

RESOLUTION NO. 817

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 APPROXIMATELY 151 ACRES DESCRIBED AS TAX LOTS 00100, 00300, 00301, 00400, 00500, 00600, 00800, 01600, 01800, 02000, 02100, 02101, 02200 AND 02500 OF TAX MAP 3-1E-34 AND TAX LOT 01001 OF TAX MAP 4-1E-03 LOCATED IN THE SOUTHEAST QUADRANT OF THE CITY, BORDERED GENERALLY BY SE 1ST AVENUE ON THE NORTH, MULINO ROAD ON THE EAST AND S. TOWNSHIP ROAD ON THE SOUTH; 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 MARCH 11, 2003 SPECIAL ELECTION.

WHEREAS, the Canby City Council has heretofore approved a joint application filed by Ball Janik LLP on behalf of the owners of 15 tax lots, more commonly referred to as ANN 02-02, Industrial Area Annexation to annex approximately 151 acres 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 January 9, 2003 in order to appear on the ballot for the March 11, 2003 special 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;

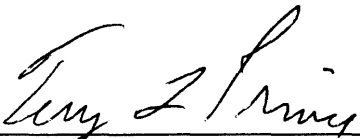
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

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 March 11, 2003 special 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.

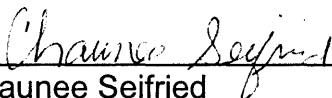
3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the March 11, 2003 special election.

ADOPTED this 8 day of January 8, 2003, by the Canby City Council.



Terry L Prince - Mayor

ATTEST:



Chaunee Seifried
City Recorder, Pro-Tem

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 151 ACRES INTO CITY OF CANBY

Measure No. 3-98

Word Total: 294 (500 max)

This measure would approve the annexation of 15 tax lots into the city limits of the City of Canby. The properties which would be included are: lots 00100, 00300, 00301, 00400, 00500, 00600, 00800, 01600, 01800, 02000, 02100, 02101, 02200 and 02500 of tax map 3-1E-34, and lot 01001 of tax map 4-1E-03.

The properties are located generally between SE 1st Avenue on the north, S. Mulino Road on the east, and S Township Road on the south. The lots are currently zoned EFU (Exclusive Farm Use) by Clackamas County and are generally used for agriculture. The lots are owned by the following property owners: Roy and Betty Zimmer, Margaret J. Madeira, Keith S. Guisinger, Ray Burden, Kay Lewelling, Philip and Tammy Parsons, Weygandt Family, Jacque E. Parsons, Trustee and Cecilia Parson, Ron Palmer Estate, Paula Palmer, Trustee, Jean Rover, Thomas Fitzpatrick, Gilbert and Adelyn Borg, Philip and Millie Borg and John and Irene Dewar.

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 unanimously recommended approval of this application to the Canby City Council. After a public hearing before the City Council on December 18, 2002, the Council voted unanimously to approve the application. Pursuant to the City Charter, the issue is referred to the Canby voters for approval/denial.

City of Canby

Chaunee Seifried
Chaunee Seifried
Canby City Recorder, Pro Tem

1-8-03
Date

03 JAN -9 AM 10:16

NOTICE OF CITY MEASURE ELECTION

CITY OF CANBY

Notice is hereby given that on Tuesday, March 11, 2003, a vote by mail 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 151 ACRES INTO CITY OF CANBY.

QUESTION: Shall approximately 151 acres located in the SE quadrant of Canby be annexed into the Canby City limits?

SUMMARY: Annexation is the legal process to bring property inside the City limits. The owners of 15 tax lots have proposed the following tax lots for annexation: lots 00100, 00300, 00301, 00400, 00500, 00600, 00800, 01600, 01800, 02000, 02100, 02101, 02200 and 02500 of tax map 3-1E-34, and lot 01001 of tax map 4-1E-03. The lots are generally bordered by and include SE 1st Avenue on the north, Mulino Road on the east and S. Township Road on the south 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 Seifried
Chauncey Seifried
Canby City Recorder, Pro Tem

1-8-03
Date