

## **RESOLUTION NO. 939**

**A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 7, 2006 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 73.35 ACRES DESCRIBED AS TAX LOTS 100, 101, 102 & 103 OF TAX MAP 4-1E-03 LOCATED IN THE SOUTHWEST QUADRANT OF THE CITY, NORTH OF SW 13<sup>TH</sup> AVE, WEST OF MULINO ROAD AND SOUTH OF S TOWNSHIP ROAD, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.**

**WHEREAS**, on November 7, 2006, at a general election, the voters of the City of Canby approved by a vote of 3256 to 2221 Measure No. 3-225 which called for the annexation of 73.35 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 22, 2006. Applicant for the property was Weygandt, LLC, R.A. Weygandt & Patsy Weygandt and Lisa M. Weygandt, property owners. The property is more particularly described as Tax Lots 100, 101, 102 & 103 of Tax Map 4-1E-03. A complete legal description of each tax lot is attached hereto as Exhibit "A", and a map showing the location of the tax lots is attached hereto as Exhibit "B" and by this reference all are 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** by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 22, 2006, are official and accepted by the Council of Canby; and it is hereby

**PROCLAIMED** by the Council of Canby that 73.35 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed into the corporate limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal descriptions set forth in Exhibit "A".

This resolution shall take effect on December 6, 2006.

ADOPTED this 6<sup>th</sup> day of December, 2006, by the Canby City Council.

  
Melody Thompson - Mayor

ATTEST:

  
Kimberly Scheaffer City Recorder Pro-Tem



**GAYLORD**  
LAND SURVEYING, INC.

- Surveying Oregon Since 1970 -

2910 S.E. Oak Grove Blvd. • Milwaukie, OR 97267

Phone 503-654-1492 • Fax 503-654-7878

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March 31, 2006

**LEGAL DESCRIPTION FOR WEYGANDT ANNEXATION**

LEGAL DESCRIPTION FOR A PROPOSED ANNEXATION TO THE CITY OF CANBY IN THE NORTHEAST ONE QUARTER OF SECTION 3, T4S, R1E, W.M., CITY OF CANBY, CLACKAMAS COUNTY, OREGON. THE BOUNDARY OF THE SAID ANNEXATION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 3, T4S, R1E, W.M.; THENCE SOUTH  $89^{\circ}59'09''$  WEST 1319.94 FEET TO THE EAST ONE SIXTEENTH CORNER BETWEEN SECTION 3 AND 34 AT THE NORTHWEST CORNER OF GOVERNMENT LOT 1; THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 1, BEING ALSO THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER, SOUTH  $00^{\circ}30'53''$  WEST 1267.04 FEET TO A POINT IN THE NORTHEAST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS CONVEYED TO THE PORTLAND, EUGENE AND EASTERN RAILWAY COMPANY AND DESCRIBED BY DEED BOOK 124, PAGE 489, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID RIGHT OF WAY SOUTH  $39^{\circ}48'34''$  EAST 1837.79 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHEAST ONE QUARTER OF SECTION 3; THENCE ALONG THE SAID SOUTH LINE OF THE NORTHEAST ONE QUARTER NORTH  $89^{\circ}57'08''$  EAST 123.79 FEET MORE OR LESS TO THE EAST ONE QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EAST LINE OF SECTION 3, NORTH  $00^{\circ}39'40''$  EAST 2679.14 FEET TO THE POINT OF BEGINNING. CONTAINING 61.69 ACRES MORE OR LESS.

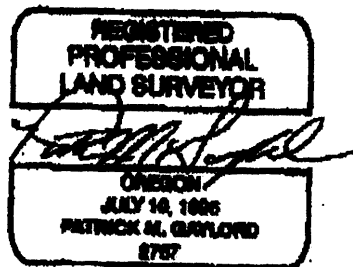
TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:

BEGINNING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO RAYMOND A. WEYGANDT AND PATRICIA A. WEYGANDT BY DEED RECORDED IN DEED BOOK 683 PAGE 340, CLACKAMAS COUNTY DEED RECORDS WHICH BEARS SOUTH  $89^{\circ}57'08''$  WEST ALONG THE SOUTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 3, T4S, R1E, W.M., 563.10 FEET MORE OR LESS FROM THE EAST ONE QUARTER CORNER OF SECTION 3; THENCE NORTH  $00^{\circ}39'40''$  EAST PARALLEL TO THE EAST LINE OF SECTION 3, T4S, R1E, W.M., 397.04 FEET TO A POINT IN THE SOUTHWEST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS CONVEYED TO THE PORTLAND, EUGENE AND EASTERN RAILWAY COMPANY AND DESCRIBED BY DEED BOOK 124, PAGE 489, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID SOUTHWEST LINE NORTH  $39^{\circ}48'34''$  WEST 1171.32 FEET TO A POINT 7.00 FEET WEST, AS MEASURED AT RIGHT ANGLES, OF THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER; THENCE SOUTH  $00^{\circ}30'53''$  WEST PARALLEL TO THE

EXHIBIT "A"

SAID WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER  
1297.48 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHEAST ONE QUARTER;  
THENCE ALONG THE SAID SOUTH LINE NORTH 89°57'10" EAST 7.00 FEET TO THE  
CENTER-EAST ONE SIXTEENTH CORNER OF SECTION 3; THENCE CONTINUING  
ALONG THE SAID SOUTH LINE NORTH 89°57'10" EAST 750.00 FEET TO THE SAID  
SOUTHERLY SOUTHEAST CORNER OF DEED BOOK 683 PAGE 340. CONTAINING  
14.74 ACRES MORE OR LESS.

