

RESOLUTION NO. 995

A RESOLUTION AUTHORIZING THE CANBY CITY ADMINISTRATOR TO EXECUTE A PARTITION PLAT ON BEHALF OF THE CITY OF CANBY FOR FILING WITH CLACKAMAS COUNTY

WHEREAS, the Canby City Council decided that certain real property located at 1504 N. Maple Street in Canby, Oregon was no longer needed for public use by Resolution 975 on May 21, 2008 and that said property should be partitioned into three lots and offered for sale to the public through a public bid process; and

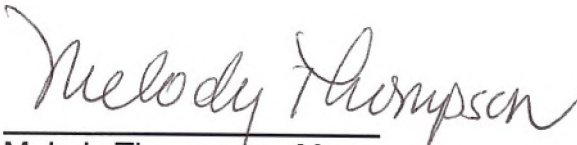
WHEREAS, the Canby Planning Commission, following a public hearing on April 28, 2008, granted the partition as part of an application from the City; and

WHEREAS, Clackamas County requires approval from the City Council authorizing the City Administrator to execute the partition plat to be filed with Clackamas County;

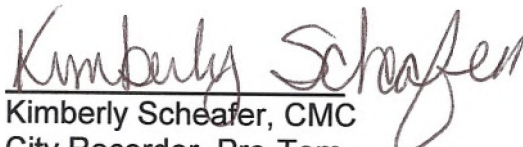
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the City Administrator is authorized to execute a partition plat on behalf of the City. A copy of the partition plat is attached hereto as Exhibit "A" and by this reference incorporated herein.

This Resolution shall take effect on June 18, 2008.

ADOPTED this 18th day of April, 2008, by the Canby City Council.


Melody Thompson - Mayor

ATTEST:


Kimberly Scheafer, CMC
City Recorder, Pro-Tem

PARTITION PLAT
A PORTION OF LOT 55, CANBY GARDENS
LOCATED IN THE NORTHEAST ONE-QUARTER
OF THE NORTHEAST ONE-QUARTER
SECTION 33, T.3S., R.1E., W.M., CITY OF CANBY,
CLACKAMAS COUNTY, OREGON

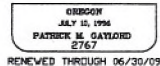
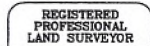
CITY OF CANBY PLANNING DEPARTMENT FILE NUMBER MLP 08-02
SURVEYED MAY 15, 2008
JOB: CBY-01

PARTITION PLAT NO. _____

SURVEYORS CERTIFICATE

I, PATRICK M. GAYLORD, DO HEREBY CERTIFY AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ANNEXED PARTITION PLAT IN THE NORTHEAST QUARTER OF SECTION 33, T3S, R1E, W1M, CITY OF CANBY, CLACKAMAS COUNTY, OREGON, THE BOUNDARY OF WHICH IS DESCRIBED AS FOLLOWS: BEGINNING AT THE INITIAL POINT, BEING A 5/8 INCH IRON ROD WITH ALUMINUM CAP MARKED "HMPR INC" WHICH BEARS S00°01'35"W 329.85 FEET AND S89°59'50"E 310.00 FEET FROM A 5/8" IRON ROD WITH NO CAP AT THE NORTHWEST CORNER OF THE PLAT OF "AMRINE ADDITION", PLAT NO. 1752, CLACKAMAS COUNTY PLAT RECORDS, AND BEING A POINT IN THE EAST RIGHT OF WAY LINE OF NORTH MAPLE STREET; THENCE S00°01'35"E 90.00 FEET TO A 5/8 INCH IRON ROD WITH ORANGE PLASTIC CAP MARKED "HMPR INC"; THENCE N89°59'50"W 310.00 FEET TO A 5/8 INCH IRON ROD WITH ORANGE PLASTIC CAP MARKED "HMPR INC" AND BEING A POINT IN THE EAST RIGHT OF WAY LINE OF NORTH MAPLE STREET; THENCE N00°01'35"W ALONG SAID EAST RIGHT OF WAY LINE 90.00 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE; THENCE S89°59'50"E 310.00 TO THE INITIAL POINT.

