

RESOLUTION NO. 753

A RESOLUTION ACCEPTING THE RESULTS OF MAY 15, 2001 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY OF 14.49 ACRES OF PROPERTY, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

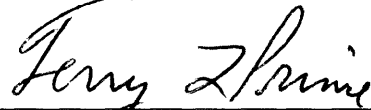
WHEREAS, on May 15, 2001, at a general election, the voters of the City of Canby approved by a vote of **1275 to 955** Measure 3-35 which called for the annexation of 14.49 acres into the City of Canby. Clackamas County Elections Department certified the above elections results as accurate on May 23, 2001. Applicants for the properties were Fred & Betty Postlewait and Willow Creek Estates, Inc. The property is known as Tax Lots 1400 and 1500 of Tax Map 3-1E-27C and Tax Lot 800 of Tax Map 3-1E-34B. A complete legal description of each tax lot is attached hereto as Exhibits "A", "B", and "C" and maps showing the location of the three tax lots are attached hereto as Exhibits "D" and "E" and by this reference 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 that the Election Results as set forth in the abstract dated May 23, 2001 are official and accepted by the Council of Canby; and it is hereby


PROCLAIMED by the Council of Canby that 14.49 acres of property described in Exhibits "A", "B" and "C" and shown on Exhibits "D" and "E" is annexed to the incorporated limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal description set forth in Exhibits "A", "B" and "C".

ADOPTED this 16th day of June, 2001, by the Canby City Council



Terry L Prince – Mayor

ATTEST:



Chaunee Seifried,
City Recorder, Pro-Tem

Exhibit "A"

3-1E-27C 1500

BARGAIN AND SALE DEED

Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Grantors, as Co-Trustees of the POSTLEWAIT FAMILY REVOCABLE LIVING TRUST, dated August 30, 1990, convey to Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Trustees under the POSTLEWAIT FAMILY REVOCABLE LIVING TRUST, dated August 30, 1990, wherein Grantors are Trustees and Beneficiaries, the following described real property located in Clackamas County, Oregon:

Lot 83, Canby Gardens, EXCEPTING THEREFROM that portion described as follows:

Beginning at the northeast corner of tract 83 of the plat of Canby Gardens, a recorded subdivision in Clackamas County, Oregon, thence west along the north boundary of said tract 83 a distance of 183.03 feet to an iron rod thence south, parallel with the east boundary of the said tract 83, a distance of 119.00 feet to an iron rod; thence east, parallel with the east boundary of the said tract; thence north along the said boundary 119.00 feet to the place of beginning. Subject to the rights of the public to that portion lying within the boundary of the public road.

The sole purpose of this transfer is to effect a lot line adjustment by combining tax lot number 1500 with tax lot number 1501.

The true consideration for this conveyance is none.

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 fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Dated this 17 day of December, 1990.

Fred J. Postlewait, Sr.
Fred J. Postlewait, Sr.

Bettie V. Postlewait
Bettie V. Postlewait

STATE OF OREGON
County of Clackamas

} ss December 17, 1990

Personally appeared the above named Fred J. Postlewait, Sr. and Bettie V. Postlewait and acknowledged the foregoing instrument to be their voluntary act and deed.



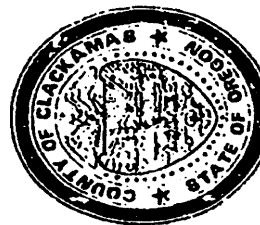
Kath L. Weger
Notary Public for Oregon
My commission expires 9/29/91
Residing at Woodburn OR

GRANTOR:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

TRUSTEE:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

STATE OF OREGON
County of Clackamas
I, John F. Kenyon, County Clerk, for the County of Clackamas, do hereby certify that the instrument of conveyance was recorded for recording in the records of said county.

91 JUN 17 PM 2:46



John F. Kenyon
County Clerk
91 28472

No. 1

dep/postlewait/bargain-d.ded

91-28472

3-1E-27C 1400

BARGAIN AND SALE DEED

Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Grantors, convey to Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Trustees under the POSTLEWAIT FAMILY REVOCABLE LIVING TRUST, dated August 30, 1990, wherein Grantors are Trustees and Beneficiaries, the following described real property located in Clackamas County, Oregon:

Tract 84 CANBY GARDENS, in the County of Clackamas and State of Oregon.

