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Clackamas County
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DAN JOHNSON
DIRECTOR

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

BCC Agenda Date/Item: _____

September 10, 2026

Board of County Commissioners
Clackamas County

Public hearing and approval of a Board Order transferring jurisdiction over a portion of S Ivy Street (Market Road No. 10/DTD No. 61012) from Clackamas County to the City of Canby, indefinitely. No funds involved.

Previous Board Action/Review: 1/24/2019: Approval of Intergovernmental Agreement, 2/20/2020: Approval of Intergovernmental Agreement, 4/21/2022: Approval of Intergovernmental Agreement

Performance Clackamas: Public trust in good government

Counsel Review: Yes

Procurement Review: No

Contact Person: Mike Bezner

Contact Phone: 503-742-4651

EXECUTIVE SUMMARY: There are certain county roads throughout Clackamas County that are wholly, mostly, or partially within various cities. 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.

Clackamas County and the City of Canby have previously entered into intergovernmental agreements related to the S Ivy Street Sidewalk Improvement Project, and road maintenance and permitting authority over S Ivy Street with the intent of streamlining planned roadway improvements, eliminating confusions to the public, and improving the efficiencies of maintenance and public service.

The agreements provide that jurisdiction over the relevant portion of S Ivy Street should transfer to the City upon substantial completion of the S Ivy Street Sidewalk Improvement Project and once the relevant portion of S Ivy Street is annexed into the City's boundary. Today, the S Ivy Street Sidewalk Improvement Project is substantially completed, and the relevant portion of S Ivy Street is located entirely within Canby city limits. The relevant portion of S Ivy Street is 1.26 miles in length and contains approximately 443,810 square feet of right-of-way. By accepting jurisdiction, the City becomes 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 S Ivy Street.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation and 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 S Ivy Street to the City of Canby



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, S Ivy Street (also known as the Canby-Marquam Highway), currently labeled as Market Road No. 10 and DTD No. 61012, is a county road, as defined in ORS 358.001; and

Whereas, the portion of S Ivy Street described in Exhibit “A” and depicted on Exhibit “B,” attached hereto and by this reference incorporated herein (“S Ivy Street”), is within the jurisdictional boundary of the City of Canby; and

Whereas, on January 24, 2019, the County and the City entered into an intergovernmental agreement related to the S Ivy Street Sidewalk Improvement Project; and

Whereas, on February 20, 2020, and April 21, 2022, the County and the City entered into intergovernmental agreements related to road maintenance and permitting authority over S Ivy Street; and

Whereas, the intergovernmental agreements provide that jurisdiction over S Ivy Street should transfer to the City upon substantial completion of the S Ivy Street Sidewalk Improvement Project and once S Ivy Street is annexed into the City’s boundary; and

Whereas, the S Ivy Street Sidewalk Improvement Project has been substantially completed and S Ivy Street has been annexed into the City’s boundary; and

Whereas, on May 20, 2026, the City adopted Resolution No. 1456, requesting the surrender of such jurisdiction; and

Whereas, on August 12, 19, 26, and September 2, 2026, the County published notice of a hearing on this matter in The Herald-Independent; 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 S Ivy Street;

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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 S Ivy Street to the City of Canby



Board Order No. _____

Page 2 of 2

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

Section 1: Jurisdiction by the County over S Ivy Street is surrendered to the City pursuant to ORS 373.270.

Section 2: S Ivy Street shall be removed from the County's Road Inventory.

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. 1456

A RESOLUTION REQUESTING JURISDICTION OVER A PORTION OF S IVY STREET

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, S Ivy Street (also known as the Canby-Marquam Highway), currently labeled as Market Road No. 10 and DTD No. 61012, is a county road, as defined in ORS 358.001; and

WHEREAS, the portion of S Ivy Street described in Exhibit "A" and depicted on Exhibit "B," attached hereto and by this reference incorporated herein ("S Ivy Street"), is within the jurisdictional boundary of the City of Canby; and

WHEREAS, on January 24, 2019, the County and the City entered into an intergovernmental agreement related to the S Ivy Street Sidewalk Improvement Project; and

WHEREAS, on February 20, 2020, and April 21, 2022, the County and the City entered into intergovernmental agreements related to road maintenance and permitting authority over S Ivy Street; and

