

RESOLUTION NO. 809

A RESOLUTION TO ACCEPT A RIGHT-OF-WAY DEDICATION FOR ROAD PURPOSES OF PROPERTY ALONG S.W. BERG PARKWAY LOCATED JUST WEST OF SAFEWAY STORE FROM OREGON FOOD STORES, INC., AN OREGON CORPORATION.

WHEREAS, the Canby City Planning Commission approved a design review application for improvements to property owned by Oregon Food Stores, Inc., to accommodate a new Safeway store and shopping center located on Highway 99 E in Canby, near S.W. Berg Parkway. As a condition of approval of the application, Oregon Food Stores, Inc., agreed to dedicate a portion of its property for right-of-way purposes along the boundary with S.W. Berg Parkway in order to widen S.W. Berg Parkway; and

WHEREAS, CMC 16.88.060 requires the Canby City Council accept all property proposed to be dedicated to the City; and

WHEREAS, Oregon Food Stores, Inc., has proposed to dedicate a portion of its property to the City for road purposes, a copy of the legal description of the property is attached to the Deed for Road Purposes as Exhibit "A"; and

WHEREAS, the City Council believes this right-of-way would be a valuable asset to the City of Canby street system;

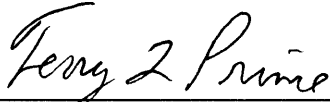
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

Section 1. The Canby City Council accepts the Right-of-Way Dedication Deed for Road Purposes of a parcel of land as described in Exhibit "A" attached hereto, from Oregon Food Stores, Inc., an Oregon Corporation, to the City of Canby for the purpose of widening S.W. Berg Parkway in the City of Canby.

Section 2. The Canby City Council directs the Mayor of the City of Canby to execute the Deed for Road Purposes on behalf of the City and insure that it is properly recorded in the Deed Records of Clackamas County, Oregon.

This Resolution shall take effect September 4, 2002.

ADOPTED this 18th day of September, 2002, by the Canby City Council.



Terry L Prince - Mayor

ATTEST:



Chaunee Seifried,
City Recorder, Pro-Tem


(For Recorder's Use Only)

The City of Canby
182 N. Holly Street
P.O. Box 930
Canby, Oregon 97013

DEED FOR ROAD PURPOSES

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 AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING AND FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED: the 13 day of August, 2002.

By: 
Name: **Jeffrey S. Stauffer**
Title: **Executive Vice President and
Chief Operating Officer**

This instrument was acknowledged before me on the _____ day of _____, 2002, by

See next page

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

EXHIBIT "A"

