

RESOLUTION NO. 399

A RESOLUTION DETERMINING THE ANNEXATION FEE FOR PMALGBC  
ANNEXATION ORDER NO. 2328 (IMHOLT PROPERTY)

WHEREAS, the hereinafter described real property was annexed to the City of Canby by final order no. 2328 of the Portland Metropolitan Area Local Government Boundary Commission dated January 15, 1987, on application of the property owners and with the concurrence of the City of Canby; and

WHEREAS, Canby Ordinance No. 728, enacted July 6, 1983, requires the payment of an annexation fee of \$0.04 per square foot of the property annexed but excluding 8,500 square feet for existing and proposed road right-of-ways, and the total fee at the aforesaid rate is to be determined by the City Council; and therefore, it is hereby

RESOLVED THAT:

1. The total area of the following described real property consists of 56,880 square feet.

**DESCRIPTION**

Part of Tract 68, CANBY GARDENS, located in the SW 1/4, NW 1/4, Sec. 34, T3S, R1E, W.M., Clackamas County, Oregon, more particularly described as follows:

Beginning at the SW corner of said Tract 68; thence north along the east line of N. Pine Street (Co. Rd. No. 2580), 159 feet, more or less, to the SW corner of the tract of land conveyed to Elijah Smalley et ux, by deed recorded November 20, 1946, in Deed Book 380, page 717, and the true point of beginning; thence northeasterly along the south line of said Smalley tract to a point in the SE corner of said Smalley tract, which point is on the southwesterly boundary of the surveyed and located and now abandoned right-of-way of the Southern Pacific Company, successor in title to the Portland, Eugene and Eastern Railway Company, former owner of said right-of-way; thence S 3 E, 158 feet, more or less, to a point on the northerly boundary line of railroad right-of-way along the SE side of said tract 68; thence southwesterly along the northerly line of said right-of-way, 380 feet, more or less, to the centerline of N. Pine Street; thence north along said centerline, 680 feet, more or less, to the intersection of said centerline and the westerly extension of the north line of said tract 68; thence east along said westerly extension 20 feet to the east line of said N. Pine Street; thence south along said east line, 515 feet, more or less to the true point of beginning, SUBJECT to the right of the public in and to that portion lying within the limits of roads and highways, if any.

2. The annexed area subject to payment of the annexation fee at the aforesaid rate is 48,300 square feet and the

annexation fee is therefore \$1,932.00, which is now due and owing to the City of Canby.

3. No municipal services shall be provided by the City of Canby or further development allowed upon any of the above described property until said fee is paid in full.

ADOPTED by the Canby City Council for the City of Canby, Oregon this 18th day of March, 1987.

  
William F. Pulver, Mayor

ATTEST:

  
Marilyn K. Perkett, City Recorder