WHEREAS, the intergovernmental agreements provide that jurisdiction over S Ivy Street should transfer to the City upon substantial completion of the S Ivy Street Sidewalk Improvement Project and once S Ivy Street is annexed into the City's boundary; and

WHEREAS, the S Ivy Street Sidewalk Improvement Project has been substantially completed and S Ivy Street has been annexed into the City's boundary;

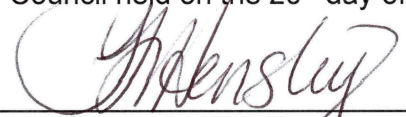
NOW, THEREFORE, THE CITY OF CANBY RESOLVES AS FOLLOWS:

Section 1. The City Council deems it necessary or expedient and for the best interests of the City to acquire jurisdiction over S Ivy Street 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 S Ivy Street.

Section 3. This Resolution becomes effective upon adoption.

Approved and adopted at a regular meeting of the City Council held on the 20th day of May, 2026.



Traci Hensley, Council President

ATTEST:



Maya Benham, CMC
City Recorder

Exhibit "A"

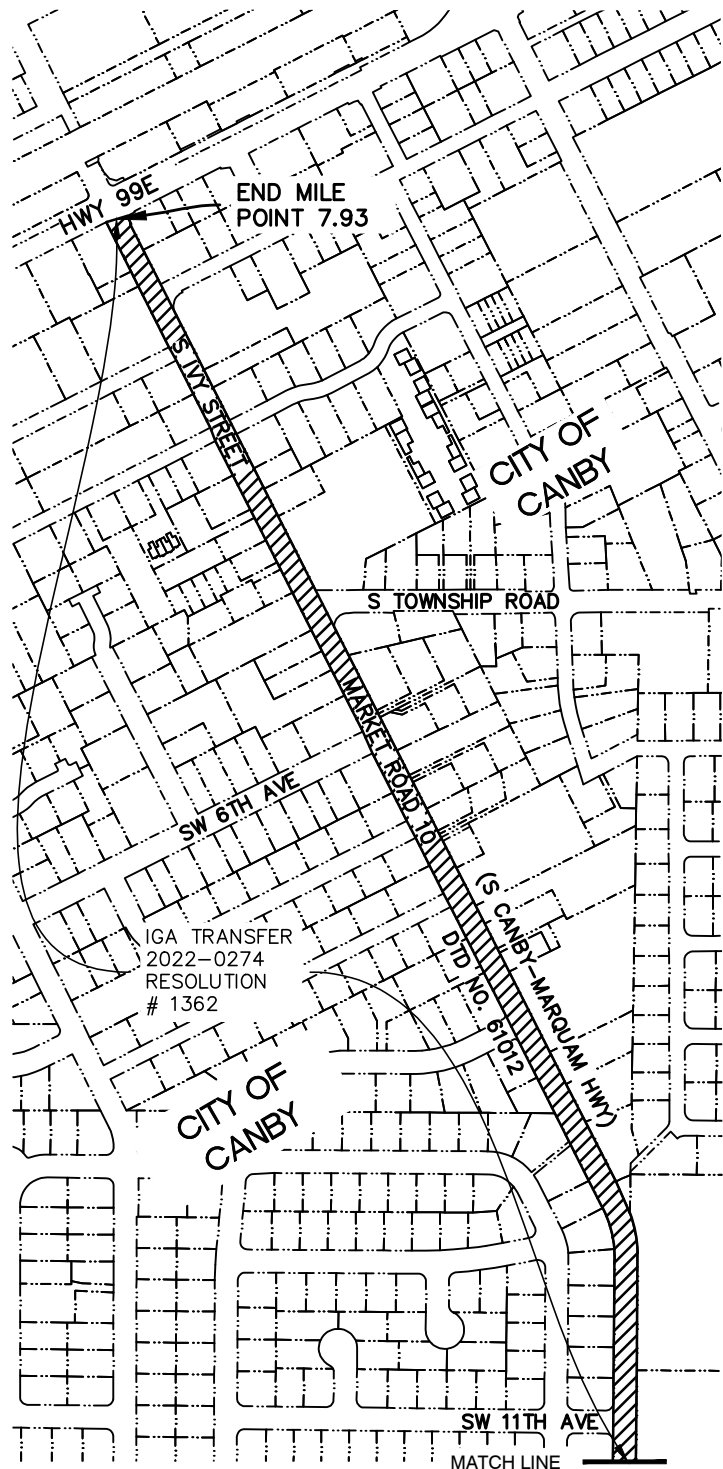
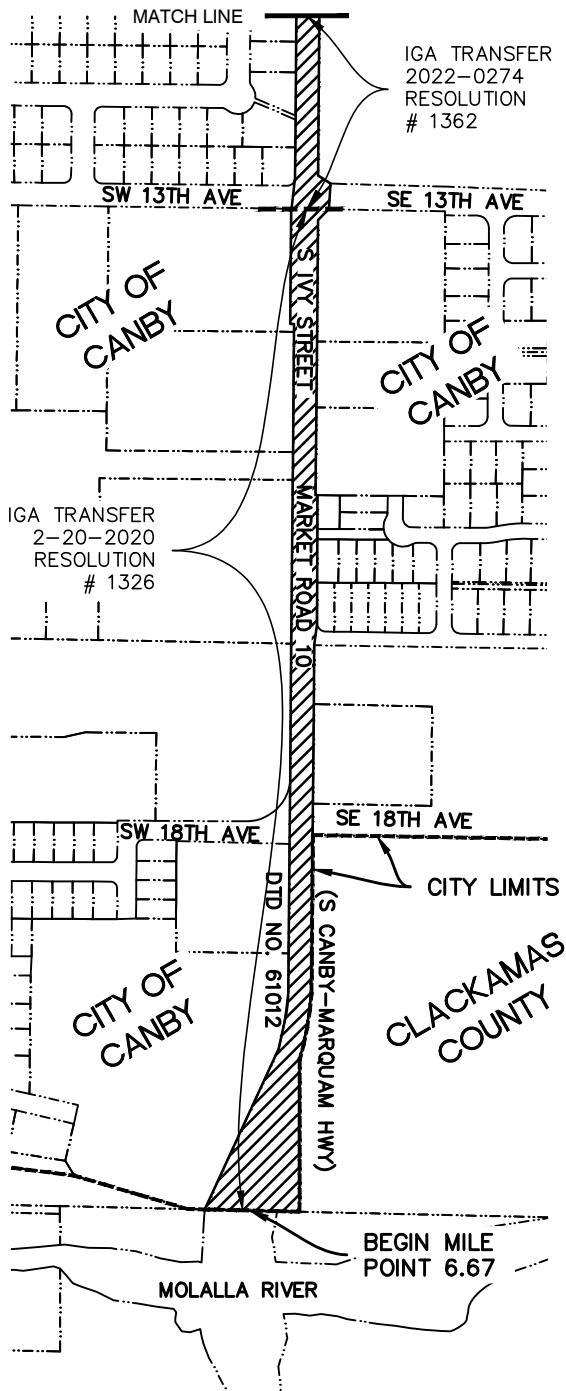
S Ivy Street Transfer of Jurisdiction

