



**DAN JOHNSON**  
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING  
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

December 5, 2019

Board of Commissioners  
Clackamas County

Members of the Board:

**Approval of a Board Order Offering to Transfer Jurisdiction from  
Clackamas County to the City of Canby a portion of  
N. Maple Street (County Road #2579)**

<b>Purpose/Outcomes</b>	Jurisdictional transfer of a portion of N. Maple Street to the City of Canby.
<b>Dollar Amount and Fiscal Impact</b>	Cost savings in the form of staff time and Maintenance monies used on a County maintained portion of road located entirely within the City of Canby.
<b>Funding Source</b>	N/A
<b>Duration</b>	Upon execution; permanent
<b>Previous Board Action</b>	N/A
<b>County Counsel Review</b>	Reviewed and approved on 11/26/2019
<b>Strategic Plan Alignment</b>	<ul style="list-style-type: none"> <li>• Build a strong infrastructure</li> <li>• Build public trust through good government</li> </ul>
<b>Contact Person</b>	Michael Bays, Survey/CADD Supervisor; 503-742-4667

There are certain County roads, such as N. Maple Street in Canby, that are wholly, mostly, or partially within various cities throughout Clackamas County. Fragmented jurisdiction over these roads often results in differing road maintenance activities and confusion by the public as to which agency is responsible for the operation and maintenance of the roads.

Staff from both Clackamas County and the City of Canby are recommending, to their respective governing bodies, the transfer of a portion of N. Maple Street to the City with the intent of streamlining planned roadway improvements, eliminating confusion to the public, and improving the efficiencies of maintenance and public service. The section of N. Maple Street to be transferred is located entirely within Canby city limits.

The portion of N. Maple Street to be transferred contains approximately 24,500 square feet of Right-of-Way. By accepting jurisdiction over a portion of N. Maple Street, the City would become the "Road Authority" responsible for all maintenance, improvement, permitting, and road standard activities. The attached order acts as an "offer" to transfer road jurisdiction to the City of Canby. Upon "acceptance" by the City of the County's offer, jurisdiction of the roadway automatically transfers.

**RECOMMENDATION:**

Staff respectfully recommends that the Board approve this order offering to transfer jurisdiction over the portion of N. Maple Street to the City of Canby.

Respectfully submitted,

Michael Bays -Survey/CADD Supervisor  
Attachments: Board Order, Exhibit A & B

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the matter of transferring to the  
City of Canby, jurisdiction over  
N. Maple St., County Road No.  
2579, DTD No. 31029



Board Order No. \_\_\_\_\_  
*Page 1 of 2*

This matter coming before the Board of County Commissioners as a result of the County initiating action pursuant to ORS 373.270(5) to surrender jurisdiction of a county road within the boundary of the City of Canby, and the preceding negotiation between the City of Canby and Clackamas County Department of Transportation and Development to transfer a portion of the following road, as more particularly described in Exhibit A, and as depicted in Exhibit B, both of which are attached hereto and incorporated herein:

<u>Road Name</u>	<u>Cnty #</u>	<u>DTD #</u>	<u>From</u>	<u>To</u>	<u>Square Feet</u>
N. Maple Street	2579	31029	MP 0.00	MP 0.09	24,500;

It further appearing to the Board that said transfer of jurisdiction has been recommended by Dan Johnson, Director of the Department of Transportation and Development; and,

It further appearing to the Board that said transfer of jurisdiction is in the best interest of the County since fragmented jurisdiction over these types of roads often results in differing road maintenance activities and confusion by the public as to which agency is responsible for the operation and maintenance of the roads; and,

It further appearing to the Board that pursuant to ORS 373.270, notice of the hearing on this matter was provided by publication in the Canby Herald on 11/3, 11/10, 11/17 and 11/24; now therefore,

**IT IS HEREBY ORDERED** that Clackamas County offers to surrender jurisdiction of a portion of N. Maple Street to the City of Canby such that full and absolute jurisdiction of said roadway section for all purposes of repair, construction, improvement and the levying and collection of assessments therefore be transferred to the City of Canby and shall vest as of the date the City of Canby accepts, by appropriate municipal legislation, the County's offer to surrender jurisdiction; and,

**IT IS FURTHER ORDERED** that this offer shall be withdrawn unless it is accepted by the City of Canby within one year of the date of this order; and,

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*Page 2 of 2*

**IT IS FURTHER ORDERED** that, upon acceptance by the City of Canby of the County's offer to surrender jurisdiction pursuant to ORS 273.270(5), the portion of roadway described herein, 24,500 square feet, more or less, be removed from the County's Road Inventory; and,

**IT IS FURTHER ORDERED** that copies of this Order be submitted to the Clackamas County Clerk's office for recording and that copies be subsequently sent without charge to the Clackamas County Surveyor, Tax Assessor, Finance/Fixed Asset Offices, and DTD Engineering.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

BOARD OF COUNTY COMMISSIONERS

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

Exhibit "A"

