

RESOLUTION NO. 2017-02

A RESOLUTION REQUESTING DESCHUTES COUNTY SURRENDER JURISDICTION OVER WHITNEY ROAD AND A PORTION OF WENDY ROAD TO THE CITY OF LA PINE.

WHEREAS, Deschutes County ("County") presently holds jurisdiction over Whitney Road and a portion of Wendy Road as generally depicted on Exhibit A attached hereto and incorporated herein by this reference (collectively, the "Transfer Roads"), which are located within the City of La Pine ("City") city limits; and

WHEREAS, ORS 373.270 permits counties to initiate the transfer of jurisdiction over county roads within a city to such city upon the request of the governing body of such city; and

WHEREAS, the City and County have discussed terms and conditions of the transfer of jurisdiction over the Transfer Roads to the City including that the County will retain maintenance responsibilities even after the transfer and that jurisdiction will revert to the County if the Transfer Roads are not vacated within two years from the effective date of the transfer of jurisdiction.

WHEREAS, the La Pine City Council ("City Council") desires for the County to surrender jurisdiction and initiate the process to transfer jurisdiction of the Transfer Roads to the City subject to the terms and conditions referenced above.

NOW, THEREFORE, the City of La Pine resolves as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Surrender Request. The City Council hereby requests that the County surrender jurisdiction over the Transfer Roads and initiate the process to transfer jurisdiction of the Transfer Roads to the City subject to the conditions that the County will retain maintenance responsibilities even after the transfer of jurisdiction and that jurisdiction will revert to County jurisdiction if the Transfer Roads are not vacated within two years from the effective date of transfer of jurisdiction.
3. Severability; Effective Date. The provisions of this resolution are severable. If any section, subsection, sentence, clause, and/or portion of this resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this resolution. This resolution will be in full force and effect from and after its approval and adoption.

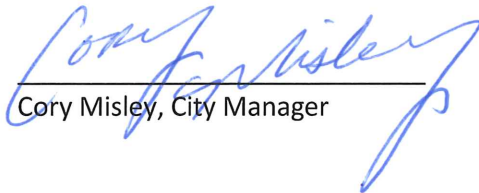
[signatures on next page]

APPROVED and ADOPTED by the City Council of the City of La Pine and signed by the mayor this
10th day of May, 2017.



Dennis Scott, Mayor

ATTEST:



Cory Misley, City Manager

Exhibit A
Depiction of Transfer Roads

[attached]

Deschutes County Property Information

[Add Layers](#)

[Basemap](#)

[Draw](#)

[Measure](#)

[Print](#)

[Find a place](#)

Layers Transparency: 35%

- Emergency Service Locations
- Roads - Ownership
- Comprehensive Plan
- FEMA Floodway
- FEMA 100 Year Flood Plain
- Zoning
- Zoning - Landscape Management (Water)

