

RESOLUTION NO. 737

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 301 ACRES TO THE CITY OF CANBY DESCRIBED AS TAX LOTS 00100, 00200, 00300, 00301, 00400, 00500, 00600, 00800, 01200, 01300, 01400, 01500, 01600, 01800, 01900, 02000, 02100, 02101, 02200, 02300, 02400, 02500, 02600, 02700, 02800, 02900, 03000, 03100, 03300 OF TAX MAP 3-1E-34 AND TAX LOTS 00100, 00101, 00102, 00103, 00200, 00301, 01001 OF TAX MAP 4-1E-03 LOCATED IN THE SOUTHEAST QUADRANT OF THE CITY, BETWEEN SE 1st AVENUE ON THE NORTH, S. MULINO ROAD ON THE EAST, SE 13th AVENUE ON THE SOUTH AND THE MOLALLA FOREST ROAD ON THE WEST; 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 SEPTEMBER 19, 2000 ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by the City of Canby planning staff to annex approximately 301 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 July 20, 2000 in order to appear on the ballot for the September 19, 2000 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;

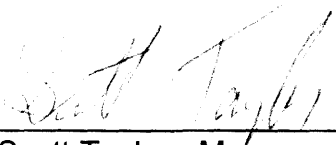
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

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 September 19, 2000 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 September 19, 2000 election.

ADOPTED this 5 day of July, 2000 by the Canby City Council.



Scott Taylor - Mayor

ATTEST:



Chaunee Seifried
City Recorder, Pro-Tem

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

Notice is hereby given that on Tuesday, September 19, 2000, 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 36 TAX LOTS TOTALING APPROXIMATELY 301 ACRES INTO THE CITY OF CANBY.

QUESTION: Shall 36 tax lots totaling approximately 301 acres located between SE 1st Avenue, S. Mulino Road, SE 13th Avenue, and the Molalla Forest Road be annexed into the Canby City limits?

SUMMARY: Annexation is the legal process to bring property inside the City limits. The City of Canby has proposed an annexation of the following tax lots: lots 00100, 00200, 00300, 00301, 00400, 00500, 00600, 00800, 01200, 01300, 01400, 01500, 01600, 01800, 01900, 02000, 02100, 02101, 02200, 02300, 02400, 02500, 02600, 02700, 02800, 02900, 03000, 03100, and 03300 of tax map 31E34, and lots 00100, 00101, 00102, 00103, 00200, 00301, and 01001 of tax map 41E03. Five of the 36 lots are owned by the City of Canby, with the remainder in private ownership. The lots are all located within the Logging Road Industrial Park.. If annexed, the properties would assume the zoning assigned to them in Canby's Comprehensive Plan: a mix of Light Industrial, Heavy Industrial, and Heavy Commercial/Manufacturing. Any further development of the properties after annexation would require City approval and must comply with all applicable land use laws.

The following authorized local government official hereby certifies that the above ballot title is true and complete:

Chauncey F. Seifried
Chauncey Seifried
Canby City Recorder, Pro Tem

7/5/00
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 36 TAX LOTS TOTALING
APPROXIMATELY 301 ACRES INTO THE CITY OF CANBY**

Measure No. _____

Word Total: 290 (500 max)

This measure would approve the annexation of 36 tax lots into the city limits of the City of Canby. The properties which would be included are: lots 00100, 00200, 00300, 00301, 00400, 00500, 00600, 00800, 01200, 01300, 01400, 01500, 01600, 01800, 01900, 02000, 02100, 02101, 02200, 02300, 02400, 02500, 02600, 02700, 02800, 02900, 03000, 03100, and 03300 of tax map 31E34, and lots 00100, 00101, 00102, 00103, 00200, 00301, and 01001 of tax map 41E03.

The properties are located between SE 1st Avenue on the north, S. Mulino Road on the east, SE 13th Avenue on the south, and the Molalla Forest Road on the west. The lots are currently zoned EFU (Exclusive Farm Use) by Clackamas County and are generally used for agriculture. Five of the lots are owned by the City of Canby and the rest are privately owned. The City-owned lots make up the Zion Memorial Cemetery and a portion of the Logging Road Trail.

Upon annexation, the properties would assume the zoning assigned to them in Canby's Comprehensive Plan: a mix of Light Industrial, Heavy Industrial, and Heavy Commercial/Manufacturing. Any further development of the properties after annexation would require City approval and would have to comply with all applicable land use laws. The entire area of the proposed annexation is covered by the 1998 Industrial Area Master Plan, which established design guidelines and a plan for providing public facilities and services to the area.

Following a public hearing before the Canby Planning Commission, the Commission recommended denial of this application to the Canby City Council. After a public hearing before the City Council, the Council, by majority vote, approved the application. Pursuant to the City Charter, the issue is referred to the Canby voters for approval/denial.

City of Canby

Chauncey F. Seifried

Chauncey Seifried

Canby City Recorder, Pro Tem

7/5/00

Date