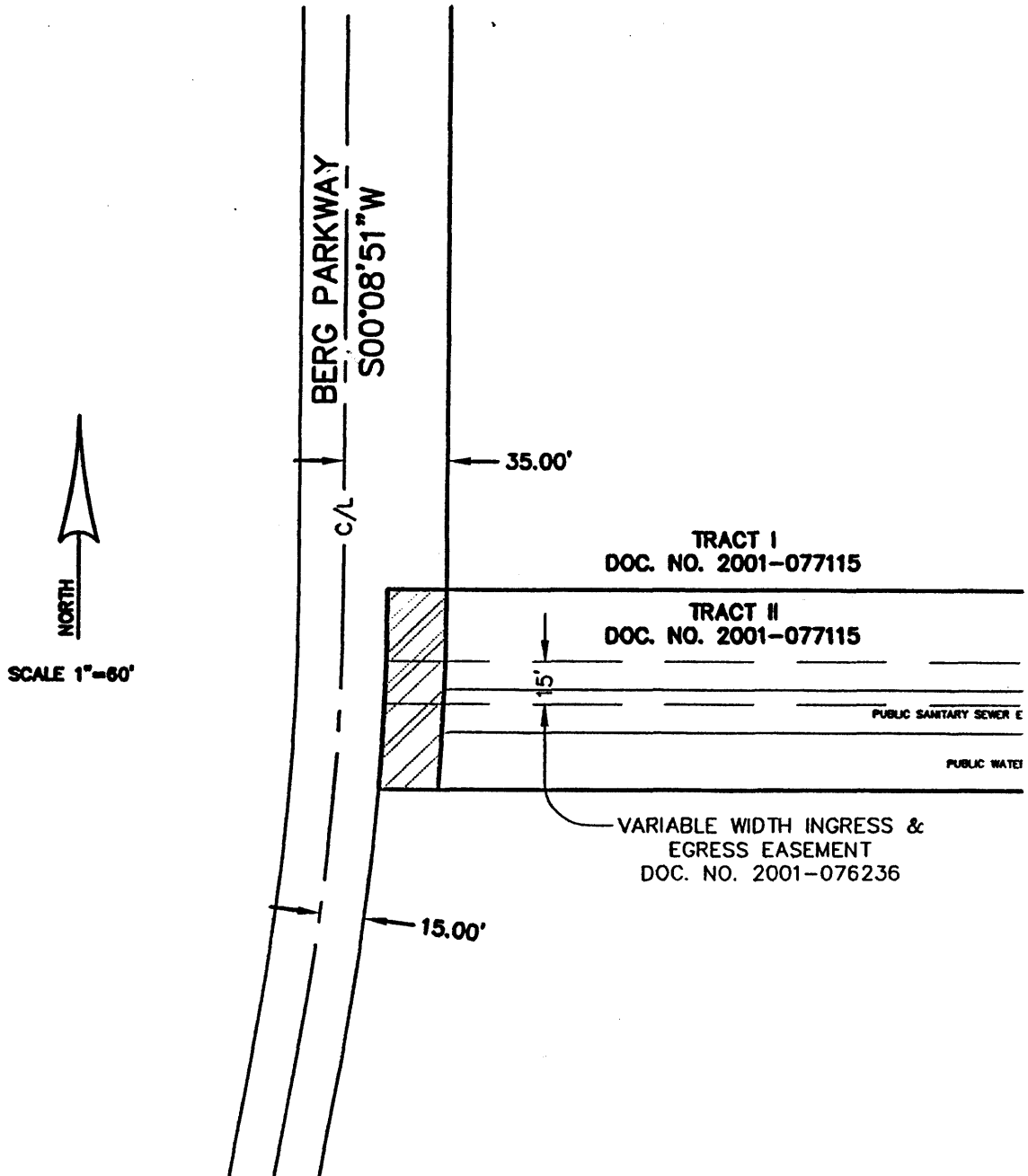
RIGHT-OF-WAY DEDICATION

A strip of land located in the Northeast one-quarter of Section 5, Township 2 South, Range 1 East, Willamette Meridian, City of Canby, Clackamas County, Oregon and being more particularly described as follows:

A strip of land described as the westerly twenty (20) feet of frontage adjacent to and abutting the west boundary of Tract II of that tract of land conveyed under document No. 2001-077115, Clackamas County Deed Records.

EXHIBIT MAP

FOR A 15' WIDE RIGHT-OF-WAY DEDICATION
A PORTION OF DEED DOCUMENT NO. 2001-077115
LOCATED IN THE NE 1/4 OF SECTION 5,
IN T 4 S, R 1 E, WILLAMETTE MERIDIAN
CITY OF CANBY, CLACKAMAS COUNTY, OREGON
JUNE 20, 2002



LEGEND:

RIGHT-OF-WAY DEDICATION
1,402 SQUARE FEET
0.032 ACRES

JOB NO. OFS2195 SHEET 1 OF 1

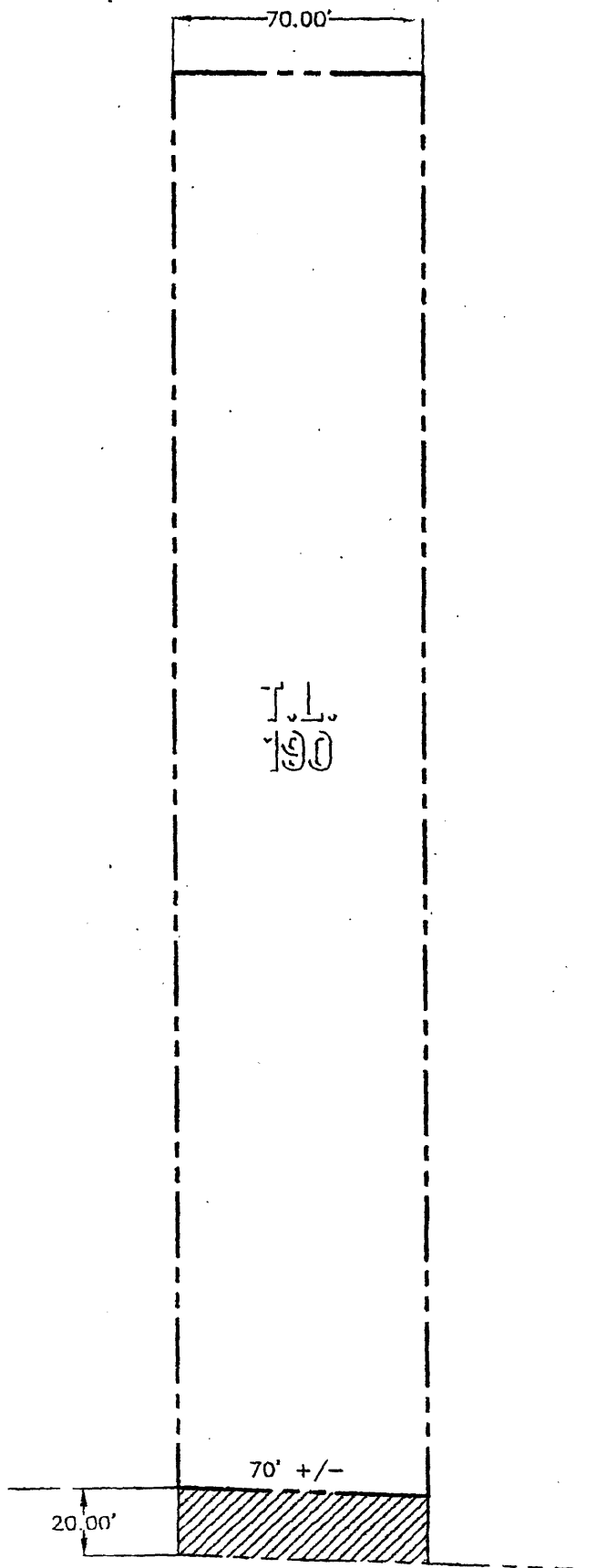
W R G
D E S I G N I N C .

5415 S.W. WESTGATE DR. PORTLAND, OREGON 97221

☎ (503) 419-2500

FAX: (503) 419-2600

PLANNERS ■ ENGINEERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE
PROPERTY DEDICATION. IT IS NOT INTENDED
TO PROVIDE INFORMATION RELATIVE TO THE LOCATION
OF PROPERTY OWNERSHIP BOUNDARY LINES.



SCALE: 1"=50'

**TOWNSHIP 4 SOUTH, RANGE 1 EAST,
SECTION 5A, WILLAMETTE MERIDIAN,
CLACKAMAS COUNTY**

TRACT II OF DOCUMENT #2001-077115

BERG PARKWAY

**CURRAN-McLEOD, INC.
CONSULTING ENGINEERS**