

RESOLUTION NO. CCCLXV (365)

A RESOLUTION APPROVING ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON (APPLICATION OF MIRIAM LARSEN FOR TAX LOT 1200, SECTION 34C, T3S, R1E) OF 3.86 ACRES.

WHEREAS, the annexation of the hereinafter described real property has been initiated by the petition of Miriam Larsen pursuant to the provisions of ORS 199.490 (1) (c); and

WHEREAS, the matter was submitted to the Canby Planning Commission for review, study, findings, report and recommendation to the Canby City Council, and the Planning Commission considered the matter at a regular meeting December 10, 1984, and at said meeting the Planning Commission made an indepth study of the matter and considered among other things the following:

1) Report and recommendation of City Administrator/City Planner Bud Atwood dated December 6, 1984;

2) Maps of the public facilities existing in the area.

At the Planning Commission's meeting and hearing on this matter on December 10, 1984, there were no objections to or remonstrances against the proposed annexation and at the conclusion of the meeting/hearing a motion was made, seconded and unanimously passed to recommend to the Canby City Council its approval of the proposed annexation; and

WHEREAS, the Canby City Council fully considered the records and file of this matter, and the requirements for exercising good planning responsibilities as specified by the Oregon Supreme Court in the case of Petersen, et al vs. Mayor and Council of the City of Klamath Falls, et al., 279 Or 249 (1977), and made the following

FINDINGS

- 1) The Comprehensive Plan supports the eventual annexation of the site for R-2, Medium Density Residential, development.
- 2) Public facilities and services are adequate to serve the site.
- 3) The subject property adjoins the city on the west boundary.
- 4) Size, location and existing development has committed the subject property to urban development.

Based on the said FINDINGS the Canby City Council

CONCLUDES

- 1) The following described real property should be annexed to the City of Canby.
- 2) The Canby City Council has no objections to the applicant's petition for annexation to be filed with the Portland Metropolitan Area Local Government Boundary Commission if such petition is filed pursuant to the procedures prescribed by ORS 199.490 (1) (c).

- 3) The proposed annexation is in the best interests of the City of Canby and the residents thereof, and will assure an orderly development of said property in accordance with the City's Zoning Ordinance, Subdivision Ordinance, and Building Code, and thus provide uniformity and continuity for the City's Planned growth.

It is therefore hereby RESOLVED that:

- 1) The annexation to the City of Canby of the following described real property is approved:

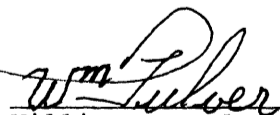
All that part of the following described tract of land which lies within Section 34, Township 3 South, Range 1 West of the Willamette Meridian and Northerly of the Southerly line of the Philander Lee Donation Land Claim No. 56:

Part of Sections 33 and 34, Township 3 South, Range 1 East of the Willamette Meridian and part of the Philander Lee Donation Land Claim in Township 3 South, Range 1 East of the Willamette Meridian, described as follows:

Beginning at a point on the South boundary of said Section 33, 129.64 feet West of the Southeast corner of said Section 33; thence North 4° 30' West 433.02 feet to a point in the Northeasterly boundary of a tract conveyed to Mary Hvidding by deed recorded September 13, 1945 in Book 351, page 495, Clackamas County Deed Records, said point also being the most Southerly corner of a tract conveyed to Mary Hvidding by deed recorded September 23, 1945, in Book 352, page 366, Clackamas County Deed Records; thence North 4° 30' West on the Easterly boundary of the last mentioned Hvidding tract 407.89 feet to a point in the Northerly boundary of a tract conveyed to Henry W. Hanson and wife by deed recorded November 27, 1943, in Book 317, page 130, Clackamas County Deed Records; thence North 76° 30' East on said North boundary 522.36 feet to a stone set 20 feet West of the line dividing the said Philander Lee Donation Land Claim into East and West halves; thence South parallel with said division line, 319.3 feet to the Northeast corner of a tract conveyed to Emma Arneson by deed recorded in Book 148, page 322, Clackamas County Deed Records; thence West on the North boundary of said Arneson tract, 143.5 feet to the Northwest corner thereof; thence South on the West boundary of said Arneson tract 640.6 feet to the South line of Section 34; thence West on the South boundary of said Section 33, 298.64 feet to the point of beginning.

- 2) The Canby City Council requests the Portland Metropolitan Area Local Government Boundary Commission to approve and effect this annexation as soon as possible upon the applicant filing with that Commission of the appropriate petition; and the City Recorder is hereby directed to file a certified copy of this Resolution together with a copy of the City's complete file of this matter, at once with said commission.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof this 2nd day of January, 1985.



William F. Pulver, Mayor

ATTEST:



Marilyn K. Perkett, City Recorder