

Ordinance No. 498

Read on final reading by the City Attorney
at a regular Council meeting on Monday,
August 15, 1966.

Ordered tabled by a unanimous vote of
the City Council at the same meeting.


City Recorder

ORDINANCE NO. 498

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY.

WHEREAS, an Application was filed with the Canby City Recorder on May 16, 1966, by Lloyd Bousman, Inc., owner of the real property hereinafter described, to amend the zoning map of the City of Canby for the purpose of changing the classification of the zone in which the following described real property is located from R-1 (Low Density Residential Zone) to a R-2 (Medium Density Residential Zone), and the application fee as required by Section 32 of Ordinance No. 452 (the City's Zoning Ordinance) has been paid. The following is a description of the area which consists of more than ten (10) acres of land for which the Application was filed for a zone change, to-wit:

A tract of land lying in the SW 1/4 of Section 27 and the SE 1/4 of Section 28, T. 3 S., R. 1 E. of the W.M. in the County of Clackamas and State of Oregon, being a part of that tract of land conveyed to Mary L. Collins, et al, deed recorded in Book 377, Page 429, Deed Records of Clackamas County, Oregon, and which tract of land is more particularly described as follows:

Beginning at the intersection of the center line of Territorial Road with the center line of the Molalla Forest Road, said point of beginning being the Southeast corner of the parcel of land herein described; thence South 69° 03' West along the center line of said Territorial Road a distance of 686.76 feet; thence North 20° 57' West 30 feet to the north boundary of Territorial Road; which point is further defined as North 69° 03' East a distance of 378.00 feet along the north boundary of Territorial Road from the Southeast corner of Lot One in Country Club Estates as recorded in Book 32, Page 27, Record of Plats for Clackamas County, Oregon. Thence North 15° 22' 45" West 229.09 feet; thence North 04° 03' 00" East 215.94 feet; thence North 25° 26' 15" East 116.14 feet; thence North 38° 54' 15" East 92.73 feet; thence North 50° 53' 00" East 202.23 feet; thence North 52° 37' 00" East 433.20 feet; thence South 86° 59' 30" East 88.97 feet to the center line of the Molalla Forest Road; thence South 00° 02' West along the center line of the said Molalla Forest Road a distance of 781.23 feet to the intersection of the centerline of Territorial Road, the true point of beginning, containing 11.26 acres more or less, excepting therefrom that portion of the above described property lying within the boundaries of the Territorial Road, a public road, and within the boundaries of the Molalla Forest Road, a private road, and being further defined as being a portion of Parcel "A" as recorded in Book 358, Page 92, Record of Deeds, Clackamas County, Oregon.

WHEREAS, before taking final action on the said Application and the proposed amendment, the Canby City Planning Commission held a public hearing thereon, and said hearing was conducted on Friday, June 3, 1966, at the hour of 8:30 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall in Canby, Clackamas County, State of Oregon, and proper notice of the time, place and purpose of such hearing was duly given in the manner and for the time required by Section 33 (1), (a) of the City's Zoning Ordinance No. 452, and an Affidavit of the publication of the Notice of said hearing was duly filed with the Canby City Recorder. Said Notice was published once a week for two (2) consecutive weeks in the Canby Herald, a newspaper of general circulation printed and published in Canby, Clackamas County, Oregon, and the first publication was made on May 26, 1966, and the last publication on June 2, 1966; and

WHEREAS, the Canby City Planning Commission at the time and place of the public hearing on such matter, heard and considered arguments for and against the proposed zone change; and upon the conclusion of the hearing by motion duly made, seconded and unanimously carried, recommended to the Canby City Council that the Application of the said Lloyd Bousman, Inc. be approved, and that the proposed amendment to the City Zoning Map be made, and that the zone classification of the above described real property be changed from that of R-1 (Low Density Residential Zone) to that of R-2 (Medium Density Residential Zone); whereupon a written report and recommendation of the Canby City Planning Commission was duly made and filed with the Canby City Council; and

