

RESOLUTION NO. 661

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 31 ACRES DESCRIBED AS TAX LOTS 900, 901 AND 1000 OF TAX MAP 3-1E-34 LOCATED BETWEEN EAST MOLALLA FOREST ROAD, HIGHWAY 99E AND WALNUT STREET 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 MARCH 10, 1998 GENERAL ELECTION.

WHEREAS, the Portland Metropolitan Area Local Government Boundary Commission (PMALGBC) has approved a minor boundary change annexing 31 acres into the City of Canby identified as Tax Lots 900, 901 and 1000 of Tax Map 3-1E-34; and

WHEREAS, the Canby City Council, through Resolution No. 659, objected to the proposed minor boundary change and desires to refer the issue to a vote of the electorate pursuant to ORS 199.505(1)(b); and

WHEREAS, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by January 8, 1998 in order to appear on the ballot for the March 10, 1998 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 March 10, 1998 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 hereby 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.

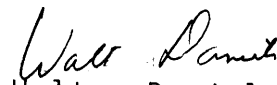
3 The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the March 10, 1998 general election.

ADOPTED this 8 day of January, 1998, by the Canby City Council.

ATTEST:

A handwritten signature in cursive script, appearing to read "Marilyn K. Perkett".

Marilyn K. Perkett, City Recorder

A handwritten signature in cursive script, appearing to read "Walter Daniels".

Walter Daniels, Council President

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

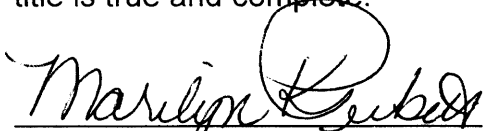
Notice is hereby given that on Tuesday, March 10, 1998, an election will be held at the polls in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

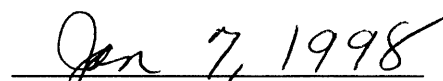
CAPTION: MEASURE APPROVING ANNEXATION OF 31 ACRES INTO CITY OF CANBY

QUESTION: SHALL 31 ACRES LOCATED BETWEEN EAST MOLALLA FOREST ROAD, HIGHWAY 99E AND WALNUT STREET BE ANNEXED INTO THE CANBY CITY LIMITS?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Ivan and Robertha Arneson and Dorothie Walluck, as property owners and Gramor Development, as applicant have asked the City to bring 31 acres of land into the City limits. This application has previously been approved by the City Council and Portland Metropolitan Area Local Government Boundary Commission. The proposal could allow development of the property for commercial/manufacturing and/or heavy industrial uses. Future 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.


Marilyn Perrett, City Recorder


Date Signed

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 31 ACRES INTO THE CITY OF CANBY

Measure No. _____

Word Total 387 (500 max)

This measure would approve the annexation of 31 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lots 900, 901 and 1000 and is located generally east of the East Molalla Forest Road and south of Highway 99E and First Avenue. The property is bounded by the Canby city limits to the south, west and east. Tax lots 900 and 901 are currently zoned Exclusive Farm Use. Tax Lot 1000 is currently zoned Rural Residential - Five acre Minimum Lot Size. After annexation into the City, the property would be zoned Commercial/Manufacturing and Heavy Industrial, as required in the City's Comprehensive Land Use Plan.

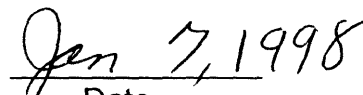
The property owners requested that the City annex their property. State law requires that the Portland Metropolitan Area Local Government Boundary Commission approve this request after the City makes a recommendation. The City recommended approval of the application to the Boundary Commission and Boundary Commission approved the annexation. Although not required by law, the Canby City Council has put this measure before the voters in recognition of the recent approval by the citizens of Canby of a charter amendment requiring all future annexations into the City be approved by a vote of the electorate.

Including the property in the city limits could allow development of the property for commercial/manufacturing and/or heavy industrial uses. Current county zoning does not allow commercial or industrial use of the property. The value of commercial and industrial improvements is greater than the value of current improvements and would increase property tax revenues for the City, county and local schools. Annexation alone does not set the future uses or improvement to be built on the property. Any development would have to comply with state and local land use laws and would be subject to public review.

The City Council found through its review of the application that it has the capability to provide the area of proposed annexation with urban level services. However, the property developers would have to pay the cost of extending public services or facilities needed to allow future development.

CITY OF CANBY


Marilyn Perrett, Canby City Recorder


Date