CONTAINING 0.62 ACRES.



CONDITIONS AND RESTRICTIONS

1. THIS PLAT IS SUBJECT TO THE CITY OF CANBY PLANNING DEPARTMENT FILE NO. MLP 08-02
2. PARCEL 1 IS SUBJECT TO A 10' WIDE RIGHT-OF-WAY DEDICATION ALONG ITS WESTERN PROPERTY LINE, AS SHOWN.
3. PARCELS 2 AND 3 ARE SUBJECT TO A 10' RECIPROCAL ACCESS & UTILITY EASEMENT, AS SHOWN.
4. PARCELS 2 AND 3 ARE SUBJECT TO A JOINT OWNERSHIP AND MAINTENANCE AGREEMENT OVER THE RECIPROCAL ACCESS EASEMENT RECORDED AS DOCUMENT NO. _____, CLACKAMAS COUNTY DEED RECORDS.
5. PARCELS 1 AND 2 ARE SUBJECT TO A 10 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTH PROPERTY LINE, AS SHOWN.
6. PARCEL 3 IS SUBJECT TO A 6 FOOT PUBLIC UTILITY EASEMENT ALONG THE NORTH PROPERTY LINE, AS SHOWN.
7. A MINIMUM OF ONE STREET TREE SHALL BE REQUIRED ON THE FRONTAGE OF N. MAPLE STREET. PLACEMENT OF THE STREET TREE SHALL BE APPROVED BY PUBLIC WORKS PER CANBY MUNICIPAL CODE 12.32.050.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS: THAT, THE CITY OF CANBY, A MUNICIPAL CORPORATION, IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS WITH EASEMENTS AS SHOWN ON THE ANNEXED MAP AND HEREBY DEDICATE ALL ROADS AND STREETS TO THE PUBLIC FOREVER FOR ROAD PURPOSES. THERE ARE OTHER RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT. THIS PLAT COMPLIES WITH CHAPTER 92 OF THE OREGON REVISED STATUTES. THE DECLARANT MAKES NO CLAIM TO LANDS BEYOND THE LINES AS SURVEYED.

MARK A. ADCOCK, CITY ADMINISTRATOR
CITY OF CANBY, A MUNICIPAL CORPORATION

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY MARK A. ADCOCK, CITY ADMINISTRATOR FOR THE CITY OF CANBY, A MUNICIPAL CORPORATION.

NOTARY SIGNATURE

NOTARY PUBLIC OF OREGON

COMMISSION NO. _____

MY COMMISSION EXPIRES _____/_____/200____

APPROVALS

FILE NO. MLP 08-02

APPROVED THIS _____ DAY OF _____, 200____

BY _____
DIRECTOR, CITY OF CANBY PLANNING DEPARTMENT

APPROVED THIS _____ DAY OF _____, 200____

CLACKAMAS COUNTY SURVEYOR; AND
CLACKAMAS COUNTY BOARD OF COMMISSIONERS
DELEGATE PER COUNTY CODE CHAPTER 11.02

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES
AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH
JUNE 30, _____

APPROVED THIS _____ DAY OF _____, 200____

CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY _____
DEPUTY

MEDIA CERTIFICATE

I, PATRICK M. GAYLORD, CERTIFY THAT THIS SURVEY
WAS PREPARED WITH HP 51645A INK ON OGE
86-8342 INK JET FILM

PATRICK M. GAYLORD, PLS 2767

STATE OF OREGON } SS
COUNTY OF CLACKAMAS

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS
RECEIVED FOR RECORD ON THE _____ DAY
OF _____, 200____ AT _____ O'CLOCK ____ M.

SHERY HALL, CLACKAMAS COUNTY CLERK

BY _____
DEPUTY

PLAT NO. _____

DOCUMENT NO. _____