N. Maple Street Transfer of Jurisdiction

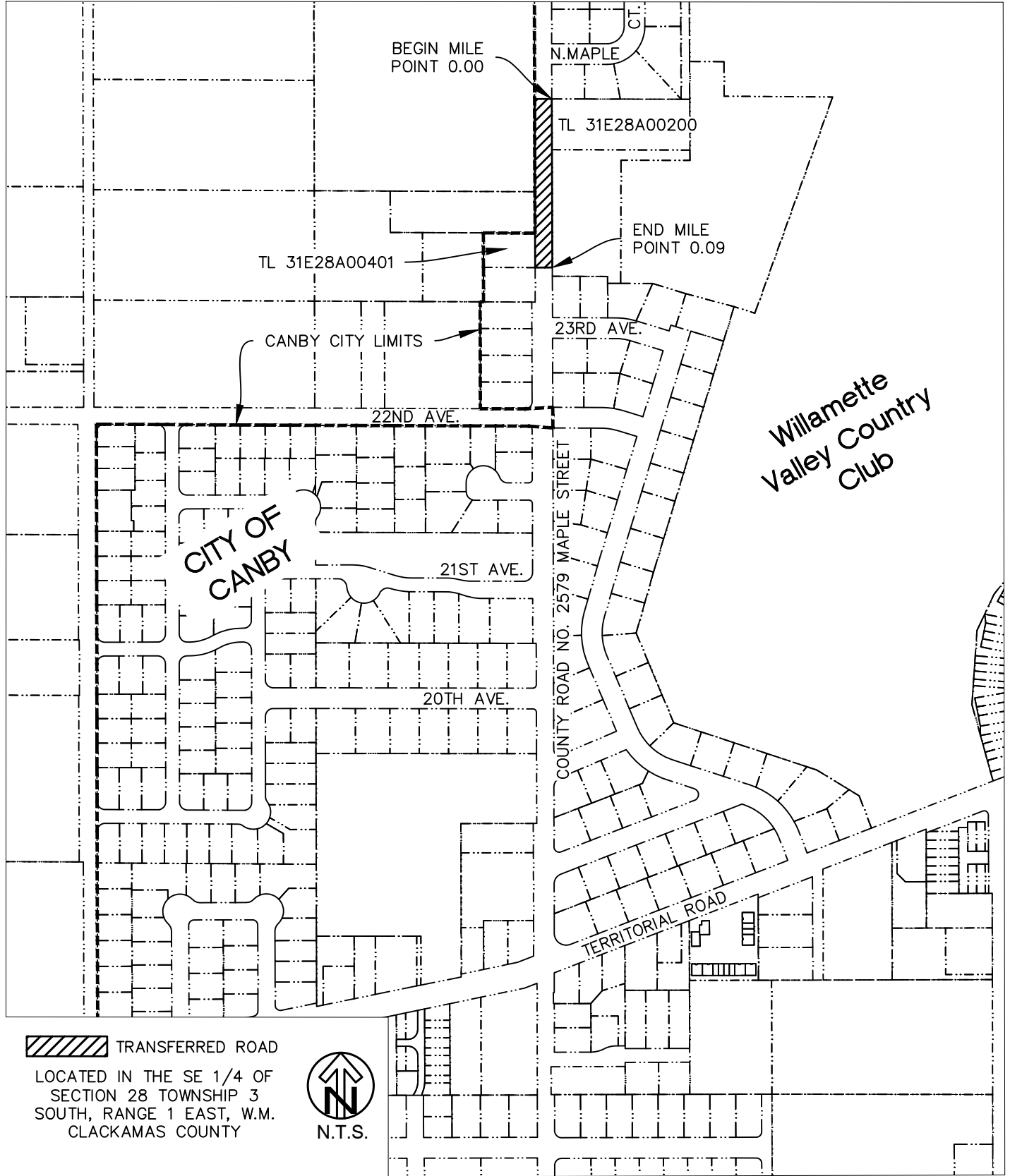
Clackamas County to the City of Canby

Description

All that portion of N. Maple Street, County Road No. 2579, Department of Transportation and Development maintenance No. 31029; Situated in Section 28, T. 3S., R. 1E., W.M. as depicted on Exhibit B, attached hereto, lying South of the Northerly boundary line of Tax lot 31E28A00200, as depicted in Document 1973-14317, Clackamas County deed records (mile point 0.00) and North of the Southerly boundary line of Tax lot 31E28A00401, as depicted in Document 2015-074246, Clackamas County deed records (mile point 0.09), being a total of approximately 490 feet long, being 50 feet in width.

Containing 24,500 square feet, more or less.

# EXHIBIT "B"



 TRANSFERRED ROAD

LOCATED IN THE SE 1/4 OF  
SECTION 28 TOWNSHIP 3  
SOUTH, RANGE 1 EAST, W.M.  
CLACKAMAS COUNTY



DEPARTMENT OF TRANSPORTATION  
AND DEVELOPMENT

150 BEAVERCREEK ROAD  
OREGON CITY, OR 97045



BY: M. BAYS

DATE: 10/07/2019

JURISDICTIONAL TRANSFER  
N. MAPLE STREET  
COUNTY ROAD NO. 2579

SHEET  
1 OF 1