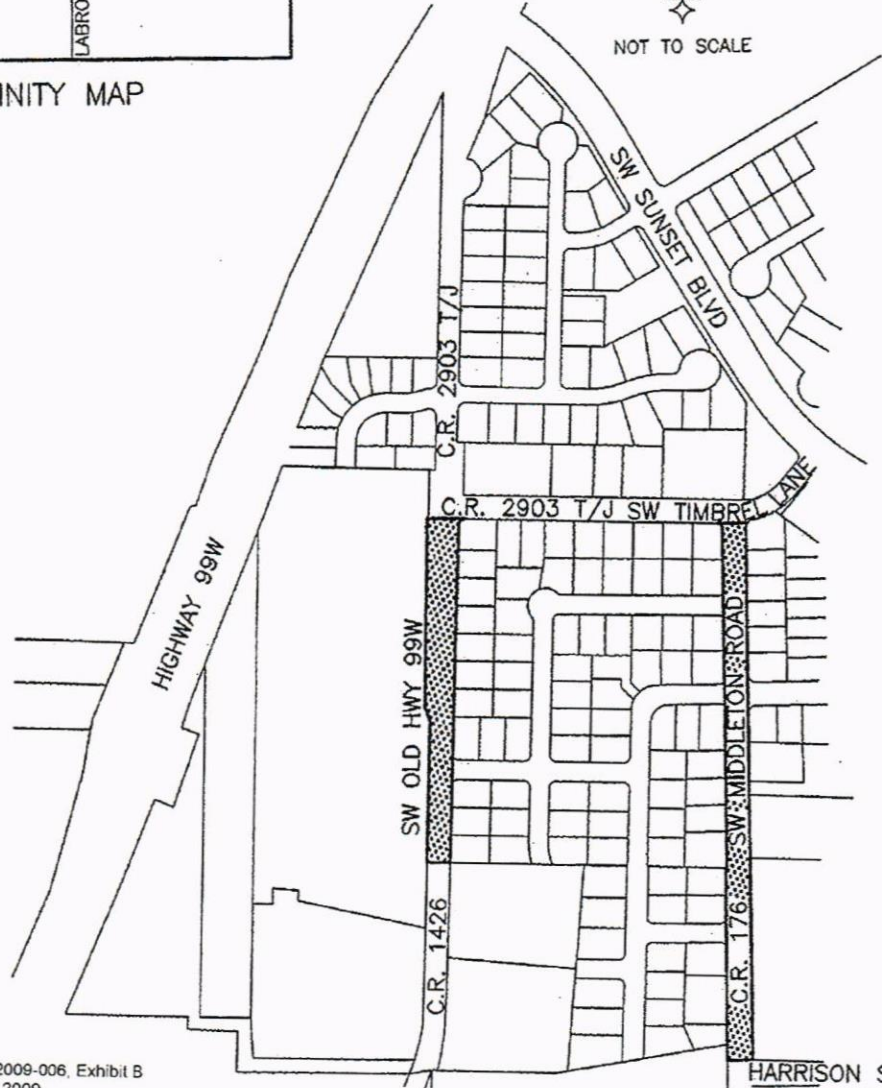
TRANSFER OF JURISDICTION



VICINITY MAP



NOT TO SCALE



Resolution 2009-006, Exhibit B
January 20, 2009
Page 1 of 1

HARRISON STREET
EXHIBIT "B"