



THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

RECEIVED

In the Matter of Transferring)
 Jurisdiction of a Portion of) Order No. RD2009-18
 County Road No. 1100 (Stage)
 Gulch Road) to the City of)
 Pendleton)

JAN 29 2010

UMATILLA COUNTY RECORDS

WHEREAS, in accordance with ORS 373.270(1)(a), the Umatilla County Board of Commissioners has determined it to be in the best interest of the County to transfer jurisdiction of the portion of County Road No. 1100 (Stage Gulch Road, also known as NW A Avenue) from approximately the South line of Section 31, Township 3 North, Range 32, northerly to Northeast corner of Southeast Quarter of Southeast Quarter of Northeast Quarter, Section 36, Township 3 North, Range 31, all located within the corporate limits of the City of Pendleton, Oregon, to the City of Pendleton, and

WHEREAS, the City of Pendleton and Umatilla County executed a Memorandum of Understanding on April 11, 2000, whereby the City would accept jurisdiction over a portion of Avenue "A" Avenue/Stage Gulch Road from NW 56th Drive to northeast corner of the Pinkerton property at such time as any portion of the referenced Pinkerton property was annexed or developed, and

WHEREAS, conditions for the transfer of the road to the City of Pendleton have been met by the annexation of the Pinkerton property, and

WHEREAS, in accordance with ORS 373.270 (2)(a), notice of the public hearing was posted on a power pole near the intersection of Airport Road and NW A Avenue; on a fence post near the north end of the proposed transfer, and at the Umatilla County Courthouse, and

WHEREAS, a hearing was held on May 27, 2009, continued to June 3, 2009, in Room 114 of the Umatilla County Courthouse in Pendleton, Oregon to hear public testimony both for and against the proposed jurisdiction transfer, and

WHEREAS it is determined to be in the public interest to transfer the portion of County Road No. 1100 described above to the City of Pendleton.

NOW THEREFORE IT IS HEREBY ORDERED as follows:

1. In accordance with ORS 373.270(5)(a), jurisdiction of that portion of County Road No. 1100 (Stage Gulch Road, also known as NW A Avenue) from the existing city jurisdiction, approximately the South line of Section 31, Township 3 North, Range 32, northerly to Northeast corner of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter, Section 36, Township 3 North, Range 31, is offered to the City of Pendleton.

2. Upon acceptance by the City of Pendleton, improvement, construction and repair of the road by the County shall cease, and the transfer of jurisdiction to the City of Pendleton will be full and absolute for all purposes of repair, construction, improvement, and the levying and collection of assessments.

DATED this 3rd day of June, 2009.

UMATILLA COUNTY BOARD OF COMMISSIONERS

W. Lawrence Givens
W. Lawrence Givens, Chair

Dennis D. Doherty
Dennis D. Doherty, Commissioner

William S. Hansell
William S. Hansell, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Jeanne Hemphill
Records Officer



RESOLUTION NO. 2397

Accepting City Jurisdiction over portions of County Roads 1100, Stage Gulch Road, 1303, Southgate Place, and 1320, Quinney Avenue

WHEREAS, By Order RD2009-18, the Umatilla County Commissioners relinquished to the City of Pendleton maintenance jurisdiction over a portion of County Road 1100, Stage Gulch Road, in and adjacent to the City of Pendleton, Umatilla County, Oregon; and

WHEREAS, By Order RD2010-01, the Umatilla County Commissioners relinquished to the City of Pendleton maintenance jurisdiction over portions of County Road 1303, Southgate Place, and County Road 1320, SW Quinney Avenue, in and adjacent to the City of Pendleton, Umatilla County, Oregon; and

WHEREAS, The portion of Quinney Avenue was subject to a Memorandum of Understanding dated January 30, 2007, whereby the City would accept jurisdiction of County Road 1320 on certain conditions; and

WHEREAS, The portion of Stage Gulch Road was subject to a Memorandum of Understanding dated April 11, 2000, whereby the City would accept jurisdiction over a portion of Stage Gulch Road from NW 56th Drive to the northeast corner of the Pinkerton property within the Urban Growth Boundary; and

WHEREAS, The conditions of transfer have been met.

NOW THEREFORE, the City of Pendleton resolves:

1. That improvement, construction, or repair of a portion of Umatilla County Road 1100, Stage Gulch Road, in and adjacent to the City of Pendleton, Umatilla County, Oregon from approximately the South line of Section 31, Township 3N, Range 32 E, northerly to the NE corner of SE 1/4 of SE 1/4 of NE 1/4, Section 36, T3N, R 31E, WM, is divested from Umatilla County, Oregon and vests with the City of Pendleton, Umatilla County, Oregon, and
2. That improvement, construction, or repair of a portion of Umatilla County Road 1303, Southgate Place, in and adjacent to City of Pendleton, Umatilla County, Oregon from the line between Sections 16 and 21, Township 2 North, Range 32 E. southeasterly to the westerly right of way line of US Highway 395 as relocated and currently traveled, is divested from Umatilla County, Oregon and vests with the City of Pendleton, Umatilla County, Oregon, and
3. That improvement, construction, or repair of that portion of Umatilla County Road 1320, SW Quinney Avenue, in the City of Pendleton, Umatilla County, Oregon, from the westerly right of way line of Montee Drive (also known as Southgate Place and Old U.S. Highway 395) westerly to the end of Umatilla



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County's jurisdiction, the centerline of which is a point approximately 244.32 feet East and 30.0 feet North of the Northeast corner of lot 12, Sunrise South Addition to the City of Pendleton is divested from Umatilla County, Oregon and vests with the City of Pendleton, Umatilla County, Oregon, reserving unto Umatilla County jurisdiction over the bridge over McKay Creek until the earlier of June 30, 2011 or bridge replacement..

This resolution is effective on passage.

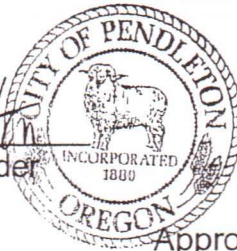
PASSED by the City Council and approved by the Mayor January __, 2009.

APPROVED:

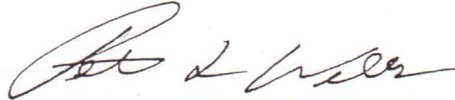


Phillip W. Houk
Mayor

ATTEST: 
Andrea Denton, City Recorder



Approved as to form:



Peter H. Wells, City Attorney

State of Oregon)
)
County of Umatilla)

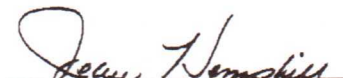
This instrument was received
and recorded on

01-29-10 at 3:30

in the record of instrument
code type DE-ORDER

Instrument Number 2010-5610859
Fee 0.00

Office of County Records


Records Officer