

RESOLUTION NO. 797

A RESOLUTION ACCEPTING THE RESULTS OF MAY 21, 2002 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 1.97 ACRES DESCRIBED AS TAX LOTS 1200 OF TAX MAP 4-1E-04CA LOCATED ON THE SOUTHWEST CORNER OF SW 13TH AVENUE AND S FIR STREET, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on May 21, 2002, at an election, the voters of the City of Canby approved by a vote of 2164 to 1097 Measure No. 3-55 which called for the annexation of 1.97 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on June 7, 2002. Applicant for the property was James Harbison. The property is known as Tax Lot 1200 of Tax Map 4-1E-04CA. A complete legal description of each tax lot is attached hereto as Exhibit "A" and a map showing the location of the tax lot is attached hereto as Exhibit "B" and by this reference both are incorporated herein; and

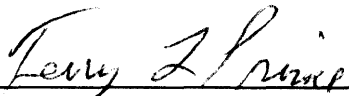
WHEREAS, pursuant to CMC 16.84.080, the City of Canby must proclaim by resolution, the annexation of said property into the City and set the boundaries of the new property by legal description;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated June 7, 2002, are official and accepted by the Council of Canby; and it is hereby

PROCLAIMED by the Council of Canby that 1.97 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed into the corporate limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal description set forth in Exhibit "A".

This resolution shall take effect on June 19, 2002.

ADOPTED this 19th day of June, 2002, by the Canby City Council.


Terry L Prince - Mayor

ATTEST:

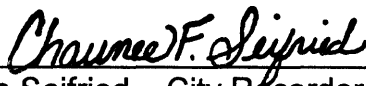

Chauncey Seifried, City Recorder, Pro-Tem

Exhibit "A"

FROM : MICHAEL J NOVE

FAX NO. :

Apr. 28 2001 10:01AM F3

FORM NO. 434 WARRANTY DEED (Individual or Corporate)

STATE OF OREGON, County of _____ ss.

I certify that the within instrument was received for record on the _____ day of _____, 19____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____ Record of Deeds of said County.

Witness my hand and seal of County affixed.

By _____, Deputy.

NAME TITLE

SPACE RESERVED FOR RECORDERS USE

GRANTOR'S NAME AND ADDRESS
James Stanley Harrison
P.O. Box 603
Canby, OR 97013

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James Stanley Harrison
P.O. Box 603
Canby, OR 97013

GRANTOR'S NAME AND ADDRESS
James Stanley Harrison
P.O. Box 603
Canby, OR 97013

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that _____

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by James Stanley Harrison

hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto in any way appertaining, situated in _____ County, State of Oregon, described as follows, to-wit:

A tract in the Northeast quarter of the Southwest quarter of Section 4, Township 4 South, Range 1 East of the Willamette Meridian, in the County of Clackamas and State of Oregon, described as follows:

Beginning at the one half section line North 89°25' West 33 feet from the center of said Section 4; thence South 0°2' West 275 feet; thence North 89°25' West 337 feet to the East line of tract described in instrument recorded November 9, 1961, in Deed Book 595, Page 57 (and re-recorded July 9, 1962, in Deed Book 606, Page 284); thence North 0°2' East 275 feet to the one half section line; thence South 89°25' East on said line 337 feet to the point of beginning.

AT (SPACE INDEPENDENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):

no exceptions

and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$50,000.00.

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument this _____ day of _____, 19____, if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING PFE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.030.

STATE OF OREGON, County of _____ ss.

This instrument was acknowledged before me on _____, 19____, by _____

This instrument was acknowledged before me on _____, 19____, by _____

as _____

of _____

Notary Public for Oregon

My commission expires _____

TAX MAP 41E04CA

SEE MAP 4 IE 4BD

IFFE)

AVE.

CENTER
SECTION

CANCELLED T.L.'S

300
801

C.R. 1288

C.R. 1288

**CITY OF CANBY
PRIMARY ELECTION
MAY 21, 2002**

MEASURE 3-55

Submitted to the legal voters of said City.

MEASURE APPROVING ANNEXATION OF 1.97 ACRES INTO CITY OF CANBY

QUESTION: Shall 1.97 acres located on SW 13th Avenue near S. Fir Street be annexed into Canby?

SUMMARY: Annexation is the legal process to bring property inside the City limits. James Harbison has filed an application asking the City to bring his property into the City limits. The legal description of the property is Tax Lot 1200 of Tax Map 4-1E-04CA. It is located on the southwest corner of S.W. 13th Avenue and S. Fir Street. Properties to the south is outside of the City, but within the Urban Growth Boundary. This application has previously been approved by the Planning Commission 5-0 and City Council 4-0 following public hearings by each body. The property is vacant. The City's Zoning Map calls for low density residential development upon annexation, and future development could result in as many as twelve additional homes on the site, although nine home are more likely given right-of-way dedication requirements. Actual development requires City review and must comply with land use laws.

MEASURE 3-56

Submitted to the legal voters of said City.

MEASURE APPROVING ANNEXATION OF 45.42 ACRES INTO CITY OF CANBY

QUESTION: Shall 45.42 acres located on SE Township Road east of S. Redwood Street be annexed into Canby?

SUMMARY: Annexation is the legal process to bring property inside the City limits. The Canby School District has filed an application asking the City to bring its property into the City limits. The legal description of the property is Tax Lots 900, 1100 and 1200 of Tax Map 4-1E-03. It is located on the south side of S.E. Township Road east of S. Redwood Street. Properties to the north and west are with the City limits. Property to the south and east are outside of the City, but within the Urban Growth Boundary. Property directly to the west is occupied by Trost Elementary School. This application has previously been approved by the Planning Commission 5-0 and City Council 4-0 following public hearings by each body. The property contains one residence, but the majority of the property is vacant. The City's Zoning Map calls for low density residential for the property upon annexation, but the applicant intends to build a middle school on the site. Actual development requires City review and must comply with land use laws.