

2006 4980659

**FILE COPY**



2006-4980659

1 of 4

RECEIVED

IN THE BOARD OF COUNTY COMMISSIONERS

APR 06 2006

STATE OF OREGON

UMATILLA COUNTY  
RECORDS

In the Matter of Transferring Jurisdiction of )  
County Road No. 1305, S. W. Hailey Avenue, and )  
County Road No. 1305, S.W. 37th Street, from )  
Umatilla County to the City of Pendleton )

Order No. RD2006-03

**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 Road No. 1305 lying within the corporate limits of Pendleton, Oregon to the City of Pendleton:

S. W. Hailey Avenue

That portion of County Road #1305 (S. W. Hailey Avenue) lying between S. W. 30<sup>th</sup> Street and S. W. 37<sup>th</sup> Street

S. W. 37<sup>th</sup> Street

That portion of County Road #1305 (S. W. 37<sup>th</sup> Street) lying between S. W. Hailey Avenue and Southgate Place

**WHEREAS**, a Memorandum of Understanding was entered into between Umatilla County and the City of Pendleton on April 11, 2000, where the City of Pendleton agreed to accept jurisdiction over County Road No. 987, Goad Road, from Highway 30 to Interstate 84, and

**WHEREAS**, both parties to the Memorandum of Understanding agreed it would be more efficient for the County to retain jurisdiction over Goad Road and surrender jurisdiction to the City over the above described portions of County Road No. 1305, and amended the Memorandum of Understanding on October 7, 2005, to reflect the changes in the road transfer agreement, and

**WHEREAS**, the conditions of the Memorandum of Understanding and Amendment have been fulfilled by both parties pertaining to the road transfer, and

**WHEREAS**, pursuant to ORS 373.270(4) a hearing was held on March 1, 2006, to hear public testimony both for and against the proposed transfer, and determining it to be in the public interest to transfer the portions of County Road No. 1305 described above to the City of Pendleton:



**IT IS HEREBY ORDERED** that in accordance with ORS 373.270(5)(a) jurisdiction over the portions of County Road No. 1305, S. W. Hailey Avenue and S. W. 37<sup>th</sup> Street, described on Page 1 of this order be offered to the City of Pendleton, Oregon, and that upon acceptance by the City, 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 1 day of March, 2006.

UMATILLA COUNTY BOARD OF COMMISSIONERS

APPROVED AS TO FORM:

*Dennis D. Doherty*  
Dennis D. Doherty, Chairman

*Doug Olsen*  
Doug Olsen, County Counsel

*William S. Hansell*  
William S. Hansell, Commissioner

**Jurisdiction over the portions of County Road No. 1305, S. W. Hailey Avenue and S. W. 37<sup>th</sup> Street described on Page 1 of this order is accepted by the City of Pendleton.**

*Emile M. Holeman*  
Emile M. Holeman, Commissioner

SEE ATTACHED RESOLUTION  
**Mayor**  
NO. 2272  
**City Manager**

ATTEST: OFFICE OF COUNTY RECORDS

BY: *Deann Humphries*  
Records Officer

**Resolution No.** 2272





**RESOLUTION NO. 2272**

Accepting transfer from Umatilla County to City of Pendleton of jurisdiction over SW Hailey Avenue, from SW 30<sup>th</sup> Street to SW 37<sup>th</sup> Street, and over SW 37<sup>th</sup> Street, between SW Hailey Avenue and Southgate Place

**WHEREAS**, By Order RD2006-03, Umatilla County had found it in the best interests of Umatilla County to surrender jurisdiction over portions of County Road No. 1305 lying within the corporate limits of Pendleton, Umatilla County, Oregon ; and

**WHEREAS**, By memoranda of understanding dated April 11, 2000, and October 7, 2005, Umatilla County and the City of Pendleton agreed to transfer jurisdiction of portions of County Road No. 1305 to the City of Pendleton on certain conditions having been met; and

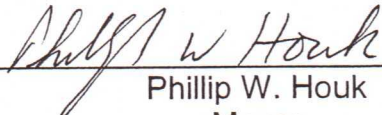
**WHEREAS**, The conditions set forth in the memoranda of understanding have been met;

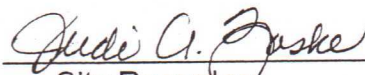
**NOW THEREFORE**, the City of Pendleton resolves to accept jurisdiction of that portion of County Road 1305 (SW Hailey Avenue) lying between SW 30<sup>th</sup> Street and SW 37<sup>th</sup> Street and that portion of County Road 1305 (SW 37<sup>th</sup> Street) lying between SW Hailey Avenue and Southgate Place, as set forth on attached Umatilla County Order RD2006-03.

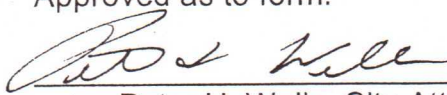
**This resolution is effective on passage.**

**PASSED** by the City Council and approved by the Mayor March 21, 2006.

APPROVED:

  
Phillip W. Houk  
Mayor

ATTEST:   
City Recorder

Approved as to form:  
  
Peter H. Wells, City Attorney



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State of Oregon )  
County of Umatilla )

This instrument was received  
and recorded on

04-06-06 at 4:40

in the record of instrument  
code type DE-ORDER

Instrument Number 2006-4980659  
Fee 0.00

Office of County Records

  
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Records Officer