

RESOLUTION NO. 823

A RESOLUTION REQUESTING CLACKAMAS COUNTY TO SURRENDER JURISDICTION OF 1.72 MILES OF N. TERRITORIAL ROAD AND 0.09 MILES OF N. HOLLY STREET TO THE CITY.

WHEREAS, Clackamas County has completed a rehabilitation project on N. Territorial Road in Canby from MP 00.54 to MP 2.26; and

WHEREAS, Clackamas County has offered to be responsible for the striping on Territorial Road and S. Ivy Street until December 2012 if the city will assume jurisdiction of certain sections of N. Territorial Road and N. Holly Street; and

WHEREAS, the City Council has determined that it is willing to take over maintenance and other responsibilities on said road sections; and

WHEREAS, pursuant to ORS 373.270(6)(a), the city council may initiate the surrender of county jurisdiction over a county road by passage of appropriate municipal legislation;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

- (1) Clackamas County is hereby requested to surrender jurisdiction over those portions of N. Territorial Road and N. Holly Street illustrated in Exhibit "A."

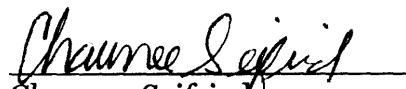
This resolution will take effect on March 19, 2003.

ADOPTED this 19th day of March, 2003 by the Canby City Council.



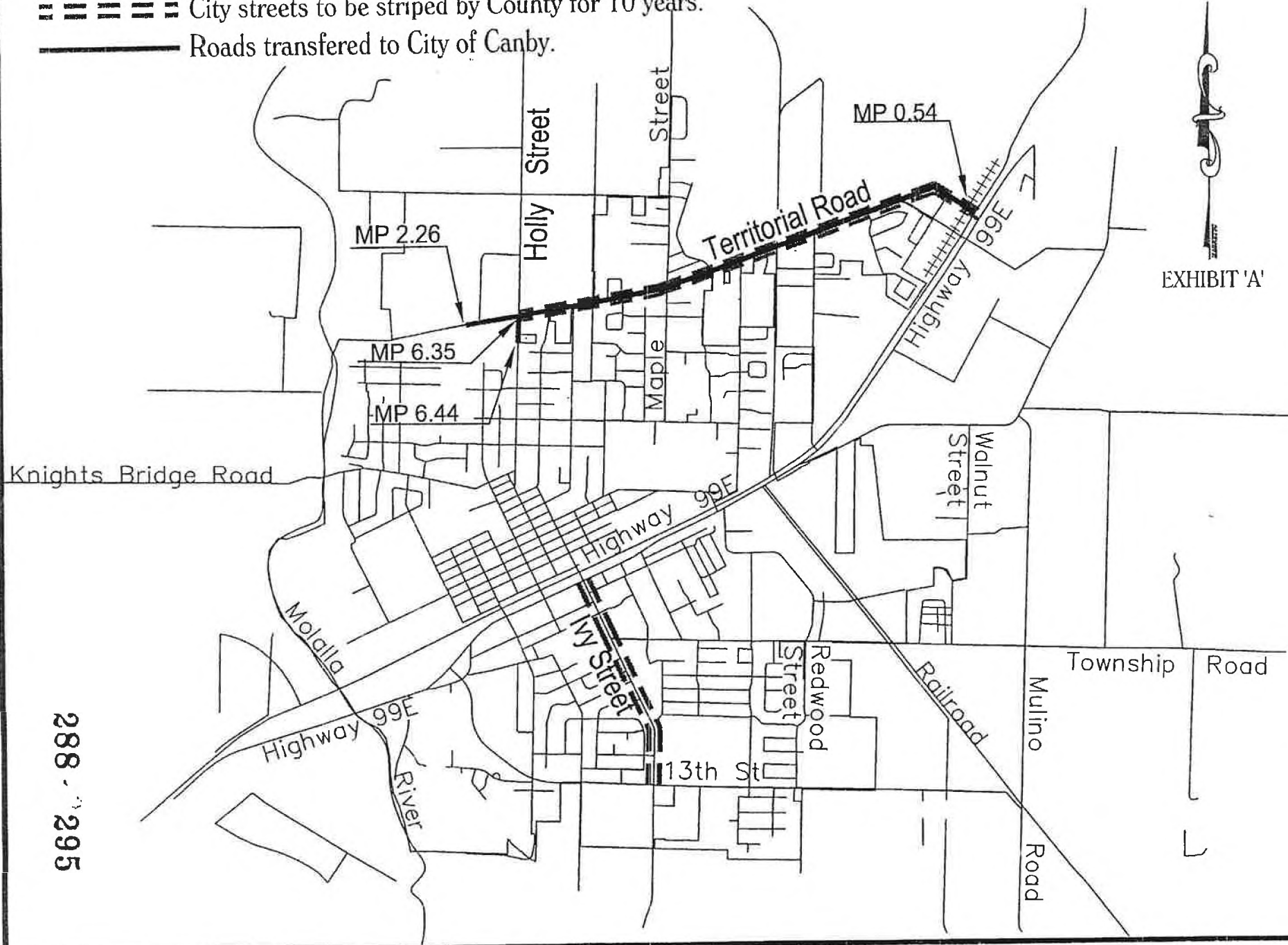
Melody Thompson, Mayor

ATTEST:



Chaunee Seifried
City Recorder, Pro-Tem

- ==== City streets to be striped by County for 10 years.
- Roads transfered to City of Canby.



