

RESOLUTION NO. 700

A RESOLUTION REQUESTING THE TRANSFER OF JURISDICTION OF A PORTION OF FERN RIDGE ROAD (CR82) FROM MARION COUNTY TO THE CITY OF STAYTON.

WHEREAS, Marion County and the City of Stayton have entered into an "INTERGOVERNMENTAL AGREEMENT BETWEEN MARION COUNTY AND THE CITY OF STAYTON FOR TRANSFER OF JURISDICTION OF A PORTION OF FERN RIDGE ROAD (CR82)"; and,

WHEREAS, The legal description of said property to be transferred between Marion County and the City of Stayton is as follows:

A portion of Fern Ridge Road (Market Road No. 82) situated in Section 3 and Section 10, Township 9 South, Range 1 West, Willamette Meridian, Marion County, Oregon, the centerline of which being more particularly described as follows:

Beginning at the 1/4 corner common to Section 3 and Section 10, Township 9 South, Range 1 West, Willamette Meridian; thence East along the line between Section 3 and Section 10 a distance of 2,400.00 feet to the southeast corner of that property described in Reel 1247, Page 305, Marion County Deed Records; and,

WHEREAS, under the terms of said Intergovernmental Agreement, the Stayton City Council deems it timely and in the best interest of the citizens of the City of Stayton to request this transfer of jurisdiction by initiating the process pursuant to ORS 373.270(6)(a); and,

WHEREAS, the street improvements on that section of Fern Ridge Road subject to be transferred to the City of Stayton were constructed and conform to City Standards as outlined in Stayton Municipal Code (SMC) chapter 12.04.070 (Street Specifications); and,

WHEREAS, the acceptance of City streets must be accomplished by resolution, duly passed and entered in the minutes as outlined in SMC 12.04.210; and,

WHEREAS, the City Council authorized the Public Works Director to execute the transfer of jurisdiction of Fern Ridge Road from Cascade Highway east to the boundary of the Sylvan Springs Subdivision at its July 2, 2001 regular City Council meeting; and,

WHEREAS, this Resolution initiates and completes the City of Stayton's portion of the transfer of Fern Ridge as described in said Intergovernmental Agreement, following a public hearing conducted by Marion County;

NOW THEREFORE, BE IT RESOLVED that the City of Stayton hereby requests that Marion County transfer jurisdiction of that portion of Fern Ridge Road (CR82), as described above, to the City of Stayton. The City of Stayton further requests that Marion County set a public hearing pursuant to ORS 373.270(2) and post or publish notice of the hearing to consider this request to transfer jurisdiction as described herein.

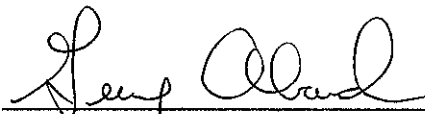
BE IT FURTHER RESOLVED that, upon the completion of Marion County's public hearing process, and the County's approval of the transfer, pursuant to ORS 373270(2), the City of Stayton hereby agrees to accept jurisdiction of that portion of Fern Ridge Road described herein.

This Resolution shall become effective upon adoption by the Stayton City Council.

ADOPTED BY THE STAYTON CITY COUNCIL this 19th day of November, 2001.

CITY OF STAYTON


Date: NOVEMBER 20, 2001

By: 
Gerry Aboud, Mayor

Date: 11-20-2001

Attest: 
Chris Childs, City Administrator

APPROVED AS TO FORM:


David A. Rhoten, City Attorney