

2005 476031

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UMATILLA COUNTY RECORDS



IN THE BOARD OF COUNTY COMMISSIONERS

STATE OF OREGON

FILE COPY

In the Matter of Transferring Jurisdiction )  
of Portions of County Roads Lying Within )  
The Corporate Limits of the City of Hermiston,)  
Oregon, From Umatilla County to the City of )  
Hermiston )

Order No. RD2005-01

WHEREAS, in accordance with ORS 373.270(1)(a) the Umatilla County Board of Commissioners has deemed it to be in the best interests of the County to surrender jurisdiction over the following portions of county roads lying within the corporate limits of Hermiston, Oregon to the City of Hermiston:

County Road #1242 (Harper Road)

Harper Road in its entirety lying between U. S. Highway 395 and County Road No. 1275 (Umatilla River Road), approximate distance being 0.54 mile.

County Road #1275 (North First Place)

That portion of County Road #1275 (North First Place) lying between County Road #1249 (Geer Road) and Jennie Avenue, approximate distance being 0.59 mile.

County Road #1245 (South First Street)

That portion of County Road #1245 (South First Street; a.k.a. 1<sup>st</sup> Street) lying between Orchard Avenue and the southeast boundary of the Hermiston City Limits as it exists the date of this order, including Umatilla County Bridge #59C278, approximate distance being 0.69 mile.

County Road #1193 (South Fourth Street)

That portion of County Road #1193 (South Fourth Street; a.k.a. S. E. 4<sup>th</sup> Street) lying between U. S. Highway 395 and Umatilla County Bridge #59C276 over the Maxwell Canal, exclusive of the bridge, approximate distance being 0.20 mile.

WHEREAS, in the Hermiston Area Planning Area Joint Management Agreement between the City of Hermiston and Umatilla County, dated April 12, 2004, the City agreed to accept and maintain certain county roads and any affected bridges within the City, subject to City verification that such county roads and affected bridges are in a condition acceptable to the City and subject to the execution of an agreement whereby the County shall fully fund the pedestrian/bicycle crossing on the South First Street bridge, and

Original to: Commissioner's Journal  
Copy to: Umatilla County Counsel - Doug Olsen  
" " Umatilla County Road Dept.



**WHEREAS**, the City has verified in writing to the County Public Works Director that the condition of such roads and affected bridges are acceptable to the City and the pedestrian/bicycle crossing on the South First Street Bridge has been completed, and

**WHEREAS**, pursuant to ORS 373.270(6) the City, by adoption of Resolution No. 1744, initiated the surrender of jurisdiction over the roads by the County, and

**WHEREAS**, pursuant to ORS 373.270(4) a hearing was held on January 19, 2005 to hear public testimony both for and against the proposed transfer, and determining it to be in the public interest to transfer the roads:

**IT IS HEREBY ORDERED** that in accordance with ORS 373.270(6)(b) jurisdiction over the portions of County Road No. 1242, Harper Road, County Road No. 1275, North First Place, County Road No. 1245, South First Street, and County Road No. 1193, South Fourth Street described on Page 1 of this order be transferred to the City of Hermiston , Oregon, and that improvement, construction, or repair by the County shall cease, and that the full and absolute jurisdiction over the road for all purposes of repair, construction, improvement, and the levying and collection of assessments shall vest in the City.

Dated this 19 day of January, 2005.

UMATILLA COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM:

*Emile M. Holman*  
Chairman

*[Signature]*  
County Counsel

**ABSENT**  
Commissioner

*Jennis D. Soberty*  
Commissioner



ATTEST: OFFICE OF COUNTY RECORDS

BY: *Jean Humphreys*  
Records Officer





RESOLUTION NO. 1744

A RESOLUTION REQUESTING TRANSFER OF JURISDICTION OVER CERTAIN COUNTY ROADS WITHIN THE CITY OF HERMISTON.

WHEREAS, in the Hermiston Planning Area Joint Management Agreement between the City of Hermiston and the County of Umatilla, dated April 12, 2004, the City agreed to accept and maintain certain County roads and any affected bridges within the City, subject to City verification that such County roads and affected bridges are in a condition acceptable to the City;

WHEREAS, the City has verified in writing to the County Public Works Director that the condition of such roads and affected bridges are acceptable to the City; and

WHEREAS, the Hermiston City Council deems it necessary, expedient, and for the best interests of the City to acquire jurisdiction over part of the county roads described below to the same extent as it has over other public streets and alleys of the City, now, therefore,

IT IS HEREBY RESOLVED:

1. Pursuant to ORS 376.270, the Hermiston City Council hereby requests that jurisdiction of the following County roads and any affected bridges be transferred to the City:

- a) Harper Road (County Road 1242) between US Highway 395 and River Road.
- b) North First Place (County Road 1275) between Geer Road and Jennie Avenue.
- c) South First Street (County Road 1245) between Orchard Avenue to the southeast boundary of the City limits (as now constituted) just beyond the bridge.
- d) South Fourth Street (County Road 1193) between US Highway 395 and to the bridge, SUBJECT to the execution of an agreement whereby the County shall fully fund the pedestrian/bicycle crossing on the South First Street bridge.

2. The County and City will complete minor maintenance of the above roads as part of the transfer of road jurisdiction.

3. This Resolution is effective upon its passage as of the date and year set out below.

PASSED by the Common Council the 13<sup>th</sup> day of December 2004.

SIGNED by the Mayor the 13<sup>th</sup> day of December 2004.

Bob Swenson  
MAYOR

ATTEST:  
Robert D. Chley  
CITY RECORDER



2005-4760314 4 of 4

State of Oregon )  
County of Umatilla )

This instrument was received  
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01-27-05 at 3:10

in the record of instrument  
code type DE-ORDER

Instrument Number 2005-4760314  
Fee 0.00

Office of County Records

  
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Records Officer