

RESOLUTION NO. 743

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 14.49 ACRES DESCRIBED AS TAX LOTS 1400 AND 1500 OF TAX MAP 3-1E-27C AND TAX LOT 800 OF TAX MAP 3-1E-34B LOCATED ON THE WEST SIDE OF N. REDWOOD STREET NORTH OF NE 14TH PLACE 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 15, 2001 GENERAL ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Willow Creek Estates on behalf of Fred and Betty Postlewait to annex approximately 14.49 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 15, 2001 in order to appear on the ballot for the May 15, 2001 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 15, 2001 general election, the Notice of City Measure Election. 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.

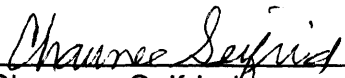
3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the May 15, 2001 general election.

ADOPTED this 10th day of February, 2001, by the Canby City Council.



Terry Prince - Mayor

ATTEST:



Chaunee Seifried,
City Recorder, Pro-Tem

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

Notice is hereby given that on Tuesday, May 15, 2001, an election will be held 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 14.49 ACRES INTO CITY OF CANBY

QUESTION: SHALL 14.49 ACRES LOCATED ON THE WEST SIDE OF N. REDWOOD STREET BE ANNEXED INTO CANBY?

SUMMARY: Annexation is the legal process to bring property inside the City limits. Fred and Betty Postlewait, as owners of 14.49 acres (three tax lots), have filed an application asking the City to bring their properties into the City limits. The legal description of the property is Tax Lots 1400 and 1500 of Tax Map 3-1E-27C and Tax Lot 800 of Tax Map 3-1E-34B, located on the west side of N. Redwood Street north of NE 14th Place. Properties surrounding these three tax lots on the west and south are within the City limits. Property to the east is outside of the City, but within the Urban Growth Boundary. Property directly to the north has also submitted an application for annexation. This application has previously been approved by the Planning Commission and City Council by unanimous votes. The properties contain two residences and three outbuildings. The City's Zoning Map calls for low density residential for all Tax Lots upon annexation. The applicant's conceptual development plan proposes 48 single family residences. Actual 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.

Chaunce Seifried
Chaunce Seifried,
Canby City Recorder

2-7-01
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 14.49 ACRES
INTO THE CITY OF CANBY

Measure No. _____

Word Total 359 (500 max)

This measure would approve the annexation of three adjoining tax lots into the city limits of the City of Canby. The properties which would be included within the City boundaries are known as Tax Lots 1400 and 1500 of Tax Map 3-1E- 27C and Tax Lot 800 of Tax Map 3-1E-34B and are located generally in the northeast part of the City. These tax lots are located on the west side of N. Redwood Street, north of NE 14th Place. The applicant resides at 1629 N. Redwood Street. All tax lots are currently zoned RRFF-5 (Rural Residential, Farm and Forest). If annexation into the City is approved by the voters, all three tax lots would be rezoned Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lots 1400, 1500 and 800 are owned by Fred and Betty Postlewait. Both owners have applied jointly to the City of Canby for approval of annexation as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

Both lots are surrounded on the west and south by properties within the City limits. Properties to the east are outside of the City's limits but within the City's Urban Growth Boundary. The property to the north has also submitted an application for annexation into the City. The lots presently contain two single family residences and three outbuildings. A conceptual development plan has been submitted by the applicant proposing 48 single family residential lots on the site. However, annexation alone does not set the future uses to be built on the property. Any further 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". These three lots are designated Priority "A" property. Both the Canby Planning Commission and the City Council unanimously approved this annexation application.

CITY OF CANBY

Chaunee Seifried
Chaunee Seifried,
Canby City Recorder - Pro tem

2-7-01
Date