

ORDINANCE No. 443

CITY OF CANBY
CLACKAMAS COUNTY, OREGON
OFFICE OF THE CITY CLERK
100 NORTH CHEVY ST.
CANBY, OREGON 97001

AN ORDINANCE PERMITTING THE CONTINUED ENCROACHMENT OF CERTAIN BUILDINGS THAT OVERLAP ON CITY STREETS.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: WHEREAS, the buildings located on the Southeasterly fifty (50) feet of LOT 1, BLOCK 4, and all of LOTS 2 and 3, BLOCK 4, CANBY, Clackamas County, State of Oregon, encroach upon North Fir Street, approximately 0.80 feet, and also encroach upon North First Avenue, a varied distance being 0.58 feet at the Southeasterly corner of LOT 1, 0.84 feet at the corner of LOTS 1 and 2, .80 feet on the South line of LOT 2 at a point 7.0 feet Northeasterly of the corner between LOTS 2 and 3, and 0.82 feet on the South line of LOT 3 at a point 1.34 feet Northeasterly of the corner between LOTS 3 and 4 in said BLOCK, and

WHEREAS, the encroachment of said buildings on said streets has continued for several years without any prior complaint by the City of Canby or the adjoining property owners and it would be a severe hardship on the owners of said properties to require a removal and set-back of their respective buildings at this time and it is deemed by the City Council to be in the public interest that the continued encroachment of said buildings on the City street property be continued for an additional period of time,

NOW, THEREFORE, The Common Council for the City of Canby hereby grants to the present owners of said buildings and their respective heirs, executors, administrators and assigns, an EASEMENT only for the life of said buildings upon, over and in that portion of the City streets upon which the buildings encroach. Provided that if any of said buildings are torn down or are substantially remodeled to the extent that the exterior walls thereof are altered, then the walls of any replaced or remodeled buildings shall be set back to the property line.

Section 2: It being deemed by the Council for the City of Canby that an emergency exists, this Ordinance shall take effect immediately upon its final passage by the Council and approval by the Mayor.

Passed on first reading at a regular meeting of the Canby City Council this 17th day of March, 1958; ordered posted in three (3) public and conspicuous places for a period of two (2) full calendar weeks as required by City Charter and to come up for final reading and action by the City Council at a regular meeting thereof to be held on the 7th day of April, 1958.

ATTEST: Bertha E. Dedman
Bertha E. Dedman - Mayor
F. G. Lawrence
F. G. Lawrence - City Recorder

Passed by the Canby City Council on final reading this 7th day of April, 1958, by the following vote: YEAS: 5 NAYS: 0

APPROVED:
ATTEST: Bertha E. Dedman
Bertha E. Dedman - Mayor
F. G. Lawrence
F. G. Lawrence - City Recorder

