

## **RESOLUTION NO. 690**

**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 1.5 ACRES DESCRIBED AS TAX LOT 1700 OF TAX MAP 4-1E-4C AND A PORTION OF TAX LOT 1701 OF TAX MAP 4-1E-4C LOCATED AT THE SOUTHWEST EDGE OF THE CITY, AT THE END OF SOUTH ELM AND EAST OF VILLAGE ON THE LOCHS MANUFACTURED HOME PARK 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 MAY 18, 1999 GENERAL ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by Merry Widow Ltd., to annex approximately 1.5 acres of land into the City of Canby; and

**WHEREAS**, pursuant to the provisions of the Canby City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Canby for an election; and

**WHEREAS**, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by March 18, 1999 in order to appear on the ballot for the May 18, 1999 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 May 18, 1999 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 further 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 May 18, 1999 general election.

ADOPTED this 3<sup>rd</sup> day of March, 1999, by the Canby City Council.

Walt Daniels  
Walt Daniels - Council President

ATTEST:

Chaunee F. Seifried  
Chaunee Seifried,  
City Recorder, Pro-Tem

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

Notice is hereby given that on Tuesday, May 18, 1999, 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 1.5 ACRES INTO CITY OF CANBY**

**QUESTION:** SHALL 1.5 ACRES LOCATED AT THE END OF S. ELM STREET AND EAST OF VILLAGE ON THE LOCHS MANUFACTURED HOME PARK BE ANNEXED INTO THE CANBY CITY LIMITS?

**SUMMARY:** Annexation is the legal process to bring property inside the City limits. Merry Widow Ltd., as property owner and Leonard J. Kelley, as applicant have asked the City to bring 1.5 acres of land into the City limits. The legal description of the property is Tax Lots 1700 and a portion of 1701 of Tax Map 4-1E-4C. It is located at the end of S. Elm Street where it turns into Village on the Lochs Manufactured Home Park. Properties to the east, north and west of the subject parcel are within the City limits. This application has previously been approved by the City Council. The proposal could allow development of the property for single family residential use. 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.

*Chaunee F. Seifried*

Chaunee Seifried,  
Canby City Recorder - ProTem

*3-3-99*

Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 1.5 ACRES  
INTO THE CITY OF CANBY**

Measure No. \_\_\_\_\_

Word Total 301 (500 max)

This measure would approve the annexation of 1.5 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 1700 and a portion of 1701 of Tax Map 4-1E-4C and is located generally in the southwest part of the City. The parcel is located on the end of S. Elm Street, where it turns into Village on the Lochs Manufactured Home Park. Tax lots 1700 and 1701 are 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).

Merry Widow Ltd., as owner, and Leonard J. Kelley, as applicant, applied to the City of Canby for approval of its annexation request as allowed by Oregon law. The City, following its Charter, 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, shall generally be annexed prior to those areas shown as Priority "C". The proposed annexation by Merry Widow Ltd., is designated Priority "A" property. The Canby Planning Commission approved this annexation application by a 5-0 vote and the City Council approved this application by a 5-0 vote.

CITY OF CANBY

Chauncey F. Seifried  
Chauncey Seifried,  
Canby City Recorder - Pro tem

3-3-99  
Date

## NOTICE OF CITY MEASURE ELECTION

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**SUMMARY:** Annexation is the legal process to bring property inside the City limits. Merry Widow Ltd., as property owner and Leonard J. Kelley, as applicant have asked the City to bring 1.5 acres of land into the City limits. The legal description of the property is Tax Lots 1700 and a portion of 1701 of Tax Map 4-1E-4C. It is located at the end of S. Elm Street where it turns into Village on the Lochs Manufactured Home Park. Properties to the east, north and west of the subject parcel are within the City limits. This application has previously been approved by the City Council. The proposal could allow development of the property for single family residential use. 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.

*Chaunee F. Seifried*

Chaunee Seifried,  
Canby City Recorder - ProTem

*3-3-99*

Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 1.5 ACRES  
INTO THE CITY OF CANBY**

Measure No. 3-52

Word Total 301 (500 max)

This measure would approve the annexation of 1.5 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 1700 and a portion of 1701 of Tax Map 4-1E-4C and is located generally in the southwest part of the City. The parcel is located on the end of S. Elm Street, where it turns into Village on the Lochs Manufactured Home Park. Tax lots 1700 and 1701 are 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).

Merry Widow Ltd., as owner, and Leonard J. Kelley, as applicant, applied to the City of Canby for approval of its annexation request as allowed by Oregon law. The City, following its Charter, 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, shall generally be annexed prior to those areas shown as Priority "C". The proposed annexation by Merry Widow Ltd., is designated Priority "A" property. The Canby Planning Commission approved this annexation application by a 5-0 vote and the City Council approved this application by a 5-0 vote.

CITY OF CANBY

Chauncey F. Seifried  
Chauncey Seifried,  
Canby City Recorder - Pro tem

3-3-99  
Date