

***RESOLUTION NO. 537***

***A RESOLUTION APPROVING THE ELIMINATION OF AN  
EMERGENCY ACCESS EASEMENT IN WILLOW CREEK  
ESTATES SUBDIVISION***

**WHEREAS**, the property owner and purchaser of Lots 7 and 8 of Willow Creek Estates Subdivision requested to have the emergency access easement located between Lots 7 and 8 eliminated; and

**WHEREAS**, the City, acting as the reviewing agency for the proposed utility easement reduction, notified the Police Chief and Fire Marshal and all owners of property within the subdivision; and

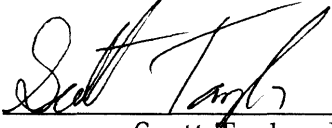
**WHEREAS**, no owner or agency expressed concern over the proposed elimination of the easement and both the Police Chief and Fire Marshal stated that their agency did not need the easement; and

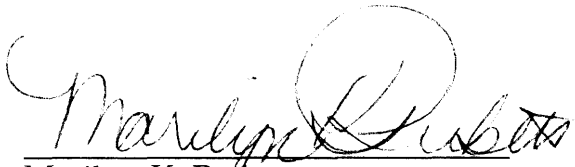
**WHEREAS**, a six foot utility easement will continue to be located along the property line of each lot; and

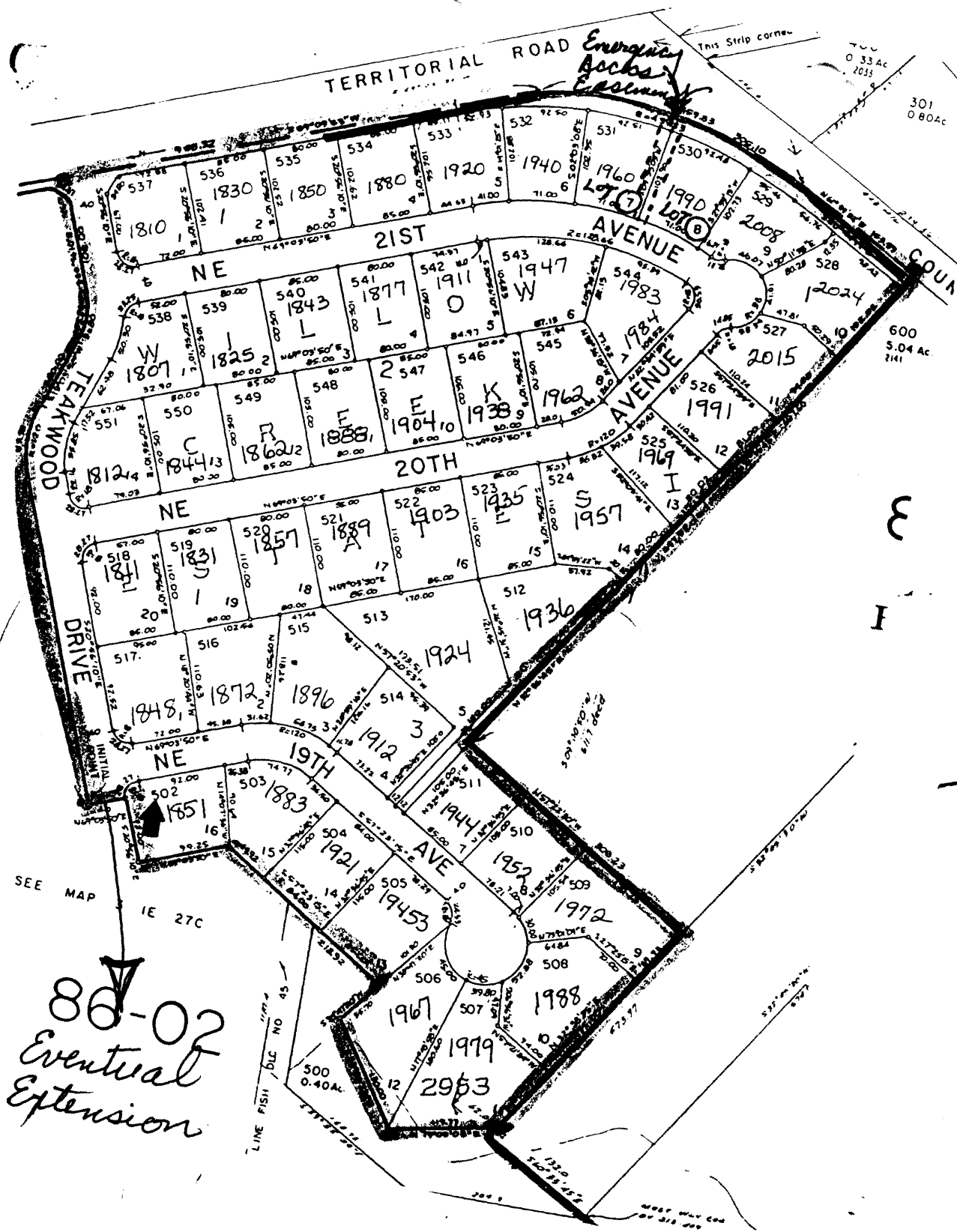
**WHEREAS**, the elimination of the emergency access easement will not inhibit further use of the remaining utility easement for the placement of utilities and will not eliminate any needed access; and

**NOW, THEREFORE, BE IT RESOLVED,** That the City of Canby City Council approves the elimination of the emergency access easement located between Lots 7 and 8 of the Willow Creek Estates Subdivision.

**ADOPTED** by the Canby City Council at a regular meeting thereof this 5th day of May, 1993.

  
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Scott Taylor, Mayor

  
\_\_\_\_\_  
Marilyn K. Perrett  
City Recorder



WILLOW CREEK ESTATES  
31E27DB



January 25, 1993

Mr. Wayne Klem  
Director of Public Works  
P.O. Box 930  
Canby, OR 97013

RE: Emergency Access Easement, Willow Creek Estates  
Subdivision

Dear Sirs:

We are a construction company building homes in Willow Creek Estates. We are purchasing Lots 7 & 8, Block 1 both of which are affected by a 10' easement for emergency access.

This easement has no practical benefit to the subdivision and adversely affects the value and use of Lots 7 & 8. For example, the home owners will not be able to fence their property line for privacy and security. If they can not do that, they will not buy either of the lots.

We understand the Fire Marshall, Jack Stark, favors vacating the easement. It is his opinion if the entrance ever became blocked, which is extremely unlikely, the fire trucks would simply drive across lawns. In addition emergency trucks would be unable to climb the grade from Territorial into the subdivision.

We respectfully request that the city vacate the subject easement at its earliest convenience.

Should you have any questions, please contact us at 638-6776 if you have any questions.

Sincerely,

  
Stan Kazebee

c: Mr. Robert Hoffman  
Director of Planning

c: Mr. Wayne Scott, Pres.  
Willow Creek Estates, Inc.

EXHIBIT

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