Clackamas County to City of Canby

Description

All that portion of S Ivy Street (also known as the Canby-Marquam Highway), Market Road No. 10, Department of Transportation and Development maintenance No. 61012; Situated in Section 04, T. 4S., R. 1E., W.M. and Section 33, T. 3S., R. 1E., W.M., as depicted on Exhibit B, attached hereto, lying North of and between the Southerly Canby city limit, also the South line of Section 04, T. 4S., R. 1E., W.M. (mile point 6.67) and the Southerly right of way line of HWY 99E (mile point 7.93), being a total of approximately 6,653 feet long, varying in width. Containing 443,810 square feet, more or less.

EXHIBIT "B"



 TRANSFERRED ROAD

LOCATED IN SECTION 4
TOWNSHIP 4 SOUTH, RANGE 1
EAST W.M. AND THE S 1/2 OF
SECTION 33 TOWNSHIP 3
SOUTH, RANGE 1 EAST, W.M.
CLACKAMAS COUNTY



AREA TO BE TRANSFERRED
= 443,810 S.F. ±

DEPARTMENT OF TRANSPORTATION
AND DEVELOPMENT

150 BEAVERCREEK ROAD
OREGON CITY, OR 97045



BY: R. MAXWELL

DATE: 3/24/2026

JURISDICTIONAL TRANSFER
S IVY STREET
(S CANBY-MARQUAM HWY)

SHEET

1 OF 1