

RESOLUTION NO. 646

A RESOLUTION TO THE PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION RECOMMENDING APPROVAL OF THE ANNEXATION TO THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, OF TAX LOT 700 OF TAX MAP 4-1E-4D, LOCATED ON THE EAST SIDE OF S. IVY STREET, APPROXIMATELY 1000 FEET SOUTH OF S.E. 13TH AVENUE.

WHEREAS, the annexation of real property hereinafter described as Tax Lot 700 of Tax Map 4-1E-4D, and as described in attached Exhibit "A", having been initiated by the petition of the applicant and owner; 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 July 14, 1997; and,

WHEREAS, the Canby City Council having conducted a public hearing on this proposal on August 6, 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 findings, as found in the July 3, 1997 Staff Report, further finds that:

1. All property owners that will be islanded by the annexation of the subject property have been notified of the legal effect of such islanding;
2. There is no annexation requirement for a development application to be submitted concurrently with the annexation application; and,
3. There is no requirement for a local road master plan to be in place prior to annexation of property that will be serviced by local roads.

WHEREAS, the property to be developed, along with the adjacent right-of-way, as described in exhibit "A", is to be zoned for residential development, in accordance with the Comprehensive Plan Land Use Map; 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. Annexation of the property is appropriate at this time, in that the priority classification of the property is "Type A", indicating an area to be annexed first, and that there is not a surplus of land already in the City limits to account for the anticipated residential construction activity over the next 2 to 3 years.
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:

1. that the approval of the annexation to the City of Canby, with the understandings that follow, of the property described as Tax Lot 700 of Tax Map 4-1E-4D, and described in Exhibit "A"; and,
2. that 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

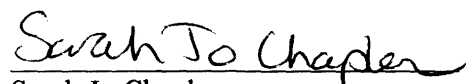
1. The zoning classification for the property upon annexation will be R-1, Low Density Residential.
2. All development and recording costs are to be borne by the developer when the property is developed.
3. All City and service provider regulations are to be adhered to at the time of development.
4. A collector street will provide access to the subject property, upon development. The collector street will be oriented east-west, and will be located on the southern property line of the subject property. This location can be modified if development occurs in conjunction with other surrounding properties.

ADOPTED BY THE CANBY CITY COUNCIL at a regular meeting thereof on August 20, 1997.



Scott Taylor, Mayor

ATTEST:



Sarah Jo Chaplen
Director of Finance and Administration

PMALGBC FORM #15

PETITION FOR ANNEXATION TO THE CITY OF CANBY, OREGON

TO: The Council of the City of Canby, Oregon

We the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of

Canby. If approved by the city, we further request that this petition be forwarded to the Portland Metropolitan Area Local Government Boundary Commission for the necessary procedures as prescribed by ORS 199.490 (2).

The property to be annexed is described as follows:

Parcel 1: Part of the Northeast one-quarter of the Southeast one-quarter of Section 4, in T 4S, R 1E, of the Willamette Meridian, described as:

Beginning at a point on the West line of the Northeast one-quarter of the Southeast one-quarter of Section 4, T 4S, R 1E of the Willamette Meridian, 165.00 feet North of the Southwest corner of the Northeast one-quarter of the Southeast one-quarter of said Section 4, which beginning point is the Northwest corner of the tract of land conveyed to Burton Eugene Dean and Maud Emma Dean, his wife, by Deed recorded September 16, 1946, in Book 375, Page 636, Deed Records; thence East along the North line of said Dean tract a distance of 1320.00 feet to the East line of said Section; thence North along said East line 166.32 feet to a point; thence West 1108.8 feet to the Southeast corner of that tract conveyed to James F. Dinsmore and Edna J. Dinsmore, his Wife, by Deed recorded November 19, 1945, in Book 355, at Page 498, Deed records; thence West along the South line of said Dinsmore Tract 211.2 feet to the Southwest corner of said Dinsmore Tract; thence South 166.32 feet to the place of beginning.

EXCEPTING THEREFROM that portion in Market Road No. 10.

Parcel 2: A tract of land located in the Northeast one-quarter of the Southeast one-quarter of Section 4, T 4S, R 1E, of the Willamette Meridian, and being a portion of the tract of land described in that certain conveyance to James F. Dinsmore and Edna J. Dinsmore, and recorded November 19, 1945, in Book 355, Page 498, Deed Records; the tract herein conveyed being more particularly described as follows, to-wit:

Being one rod in width, when measured at right angles, and adjacent to the entire South boundary of the said Dinsmore tract.

EXCEPTING THEREFROM that portion in Market Road No. 10.

