

RESOLUTION NO. 631

A RESOLUTION INITIATING ANNEXATION OF TERRITORY TO THE CITY OF CANBY

WHEREAS, the annexation of real property hereinafter described as Tax Lots 700, 790, and 1700 of Tax Map 3-1E-34, and as described in attached Exhibit "A", having been initiated by the petition of Shimadzu USA Manufacturing (applicant) and Ray and Irene Burden (owners); and,

WHEREAS, the City Council is authorized by ORS 199.490(2)(a)(B) to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed; and,

WHEREAS, the City Council has received the necessary "consents" in sufficient numbers to meet so-called "double majority" annexation requirements listed above and has set the boundary of the territory proposed for annexation as authorized by ORS 199.490(2)(a)(B); and

WHEREAS, the matter having been submitted to the Canby Planning Commission for review, study, report, and recommendation to the Canby City Council, and the Planning Commission having considered the matter at a regular meeting on January 6, 1997; and,

WHEREAS, at the Planning Commission meeting on this matter, the Commission having considered the report of the Planning Staff and, at the conclusion of the deliberation, findings and conclusions having been made to support a motion to recommend that the City Council forward a recommendation of approval of the proposed annexation to the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC); and,

WHEREAS, the Canby City Council having conducted a public hearing on this proposal on January 15, 1997; and

WHEREAS, the Canby City Council having fully considered the record and file of this matter, and;

WHEREAS, the Canby City Council having accepted the Planning Commission findings, as found in the December 27, 1996 Staff Report, and;

WHEREAS, the property to be developed, along with the adjacent right-of-way, as described in exhibit "A", is to be zoned for industrial development, and the remaining property is to be zoned for agriculture; and,

WHEREAS, the City Council, in consideration of the above-stated findings, concludes that:

1. The annexation proposal is compatible with the text and maps of the Comprehensive Plan, giving special consideration to those portions of policies relating to the Urban Growth Boundary.

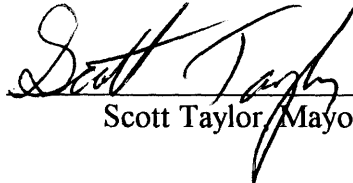
2. The annexation proposal is in compliance with other applicable City ordinances or policies.
3. The City and other affected service-providing entities have the capability to amply provide the area of the proposed annexation with urban level services.
4. The annexation proposal complies with, all applicable sections of Oregon Revised Statutes.
5. Due to the fact that there are no other "Type A" industrial lands left to be annexed, the annexation proposal, being a "Type B" annexation priority area, is appropriate for annexation, when compared to other properties of the same development potential (industrial) that may be annexed to the City.
6. There are no apparent natural hazards on the subject property.
7. The effect of urbanization of the subject property to designated open space, scenic, historic or natural resource areas is limited, in that the open space designation and requirements as found in the Parks Master Plan will be adhered to.
8. No adverse economic impacts are likely to result from the annexation of the subject property.

NOW THEREFORE, BE IT RESOLVED that the Canby City Council recommends to the PMALGBC, the approval of the annexation to the City of Canby, with the understandings that follow, of the property described as Tax Lot 1700 of Tax Map 3-1E-28CD, and described in Exhibit "A", and the City Recorder is hereby directed to file a certified copy of this Resolution, together with a copy of a summary of the City's file of this matter, at once, with said Commission.

UNDERSTANDINGS

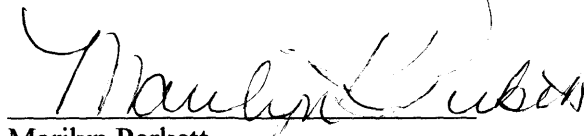
1. The zoning classification for the property upon annexation will be as follows:
M-2, Heavy Industrial for the property as described in exhibit "A"; and,
AG, Agricultural for the remaining properties.
2. All City and service provider regulations are to be adhered to at the time of development.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof on January 15, 1997.



Scott Taylor Mayor

ATTEST:



Marilyn Perrett
City Recorder



60430004.leg

LAND SURVEYORS
ENGINEERS1111 Broadway
Vancouver, WA
98660

LEGAL DESCRIPTION FOR SHIMADZU

Commercial Zone

January 3, 1997

A parcel of property situated in the Philander Lee Donation Land Claim No. 56 and in the South half of Section 34, Township 3 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon described as follows:

COMMENCING at the Southeast corner of the Southeast quarter of said Section 34;

THENCE North 01° 34' 10" East along the East line of said Section a distance of 1700.04 feet;

THENCE North 88° 25' 50" West a distance of 2472.14 feet to the TRUE POINT OF BEGINNING;

THENCE North 88° 25' 50" West a distance of 695.48 feet, to the West line of that tract conveyed to Ray L. and Irene E. Burden by deed recorded under Fee No. 7016025, Clackamas County Records;

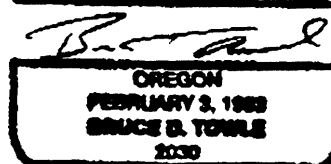
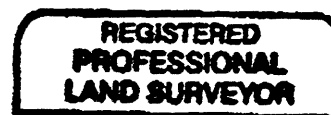
THENCE South 01° 26' 18" West along said West line a distance of 59.44 feet to a stone at the Southwest corner of said tract;

THENCE South 01° 05' 08" West along the West line of that tract conveyed to Ray L. and Irene E. Burden by deed recorded in Book 680, Page 110, Clackamas County Deed Records a distance of 689.94 feet to the Northeast line of the Southern Pacific Railroad, said point being 40.00 feet from, as measured at right angles to the centerline of said Railroad;

THENCE South 37° 57' 01" East along said Northeast line of the Southern Pacific Railroad a distance of 227.04 feet to a point on the South line of the Philander Lee Donation Land Claim;

THENCE North 79° 54' 32" East along said South line a distance of 785.43 feet to a point which bears South 14° 44' 53" East from the TRUE POINT OF BEGINNING;

THENCE North 14° 44' 53" West a distance of 797.89 feet to the TRUE POINT OF BEGINNING.



RENEWAL DATE: 6/30/98

115147

360/695-1385 - FAX 360/695-8117 • 503/289-9936

