

RESOLUTION NO. XXXV

A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF EASEMENT AGREEMENT BETWEEN SOUTHERN PACIFIC COMPANY AND CITY OF CANBY FOR WIDENING NORTHWEST FIRST STREET.

WHEREAS, The Canby City Council for the City of Canby, Clackamas County, State of Oregon, a municipal corporation, has heretofore declared its intention to improve city streets by Resolution No. XXXIV adopted April 16, 1962; and the question of an ad valorem tax for such purpose was submitted to the qualified city voters at a special election called for such purpose and held in the City of Canby on May 18, 1962, and said tax measure was approved by a majority of the votes cast at said election; and

WHEREAS, The proposed street improvement plan includes the widening of Northwest First Street and an application was heretofore made to the Southern Pacific Company as the owner of the real property abutting the southerly boundary of said street for an easement over a strip of land immediately adjacent to the southerly boundary of said street for street widening purposes; and

WHEREAS, The Southern Pacific Company has approved said application for easement and has prepared and tendered to the City of Canby by a letter dated June 20, 1962, made by A. W. Kilborn, Superintendent of said Company, a proposed easement and use agreement which particularly describes a strip of land six feet wide and containing a net area of 8,100 square feet more or less which is adjacent to the southerly boundary of Northwest First Street and extends from North Elm Street to North Ivy Street in said city; and

WHEREAS, The said easement and use agreement has been examined and approved as to form and content by the City Superintendent, the City Attorney, and the Common Council for the City of Canby; and the acceptance of said easement and use agreement is deemed by the City Council to be in the best interests of the City of Canby and necessary for the proper improvement and further development of Northwest First Street, and said agreement should be

executed on behalf of said city, now therefore,


BE IT RESOLVED by the Canby City Council in regular session convened this day and year as last appears hereunder that the Mayor of the City of Canby be and he is hereby authorized and empowered to execute in the name of the city the said agreement prepared by the Southern Pacific Company and to be executed by and between said company and the City of Canby.

Passed by the Common Council of the City of Canby this ~~9th~~ day of July, 1962.



EARL OLIVER - Mayor

ATTEST:



S. R. RICHARDSON - City Recorder