Subject to the rights of the public in and to that portion of the property lying within the limits of roads and highways.

The true consideration for this conveyance is none.

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 fee title to the property should check with the appropriate city or county planning department to verify approved uses.

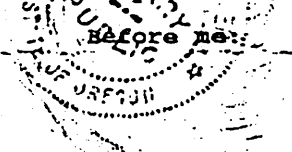
Dated this 30 day of August, 1990.

Fred J. Postlewait, Sr.
Fred J. Postlewait, Sr.
Bettie V. Postlewait
Bettie V. Postlewait

STATE OF OREGON)
County of Multnomah) ss

August 30, 1990

Personally appeared the above named Fred J. Postlewait, Sr. and Bettie V. Postlewait and acknowledged the foregoing instrument to be their voluntary act and deed.



Ann R. Meyer
Notary Public for Oregon
My commission expires 11-9-92

GRANTOR:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

After recording return to:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

TRUSTEE:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

Until a change is requested,
all tax statements shall be
sent to:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

STATE OF OREGON
County of Clackamas
I, John F. Kaufman, County Clerk for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said county at

1990 SEP - 4 PM 1:34



John F. Kaufman
JOHN F. KAUFMAN
County Clerk

90 43692

3-1E-27B "800

BARGAIN AND SALE DEED

Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Grantors, convey to Fred J. Postlewait, Sr. and Bettie V. Postlewait, Co-Trustees under the POSTLEWAIT FAMILY REVOCABLE LIVING TRUST, dated August 30, 1990, wherein Grantors are Trustors and Beneficiaries, the following described real property located in Clackamas County, Oregon:

Tract 85 Canby Gardens, Excepting therefrom that portion in roads

The true consideration for this conveyance is none.

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 fee title to the property should check with the appropriate city or county planning department to verify approved uses.

Dated this 30th day of August, 1990.

Fred J. Postlewait, Sr.
Fred J. Postlewait, Sr.

Bettie V. Postlewait
Bettie V. Postlewait

STATE OF OREGON
County of Multnomah

) ss

August 30, 1990

Personally appeared the above named Fred J. Postlewait, Sr. and Bettie V. Postlewait and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Donna R. Meyer
Notary Public for Oregon
My commission expires 1-9-92

GRANTOR:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

TRUSTEE:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

After recording return to:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

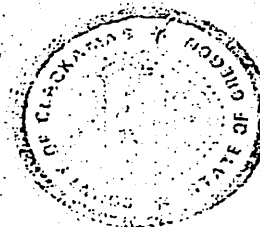
Until a change is requested,
all tax statements shall be
sent to:
Fred and Bettie Postlewait
1629 N. Redwood Street
Canby, Oregon 97013

dep\postlewait\bargain2.ded

STATE OF OREGON
County of Clackamas

I, John F. Kaufman, County Clerk for the County of Clackamas, do hereby certify that the instrument of writing was received for recording in the records of said County.

SEP 4 1990



Witness my hand and seal this
John F. Kaufman
County Clerk
Recording Certificate
CC 94-111, 12th

90 43691

90 43691

3-02

Exhibit "D"

C
MAP I

SEE

MAP

86-0

3 IE 27CB

NE 19TH LOOP

3

IE 27CA

MAP

FOREST ROAD

MOLALLA

REDWOOD CO. RD. 2163

1600
4.65 Ac.
1855

1601
1.66 Ac.
1773

1500
4.40 Ac.

1400
4.85 Ac.
1629

1100
0.93 Ac.
1850

1101
0.92 Ac.
1784

1200
9.85 Ac.
1758

1302
2.42 Ac.
1594

1300
0.93 Ac.
1586

1001
1.78 Ac.

1000
1.22 Ac.
1860

600
5.00 Ac.
1864

1301
2.14 Ac.
1608

50
2.7
161

86-05

RRFF-5

GARDENS



35

76

84

97

161

Exhibit "E"

This map was prepared for
assessment purpose only.

NW 1/4 SEC. 34 T. 3 S. R. 1 E
CLACKAMAS COUNTY

1" = 200'

R.R.F.F.-5

SEE MAP 3 IE 27 C

