

## **RESOLUTION NO. 818**

**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 4 ACRES DESCRIBED AS TAX LOT 1400 OF TAX MAP 3-1E-28CD LOCATED IN THE NORTHEAST QUADRANT OF THE CITY, ON THE SOUTH SIDE OF NE TERRITORIAL AND WEST SIDE OF N. JUNIPER STREET; 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 20, 2003 ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by SR Management on behalf of Jim Thielen, owner of tax lot 1400 of Tax Map 3-1E-28CD, to annex 4 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 May 20, 2003 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:

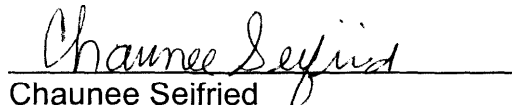
1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the May 20, 2003 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by 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 May 20, 2003 election.

ADOPTED this 5 day of February 5, 2003, by the Canby City Council.

  
Melody Thompson - Mayor

ATTEST:

  
Chaunee Seifried  
City Recorder, Pro-Tem

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

MEASURE APPROVING ANNEXATION OF 4 ACRES  
INTO THE CITY OF CANBY

Measure No. 3-100

Word Total 312 (500 max)

This measure would approve the annexation of 4 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 1400 of Tax Map 3-1E-28CD and is located generally in the northeast part of the City. Tax Lot 1400 is located at 185 NE Territorial Road, near the corner of Territorial Road and N. Juniper Street. Tax lot 1400 is currently zoned RRFF-5 (Rural Residential, Farm and Forest). If annexation into the City is approved by the voters, the property would be rezoned Low Density Residential as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lot 1400 is owned by Jim Thielen. Michael S. Smith of SR Management has filed the application for annexation on behalf of the owner as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

The 4 acre parcel is surrounded on the west, south and east by residential properties within the City limits. Properties to the north are outside the City's Urban Growth Boundary. The lot presently contains one single family residence. Under the current zoning regulations, future development would allow up to nineteen lots to be developed. 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". This lot is designated Priority "A" property. Both the Canby Planning Commission and the Canby City Council unanimously approved this annexation application.

CITY OF CANBY

Chaunee Seifried  
Chaunee Seifried  
Canby City Recorder - Pro tem

2-6-03  
Date

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

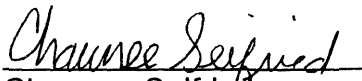
Notice is hereby given that on Tuesday, May 20, 2003, an election will be held in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

**CAPTION: MEASURE APPROVING ANNEXATION OF 4 ACRES INTO CITY OF CANBY**

**QUESTION:** SHALL 4 ACRES LOCATED ON NE TERRITORIAL, WEST OF N JUNIPER BE ANNEXED INTO CANBY?

**SUMMARY:** Annexation is the legal process to bring property inside the City limits. Michael S. Smith of SR Management, on behalf of property owner Jim Thielen, has filed an application asking the City to bring 4 acres of property into the City limits. The legal description of the property is Tax Lot 1400 of Tax Map 3-1E-28CD, located on the south side of NE Territorial Road and west side of N. Juniper Street. Properties surrounding this tax lot on the west, south and east are all within the City limits. Properties to the north are outside the City's Urban Growth Boundary. This application has previously been approved by the Planning Commission and City Council. The property currently contains one single family residence. The City's Zoning Map calls for low density residential for the property upon annexation. Although no development is proposed at this time, future development would allow up to 19 new single family lots. Any further 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.

  
Chaunee Seifried,  
Canby City Recorder

\_\_\_\_\_  
Date