

RESOLUTION NO. 681

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 39.32 ACRES DESCRIBED AS TAX LOT 2000 OF TAX MAP 4-1E-3 LOCATED ON THE SOUTHEAST EDGE OF THE CITY, SOUTH OF TOWNSHIP ROAD, EAST OF SOUTH REDWOOD STREET AND ON THE NORTH SIDE OF SOUTHEAST 13TH AVENUE 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 NOVEMBER 3, 1998 GENERAL ELECTION.

WHEREAS, the Portland Metropolitan Area Local Government Boundary Commission has approved a minor boundary change annexing 39.32 acres in the City of Canby identified as Tax Lot 2000 of Tax Map 4-1E-3; and

WHEREAS, the Canby City Council, through Resolution No. 680, 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 September 3, 1998 in order to appear on the ballot for the November 3, 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 November 3, 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.

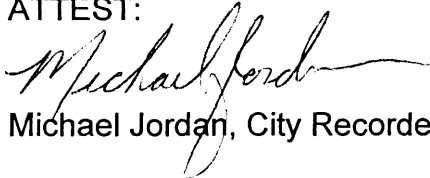
3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 3, 1998 general election.

ADOPTED this 2nd day of September, 1998, by the Canby City Council.



Walt Daniels, Council President

ATTEST:



Michael Jordan, City Recorder, Pro-Tem

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

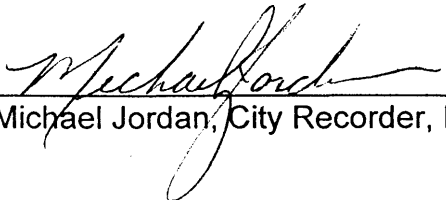
Notice is hereby given that on Tuesday, November 3, 1998, an election will be held at the polls in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the city's voters on this date:

CAPTION: MEASURE APPROVING ANNEXATION OF 39.32 ACRES INTO CITY OF CANBY.

QUESTION: SHALL 39.32 ACRES LOCATED ON EAST SIDE OF S. REDWOOD, SOUTH OF TOWNSHIP AND NORTH OF SE 13TH BE ANNEXED INTO CITY LIMITS?

SUMMARY: Annexation is the legal process used to bring property into the City limits. Larry and Betty Faist petitioned the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) asking to annex 39.32 acres into the Canby city limits. The property is Tax Lot 2000 of Tax Map 4-1E-3 located on the east side of Redwood Street, south of Township Road and on the north side of SE 13th Avenue. If the annexation is approved by the voters, Canby's Land Use Plan designates the property as a Single Family Low Density Residential Zone. Future development of the property 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 correct.



Michael Jordan, City Recorder, ProTem

9/3/98

Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 39.32 ACRES
INTO THE CITY OF CANBY

Measure No. _____

Word Total 279 (500 max)

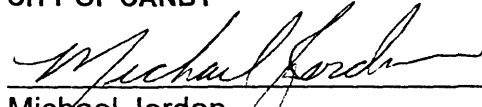
This measure would approve the annexation of 39.32 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 2000 of Tax Map 4-1E-3 and is located generally in the southeast part of the City. The parcel is located on the east side of S. Redwood Street, south of Township Road and on the north side of SE 13th Avenue. Tax lot 2000 is currently zoned EFU-20 (Exclusive Farm Use - 20 acre Minimum Lot Size). If annexation into the City is approved by the voters, the property would be zoned Single Family Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Larry and Betty Faist petitioned the Portland Metropolitan Area Local Government Boundary Commission (Boundary Commission) for annexation into the City of Canby as allowed by Oregon law. The City, following its Charter and the State of Oregon legal requirements has put this matter before the voters for approval.

Under the City of Canby's Comp Plan, the zoning for this property, should it be annexed, is residential. However, annexation alone does not set the future uses 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 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, should generally be annexed prior to those areas shown as Priority "C". The proposed annexation by Larry and Betty Faist is designated Priority "C" property.

CITY OF CANBY



Michael Jordan,
Canby City Recorder - Pro tem

9/3/98
Date