F.Y.I. - City of Canby

COPY

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

In the matter of transferring to the
City of Canby, jurisdiction over portions
of TERRITORIAL ROAD, County Road
1485, D.T.D. # 31010, and HOLLY ST,
County Road # 50, D.T.D. # 21079,
Sect 27 & 28, T.3S., R.1E., WM

Order No. 2003-106

FILED

JUN 17 2003

Clackamas County Clerk

This matter coming before the Board of
County Commissioners as a result of a request from the City of Canby, by Resolution Number
823, dated March 19, 2003, and the preceding negotiation between the City of Canby and
Clackamas County Department of Transportation and Development to transfer portions of the
following roads:

| Road Name | Cnty # | DTD # | From | To | Square Feet |
|------------------|--------|-------|---------|---------|-------------|
| Territorial Road | 1485 | 31010 | MP 0.54 | MP 2.26 | 586,257 |
| N. Holly Street | 50 | 21079 | MP 6.35 | MP 6.44 | 19,008 |

; and,

It further appearing to the Board that
said transfers of jurisdiction have been recommended by Campbell M. Gilmour, Director of the
Department of Transportation and Development; 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 May 3, 10, 17, and 24, 2003; now therefore,

IT IS HEREBY ORDERED that
jurisdiction of portions of Territorial Road and N. Holly Street shall be transferred, Clackamas
County jurisdiction shall cease, and full and absolute jurisdiction of said portions of roadway is
transferred to the City of Canby as of the date of this Order; and,

IT IS FURTHER ORDERED that in lieu
of transfer of funds from the Clackamas County Road Fund to the City of Canby for this
transaction, the parties agree that Territorial Road from MP 0.54 to Holly Street, and Ivy Street
from 2nd Avenue to 13th Street, be striped by Clackamas County for ten years;
and,

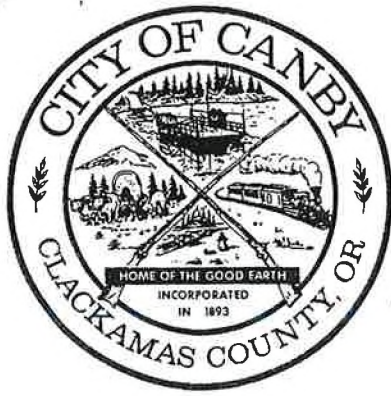
IT IS FURTHER ORDERED that
605,265 square feet, more or less, be removed from the County's Road Inventory; and

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, and Finance/Fixed Asset Offices.

ADOPTED this 29th day of May, 2003.

B. J. Gilmour
BOARD OF COUNTY COMMISSIONERS
Millicent Morrison
Millicent Morrison, Recording Secretary

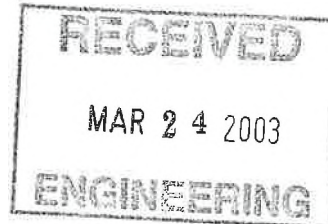
C.C. Recorded 6/17/03
2003-81497
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City of Canby

Office of Community Development Director

William Garrity, Specialist
Construction Engineering Section
Clackamas County
9101 SE Sunnybrook Blvd.
Clackamas, OR 97015



March 20, 2003

RE: NE Territorial Road transfer

Dear Mr. Garrity:

Enclosed please find a copy of Resolution No. 823, which was adopted by the Canby City Council on March 19. The resolution requests Clackamas County to surrender jurisdiction of sections of N. Territorial Road and N. Holly Street, with the details and conditions listed in your letter of December 13, 2002. A key reason behind the Council's acceptance was the County's offer to continue striping on Territorial and S. Ivy for another ten years.

Please let me know when the County has completed its process on this transfer, and feel free to contact me if you have any questions.

Sincerely,

John R. Williams
Community Development & Planning Director



DEPARTMENT OF
TRANSPORTATION AND DEVELOPMENT

Sunnybrook Service Center

November 20, 2003

John Williams
Com Dev & Plan Dir
PO Box 930
Canby OR 97013

RE: Street transfer paperwork and old drawings of Territorial Road

Dear Mr. Williams:

Last summer we enacted a Jurisdictional Transfer for portions of Territorial Road and North Holly Streets from our County road inventory to the City of Canby. I do not show that we ever sent a courtesy copy of that work to you. Please accept my apology along with a copy of our paperwork for these transfers.

I also have run across an old drawing of a portion of Territorial Rd that is now under your jurisdiction, which I am also sending along.

If you do not want any/all of this paperwork, please dispose of it, as we do not want it back. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "N G McDonald", is written over the word "Sincerely,".

N G McDonald
DTD Engineering

Enc.