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Clackamas County
www.clackamas.us



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

September 10, 2026

BCC Agenda Item: _____

Board of County Commissioners
Clackamas County

Public hearing and approval of a Board Order transferring jurisdiction over a portion of Old 82nd Avenue (Market Road No. 38/DTD No. 22308) from Clackamas County to the City of Oregon City, indefinitely. No Funds are involved.

Previous Board Action/Review: N/A

Performance Clackamas: Public trust in good government

Counsel Review: Yes

Procurement Review: N/A

Contact Person: Mike Bezner

Contact Phone: 503-742-4651

EXECUTIVE SUMMARY: There are certain county roads, such as Old 82nd Avenue in the City of Oregon City, 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.

On July 15, 2026, the City of Oregon City adopted a resolution requesting the jurisdictional transfer of a portion of Old 82nd Avenue. This portion of Old 82nd Avenue is a remnant of constructing the East Portland Freeway (I-205) and is located entirely within City of Oregon City limits.

The Board Order would transfer this portion of Old 82nd Avenue to the City as a gift. No funds would be transferred. By accepting jurisdiction, the City would become the "Road Authority" responsible for all maintenance, improvements, permitting, and road standard activities.

RECOMMENDATION: Staff recommends that the Board hold this public hearing and approve the attached Board Order transferring jurisdiction over a portion of Old 82nd Avenue.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation &
Development

For Filing Use Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Transferring Jurisdiction over
a Portion of Old 82nd Avenue to the City of
Oregon City



Board Order No. _____

Page 1 of 2

Whereas, ORS 373.270 provides a mechanism for a county to surrender jurisdiction over a county road within a city to the city, provided the city requests or accepts such jurisdiction; and

Whereas, Old 82nd Avenue (also known as the former Cascade Highway), currently labeled as Market Road No. 38 and DTD No. 22308, is a county road, as defined in ORS 358.001; and

Whereas, the portion of Old 82nd Avenue described in Exhibit “A” and depicted on Exhibit “B,” attached hereto and by this reference incorporated herein (“Old 82nd Avenue”), is within the jurisdictional boundary of the City of Oregon City; and

Whereas, on July 15, 2026, the City adopted Resolution No. 26-17, requesting the surrender of jurisdiction by the County over Old 82nd Avenue; and

Whereas, on August 12, 19, 26 and September 2, 2026, the County published notice of a hearing on this matter in The Review; and

Whereas, on September 10, 2026, a hearing was held before the Clackamas County Board of Commissioners; and

Whereas, the Clackamas County Board of Commissioners deems it necessary, expedient, and for the best interest of the County to surrender jurisdiction over Old 82nd Avenue;

NOW, THEREFORE, the Clackamas County Board of Commissioners does hereby order as follows:

Section 1: Jurisdiction by the County over Old 82nd Avenue is surrendered to the City pursuant to ORS 373.270.

Section 2: Old 82nd Avenue shall be removed from the County’s Road Inventory.

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BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Transferring Jurisdiction over
a Portion of Old 82nd Avenue to the City of
Oregon City



Board Order No. _____

Page 2 of 2

Section 3: This order and any attachments shall be submitted to the Clackamas County Clerk's Office for recording, and copies shall subsequently be sent without charge to the County Surveyor, Assessor, Finance/Fixed Assets, and Engineering Offices.

DATED this 10th day of September 2026

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

RESOLUTION NO. 26-17

A RESOLUTION REQUESTING JURISDICTION OVER A PORTION OF OLD 82ND AVENUE

WHEREAS, ORS 373.270 provides a mechanism for a county to surrender jurisdiction over a county road within a city to the city, provided the city requests or accepts such jurisdiction; and

WHEREAS, Old 82nd Avenue (also known as the former Cascade Highway), currently labeled as Market Road No. 38 and DTD No. 22308, is a county road, as defined in ORS 358.001; and

WHEREAS, the portion of Old 82nd Avenue described in Exhibit "A" and depicted on Exhibit "B," attached hereto and by this reference incorporated herein ("Old 82nd Avenue"), is within the jurisdictional boundary of the City of Oregon City; and

WHEREAS, the City's Urban Renewal Agency owns property adjacent to Old 82nd Avenue; and

WHEREAS, acquiring jurisdiction over and subsequently vacating Old 82nd Avenue would enable the Property to reach its full economic potential.

NOW, THEREFORE, THE CITY OF OREGON CITY RESOLVES AS FOLLOWS:

Section 1. The City Commission deems it necessary or expedient and for the best interests of the City to acquire jurisdiction over Old 82nd Avenue to the same extent as it has over other public streets and alleys of the City.

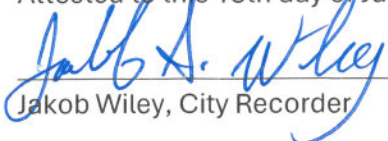
Section 2. The City requests the surrender of jurisdiction by the County over Old 82nd Avenue.

Section 3. This Resolution becomes effective upon adoption.

Approved and adopted at a regular meeting of the City Commission held on the 15th day of July 2026.


