

RESOLUTION NO. LXXXVI

A RESOLUTION RELATING TO A CITY ALLEY THROUGH THE PROPERTY OF ALBERT A. SEIDA AND MAXINE C. SEIDA.

WHEREAS, the Canby City Council has determined that it is necessary and essential to extend its 8-inch sewer pipeline through the property of Albert A. Seida and Maxine C. Seida, husband and wife, in the Southeast Quarter of Section 33, Township 3 South, Range 1 East of the Willamette Meridian, in the City of Canby, County of Clackamas and State of Oregon, and the Council has been negotiating with the Seidas for a Deed for City alley and public utility purposes; and

WHEREAS, Mr. and Mrs. Seida have agreed to dedicate to the City the necessary land for such purpose providing that the increased use of the City's sewer as now located on their property and in the alley to be dedicated will not require their payment of the cost of enlarging the existing 8-inch sewer line and providing also that the existing trailer house pads which ~~will~~ encroach on the alley to be dedicated may remain for so long as they are used for a trailer park; now, therefore,

BE IT RESOLVED by the Canby City Council in regular meeting convened that:

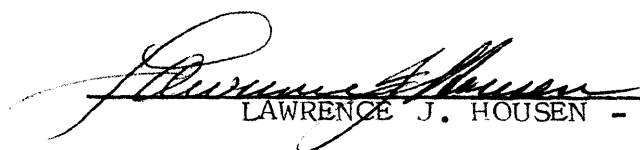
1. If the existing 8-inch City sewer line constructed by Albert A. Seida, et ux as a part of the City's sanitary sewer system ever becomes inadequate because of increased use and either the State's Sanitary Authority or the City's engineer determine that the line should be enlarged, it will be enlarged at the City's expense in accordance with then existing City Ordinances and rules and regulations of the State Sanitary Authority.

2. Albert A. Seida and Maxine C. Seida, husband and wife, their heirs and assigns, shall be permitted to make additional connections to the existing sewer line through their property or to existing laterals which connect to said sewer line upon their

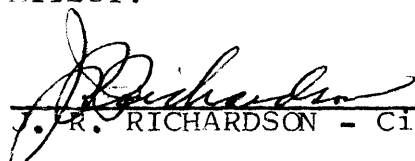
payment of the connection fees which now are or may then be required by City Ordinances; and they shall also be permitted on proper application first being filed and upon payment of any required permit fees or connection fees to extend, at Seida's, or their heirs' or assigns', expense, additional laterals from the existing sewer line to serve their own property which is not bisected by a public street or road.

3. So long as the two (2) existing trailer house pads, or either of them, which will encroach in the alley to be dedicated are used as a part of a trailer court or trailer park by Albert A. Seida and Maxine C. Seida, husband and wife, or their heirs or assigns, they may remain where they are and are permitted to encroach in the alley as a non-conforming use, but if the existing trailer park or that part of it where the two (2) encroaching trailer house pads are now located is ever changed to any other use than a trailer court or trailer park, the City shall have the right immediately, or at any time thereafter, to require removal of the portions of the pads which encroach in the alley.

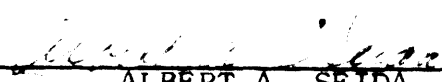
Adopted by the Canby City Council this 15 day of SEPTEMBER 1969.


LAWRENCE J. HOUSEN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder

The attached proposed Resolution No. LXXXVI was read and approved by the undersigned, Albert A. Seida and Maxine C. Seida, husband and wife, this 3rd day of September, 1969; and when adopted by the Canby City Council, we consent and agree to all of the terms and provisions of the said Resolution.


ALBERT A. SEIDA


MAXINE C. SEIDA