WHEREAS, the Canby City Council held a public hearing on the said Application and the proposed amendment as required by the provisions of Section 33 (3) of the City Zoning Ordinance No. 452, and said public hearing was held on the 24th day of June, 1966, at the hour of 8:00 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall after proper notice thereof was duly given in the

manner and for the time required by the said Zoning Ordinance and O.R.S. 227.260, and proof of the publication of such Notice in the Canby Herald, a newspaper of general circulation printed and published in Canby, Clackamas County, State of Oregon, is on file in the office of the Canby City Recorder as a part of the records and file of this matter; and

WHEREAS, there were no objections to or remonstrances against the said Application and the proposed amendment at said public hearing before the Canby City Council, and the Council after due consideration and deliberation on the matter and after having reviewed and considered the reports and recommendations of the Canby City Planning Commission, determined that it would be in the best interests of the City and the inhabitants thereof if the said Application were approved, and the proposed zone change and amendment to the City's Zoning Map were made as applied for; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: That the zoning map of the City of Canby dated July 15, 1963, and adopted as a part of the City Zoning Ordinance No. 452 adopted July 15, 1963, shall be and the same is hereby amended and changed so that the zone boundaries of the R-2 (Medium Density Residential Zone) shall now include the following described real property, to-wit:

A tract of land lying ⁱⁿ the SW 1/4 of Section 27 and the SE 1/4 of Section 28, T. 3 S., R. 1 E. of the W.M. in the County of Clackamas and State of Oregon, being a part of that tract of land conveyed to Mary L. Collins, et al, deed recorded in Book 377, Page 429, Deed Records of Clackamas County, Oregon, and which tract of land is more particularly described as follows:

Beginning at the intersection of the center line of Territorial Road with the center line of the Molalla Forest Road, said point of beginning being the Southeast corner of the parcel of land herein described; thence South 69° 03' West along the center line of said Territorial Road a distance of 686.76 feet; thence North 20° 57' West 30 feet to the north boundary of Territorial Road; which point is further defined as North 69° 03' East a distance of 378.00 feet along

the north boundary of Territorial Road from the Southeast corner of Lot One in Country Club Estates as recorded in Book 32, Page 27, Record of Plats for Clackamas County, Oregon. Thence North 15° 22' 45" West 229.09 feet; thence North 04° 03' 00" East 215.94 feet; thence North 25° 26' 15" East 116.14 feet; thence North 38° 54' 15" East 92.73 feet; thence North 50° 53' 00" East 202.23 feet; thence North 52° 37' 00" East 433.20 feet; thence South 86° 59' 30" East 88.97 feet to the center line of the Molalla Forest Road; thence South 00° 02' West along the center line of the said Molalla Forest Road a distance of 781.23 feet to the intersection of the centerline of Territorial Road, the true point of beginning, containing 11.26 acres more or less, excepting therefrom that portion of the above described property lying within the boundaries of the Territorial Road, a public road, and within the boundaries of the Molalla Forest Road, a private road, and being further defined as being a portion of Parcel "A" as recorded in Book 358, Page 92, Record of Deeds, Clackamas County, Oregon;

and upon the adoption of this Ordinance said property shall thereupon be classified as a R-2 Zone and not as an R-1 Zone.

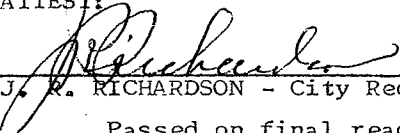
Section 2: The City Superintendent and the City Recorder are hereby authorized and directed to make the appropriate changes in the City Zoning Map.

Section 3: It being deemed by the Canby City Council that an emergency exists, this Ordinance shall take effect immediately upon its final reading and passage by the Canby City Council.

Passed on first reading of the Canby City Council at a regular meeting thereof held on the 18th day of July, 1966; ordered posted as provided by the Canby City Charter and to come up for final reading and action of the Canby City Council at a regular meeting thereof to be held on Monday, August 15, 1966, at the hour of 8:00 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall.


FRED STEFANI - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder

Passed on final reading of the Canby City Council at a regular meeting thereof held on this 15th day of August, 1966, by the following vote: Yeas ____ . Nays ____ .

ATTEST:

FRED STEFANI - Mayor