Denyse C. McGriff, Mayor

Attested to this 15th day of July 2026:


Jakob Wiley, City Recorder

Approved as to legal sufficiency:


City Attorney

Exhibit "A"

(Former) Cascade Highway/Old 82nd Ave Transfer of Jurisdiction

Clackamas County to City of Oregon City

Description

All of that portion of the (Former) Cascade Highway, State Secondary Highway No. 160 (aka Old 82nd Ave) as previously routed, abandoned to Clackamas County by resolution No. 439, dated May 29, 1973, and resolution No. 439A, dated January 18, 1984, the same being portions of County Road No. 1286, Market Road No. 38, County Road No. 3060, and Department of Transportation and Development Maintenance No. 22308; Situated in the NW 1/4 of Section 29, T. 2 S., R. 2 E., W.M., being more particularly described as follows;

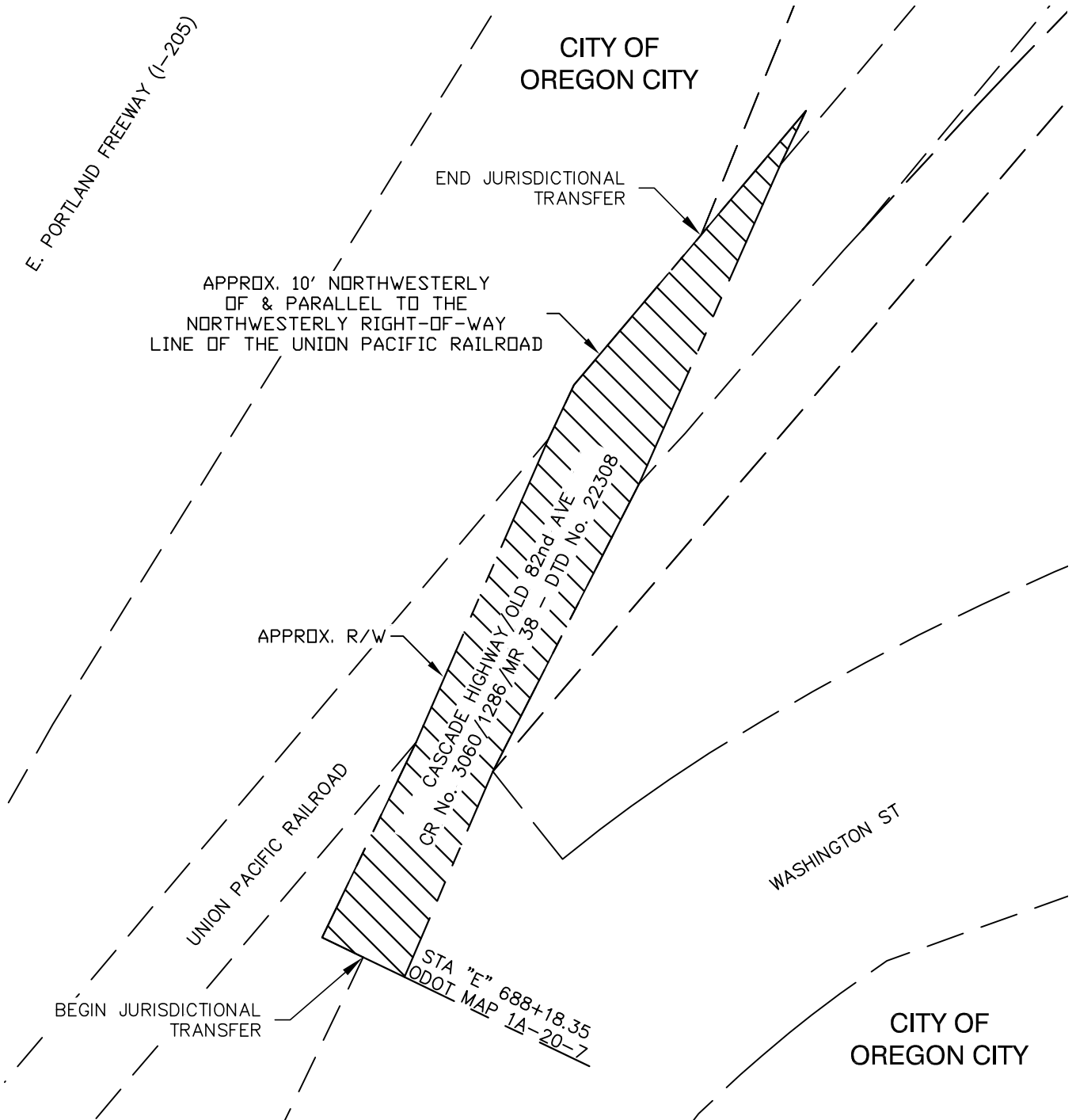
All the land within the right-of-way boundaries of that portion of (Former) Cascade Highway, State Secondary Highway No. 160 (aka Old 82nd Ave) as previously routed lying outside of the northwesterly right-of-way of the "E" Line, and lying southerly of a line 10' northwesterly of, and parallel to, the northwesterly right-of-way line of the Union Pacific Railroad, excluding that portion of Market Road No. 38 vacated by Document No. 83-25559, Clackamas County Records Office, as shown on Exhibit "B", attached hereto, and by this reference made a part hereof.

Said described portion being mapped by O.S.H.D. drawing 1A-20-7, which map by reference is made a part hereof.

Total length being approximately 525 feet long.

Contains 31,150 square feet, more or less.

EXHIBIT "B"



LEGEND



TRANSFERRED AREA
31,150 Sq. Ft.

LOCATED IN THE NW 1/4 OF SECTION 29
T. 2 S., R. 2 E., W.M.
CLACKAMAS COUNTY, OREGON



PLAN
1"=100'

DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT
150 BEAVERCREEK ROAD
OREGON CITY, OR 97045



BY: S. CHRISTENSEN DATE: 6/2/2026
JURISDICTIONAL TRANSFER
CASCADE HIGHWAY/OLD 82nd AVE
COUNTY ROAD NO. 3060/1286/MR 38

SHEET
1 OF 1