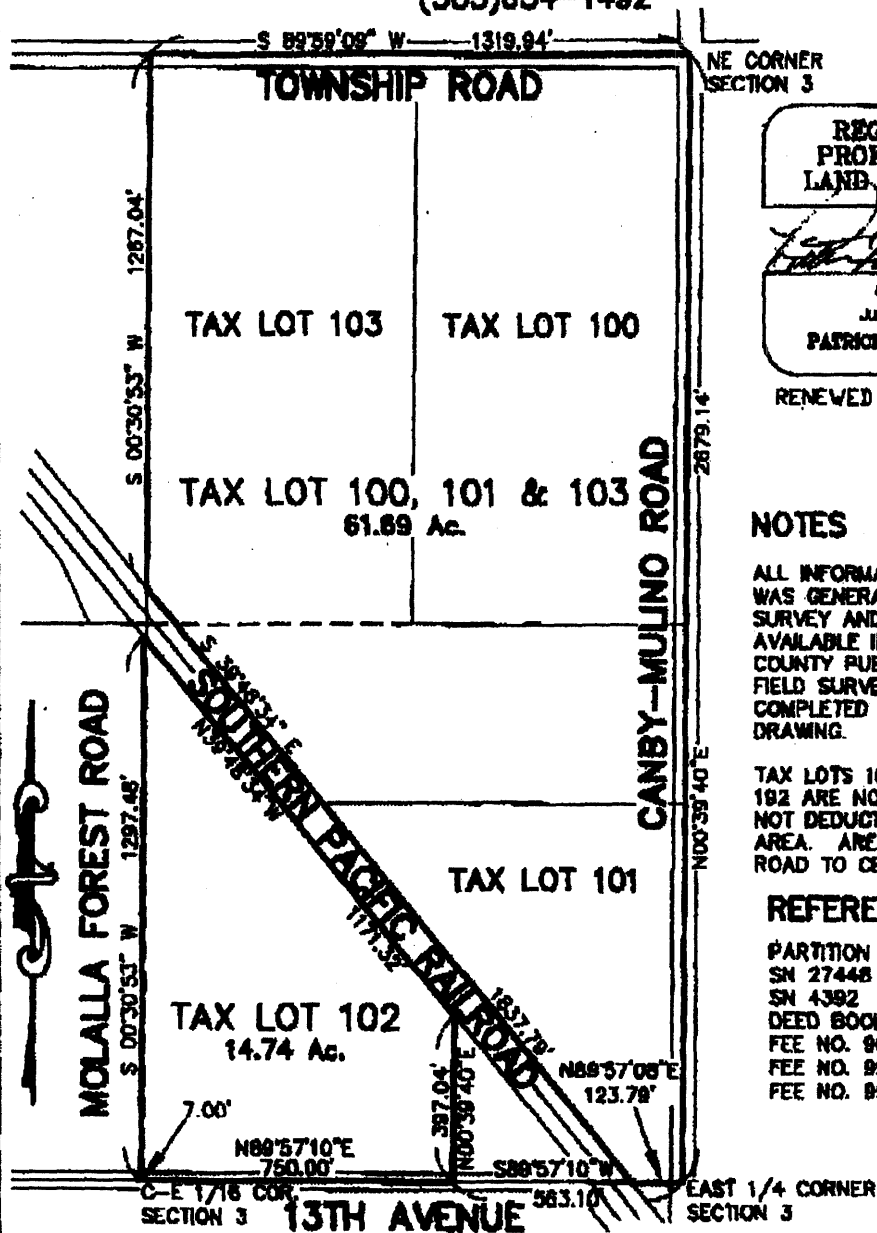
THE TOTAL COMBINED AREA OF THE ABOVE DESCRIBED PARCELS BEING 76.43  
ACRES MORE OR LESS.



**ANNEXATION EXHIBIT FOR THE  
BUZZ AND PATSY WEYGANDY PROPERTY  
IN THE NE1/4 OF SECTION 3, T4S, R1E, W.M.  
CITY OF CANBY, CLACKAMAS COUNTY, OREGON**

SCALE 1" = 200'      MARCH 31, 2006

GAYLORD LAND SURVEYING, INC.  
2910 S.E. OAK GROVE BLVD.  
MILWAUKIE, OREGON 97267  
(503)654-1492



**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*Patrick M. Gaylord*

OREGON  
JULY 10, 1996  
PATRICK M. GAYLORD  
2767

RENEWED THRU 06/30/07

**NOTES**

ALL INFORMATION SHOWN HERE WAS GENERATED FROM RECORD SURVEY AND DEED INFORMATION AVAILABLE IN THE CLACKAMAS COUNTY PUBLIC RECORDS. NO FIELD SURVEYING WAS COMPLETED TO PREPARE THIS DRAWING.

TAX LOTS 1091, 193, 180 AND 182 ARE NOT SHOWN AND ARE NOT DEDUCTED FROM TOTAL AREA. AREAS SHOWN INCLUDE ROAD TO CENTERLINE.

**REFERENCES**

PARTITION PLAT NO. 1993-055  
SN 27448  
SN 4392  
DEED BOOK 683 PAGE 340  
FEE NO. 90-51422  
FEE NO. 99-089726  
FEE NO. 99-089727