

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Order Tendering a Formal )  
Offer Under ORS 373.270 and ORS 373.260 to )  
Transfer to the City of McMinnville Jurisdiction ) BOARD ORDER 16- 130  
Over Segments of NW Hill Road and NW Baker )  
Creek Road Located In or Near the City of )  
McMinnville, to the City of McMinnville, )  
at the Request of the City )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (“the Board”) sat for the transaction of County business in formal session on April 7, 2016 Commissioners Mary Starrett, Stan Primozych, and Allen Springer being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. On January 5, 2016, the City of McMinnville, through its Community Development Director, indicated its interest in pursuing the transfer of jurisdiction over the following County roads or segments of roads located within the County and or partially within the City of McMinnville:

- (1) Hill Road, from 300 feet south of NW 2<sup>nd</sup> Street North to NW Baker Creek Road;
- (2) NW Baker Creek Road from NW Michelbook Lane to 800 feet West of NW Hill Road.

B. The City requested initiation of the transfer process, to facilitate its improvement of the above-described road segments to meet the Minor Arterial standards contained in the City’s Transportation System Plan. The proposed limits of the transfer requests will allow the City to design, construct and maintain appropriate traffic control facilities at the Hill Road / 2<sup>nd</sup> Street and the Hill Road / Baker Creek Road intersections.

C. In accordance with ORS 373.270, on March 11, 2016, notice of a proposed hearing on this matter was posted at six locations, in the County and within the City of McMinnville. The hearing was held on April 7, 2016, to accept testimony and to consider whether the requested transfer of jurisdiction is “necessary, expedient or for the best interests of the county,” as required by ORS 373.270(4).

D. Based upon the record of the public hearing and the request of the City of McMinnville, the Board finds that the transfer of jurisdiction over the above described roads and road segments is in the best interest of the County. NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. Yamhill County hereby offers to transfer to the City of McMinnville, jurisdiction over the following portions of Yamhill County roads:

- (a) Hill Road, from 300 feet south of NW 2<sup>nd</sup> Street North to NW Baker Creek Road;
- (b) NW Baker Creek Road from NW Michelbook Lane to 800 feet West of NW Hill Road.

2. Upon the City of McMinnville's enactment of appropriate municipal legislation accepting the County's offer to transfer jurisdiction, and in accordance with ORS 373.270(7), the offer shall be deemed accepted with the following effect:

- (a) The jurisdiction of the County over the subject portions of road or for their improvement, construction or repair shall cease;
- (b) The full and absolute jurisdiction over the subject portions of road for all purposes of repair, construction, improvement and the levying and collection of assessments therefor shall vest in the City of McMinnville; and
- (c) The City of McMinnville shall have the same jurisdiction over the subject portions of road as by its charter and the laws of the state are given or granted it over any of the public streets and alleys of the City.

This transfer of jurisdiction over roads and road segments, including segments outside the city limits of the City of McMinnville, does not effect a change to the city limits, nor does the County's action purport to grant authority to the City over properties adjacent to such roads and road segments that are not located within the City of McMinnville.

3. As soon as reasonably practicable following the City's enactment of appropriate municipal legislation described in numbered paragraph 2, the County will enter into an agreement with the City under ORS Chapter 190 and ORS 373.260, under which the City will assume responsibility for any construction, improvement or maintenance of those portions of the above specified roads

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or road segments that are outside the city limits of the City as the City deems necessary, and under which the County will relinquish jurisdiction over such road segments.

DONE at McMinnville, Oregon on April 7, 2016.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

BRIAN VAN BERGEN

County Clerk

By: 

Deputy LUCY FLORES MENDEZ

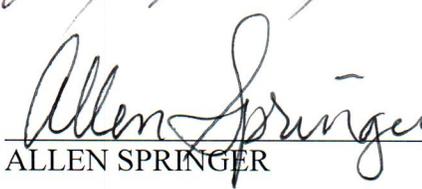
FORM APPROVED BY:

  
TIMOTHY S. SADLO

Senior Assistant County Counsel

  
MARY STARRETT

  
STAN PRIMOZICH

  
ALLEN SPRINGER

Accepted by Yamhill County  
Board of Commissioners on  
4.7.16 by Board Order  
# 16-130