

## **RESOLUTION NO. 655**

### ***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 LOTS 900, 901, AND 1000 OF TAX MAP 3-1E-34B, LOCATED ON THE WEST SIDE OF N. REDWOOD STREET, EAST OF THE LOGGING ROAD, BETWEEN HWY. 99-E AND NE TERRITORIAL ROAD.***

**WHEREAS**, the annexation of real properties hereinafter described as Tax Lots 900, 901, and 1000 of Tax Map 3-1E-34B, and as described in attached Exhibit "A", having been initiated by the petition of the applicant and 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 September 8, 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 October 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 findings, as found in the August 29, 1997 Staff Report, and the September 22, 1997 Planning Commission findings, conclusions, and final order; and,

**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.
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 properties described as Tax Lots 900, 901, and 1000 of Tax Map 3-1E-34B, 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.

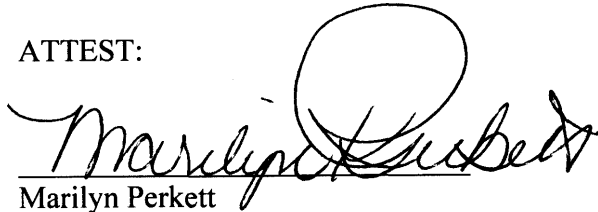
#### **UNDERSTANDINGS**

1. The zoning classification for the properties upon annexation will be R-1, Low Density Residential, being consistent with Comprehensive Plan Land Use Map designation.
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. The City Council will contact the Oregon Department of Transportation (ODOT) prior to the development of the site to request a reduction in the speed limit to approximately 45 miles per hour on the portion of Highway 99-E in the vicinity of its intersection with N. Redwood Street due to sight obstructions along Highway 99-E which the Planning Commission does not feel can be maintained properly in the long run.

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

  
\_\_\_\_\_  
Walter Daniels, Council President

ATTEST:

  
\_\_\_\_\_  
Marilyn Perkett  
City Recorder

**PMALGBC FORM #15**

PETITION FOR ANNEXATION TO THE CITY OF CANBY, OREGON

TO: The Council of the City of CANBY, Oregon

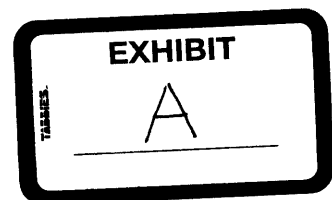
We, the undersigned property owners of and/or registered voters in the area described below, hereby petition for, and give our consent to, annexation of the area to the City of CANBY. If approved by the city, we further request that this petition be forwarded to the Portland Metropolitan Area local Government Boundary Commission for the necessary procedures as prescribed by ORS 199.490(2).

The property to be annexed is described as follows:

*(Insert Legal Description here OR attach it as Exhibit "A")*

LEGAL DESCRIPTION:

Lot 86 and the North One-Half of Lot 87, Canby Gardens



**AVE**

3 IE 4 BC

900  
26.26 Ac.  
1443

1000  
2.50Ac  
1397

# SITE

86-05

T.

**F**

## MAP

CHICAGO

"This plan is for your aid in locating your land with reference to streets and other parcels. While this plat is believed to be correct, the company assumes no liability for any loss occurring by reason of reliance thereon."

No. 31E34

CHICAGO TITLE INSURANCE COMPANY  
10011 S. SUNNYSIDE ROAD  
CLACKAMAS OREGON 97015

40

022

SF 4TH AVE

NLY. N.W. C  
 DLC No.  
 400  
 31.71Ac.  
 23220

800  
14.82 Ac.  
1667  
1691

700  
20.55 Ac.

1700  
28.09 Ac

790  
9.83 Ac

1100  
12 42AC  
1976

LOT