

RESOLUTION NO. 691

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 0.64 ACRES DESCRIBED AS TAX LOT 100 OF TAX MAP 4-1E-3BB AND 0.86 ACRES DESCRIBED AS TAX LOT 200 OF TAX MAP 4-1E-3BB LOCATED IN THE SOUTHEAST QUADRANT OF THE CITY, MORE COMMONLY KNOWN AS 609 S. REDWOOD STREET AND 1477 S. TOWNSHIP ROAD TO THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 18, 1999 GENERAL ELECTION.

WHEREAS, the Canby City Council has heretofore approved a joint application filed by Leon and Adelaide Samsel and Jay and Patricia Nellen to annex approximately 0.64 acres and 0.86 acres of land into the City of Canby; and

WHEREAS, pursuant to the provisions of the Canby City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Canby for an election; and

WHEREAS, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by March 18, 1999 in order to appear on the ballot for the May 18, 1999 general election; and

WHEREAS, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and Summary for Voter's Pamphlet to be submitted to the Elections Department;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the May 18, 1999 general election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.

3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the May 18, 1999 general election.

ADOPTED this 3rd day of March, 1999, by the Canby City Council.

Walt Daniels
Walt Daniels - Council President

ATTEST:

Chaunee F. Seifried
Chaunee Seifried
City Recorder, Pro-Tem

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

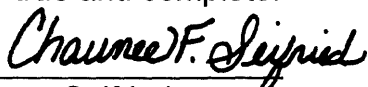
Notice is hereby given that on Tuesday, May 18, 1999, an election will be held at the polls in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

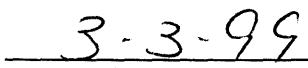
CAPTION: MEASURE APPROVING ANNEXATION OF 0.64 ACRES AND 0.86 ACRES INTO CITY OF CANBY

QUESTION: SHALL 0.64 ACRES AND 0.86 ACRES LOCATED SOUTH OF SE TOWNSHIP ROAD AND WEST OF S REDWOOD STREET BE ANNEXED INTO THE CANBY CITY LIMITS?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Jay and Patricia Nellen, as owners of 0.64 acres and Leon and Adelaide Sampsel, as owners of 0.86 acres, have filed a joint application asking the City to bring their properties into the City limits. The legal description of the Nellen property is Tax Lot 100 of Tax Map 4-1E-3BB. It is located at 1477 SE Township Road. The legal description of the Sampsel property is Tax Lot 200 of Tax Map 4-1E-3BB. It is located at 609 S. Redwood Street. These properties are presently islanded within the City limits. This application has previously been approved by the City Council. Both properties contain residences occupied by their respective owners. The City's Zoning Map calls for high density residential for Tax Lot 100 and a mix of high and low density residential for Tax Lot 200 upon annexation.. The purpose for this annexation request is to allow the properties to hook up to city services for water and sewer as one lot has a failed septic system and the second has a possible contaminated water well. Any further development requires City review and must comply with land use laws.

The following authorized local government official hereby certifies that the above ballot title is true and complete.


Chaunee Seifried,
Canby City Recorder - ProTem


Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 0.64 ACRES AND 0.86 ACRES
INTO THE CITY OF CANBY**

Measure No. _____

Word Total 389 (500 max)

This measure would approve the annexation of two lots into the city limits of the City of Canby. The properties which would be included within the City boundaries are known as Tax Lot 100 and Tax Lot 200 of Tax Map 4-1E-3BB and are located generally in the southeast part of the City. Tax Lot 100 is located at 1477 SE Township Road and Tax Lot 200 is located at 609 S. Redwood Street. Tax lots 100 and 200 are currently zoned EFU-20 (Exclusive Farm Use - 20 acre Minimum Lot Size). If annexation into the City is approved by the voters, Tax Lot 100 would be rezoned High Density Residential, and Tax Lot 200 would be rezoned a combination of High Density and Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lot 100 is owned by Jay and Patricia Nellen and Tax Lot 200 is owned by Leon and Adelaide Sampsel. Both owners have applied jointly to the City of Canby for approval of annexation as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval. The purpose for this annexation request is because one property has a failing septic system, while the other has a potentially contaminated water well and both owners wish to hook up to City services.

Under the City of Canby's Comp Plan, the zoning for this property, should it be annexed, is high density residential for Tax Lot 100 and a mix of high and low density residential for Tax Lot 200. Both lots presently contain single family residences. However, annexation alone does not set the future uses to be built on the property. Any further development would have to comply with state and local land use laws and would be subject to public review.

The Canby Comp Plan also designates properties for annexation as Priority "A", "B" or "C". Priority "A" properties shall generally be annexed prior to those areas shown as Priority "B" which, in turn, shall generally be annexed prior to those areas shown as Priority "C". The proposed annexation by the Sampsel and the Nellen is designated Priority "A" property. The Canby Planning Commission approved this annexation application by a 5-0 vote and the City Council approved this application by a 6-0 vote.

CITY OF CANBY

Chaunee F. Seifried
Chaunee Seifried,
Canby City Recorder - Pro tem

3-3-99
Date