

ORDINANCE NO. 444

AN ORDINANCE ANNEXING ADJOINING LANDS TO THE CITY OF CANBY

WHEREAS, The Common Council for the City of Canby, Oregon, has heretofore proposed to extend the boundaries of said City by the annexation of a contiguous territory, all of which lies wholly within Clackamas County, State of Oregon, and no part of which is now within the City; and

WHEREAS, The Canby City Council elected to dispense with submitting the question of annexation to the registered voters of the City as permitted by Oregon Revised Statutes 222.120, and adopted Ordinance No. 442 on the 23rd day of July, 1962, which said Ordinance fixed Monday, August 13, 1962, as a day for a public hearing before the Canby City Council at which time the registered voters of the City could appear and be heard on the question of annexation; and

WHEREAS, The Canby City Council caused notice of such hearing to be published once each week for two successive weeks prior to the day of hearing in the Canby Herald, a newspaper of general circulation printed and published in the City of Canby; and that notice of such hearing was also posted in four public places in the City for a like period, and affidavits of such publications and postings are on file in the office of the Canby City Recorder; and

WHEREAS, Prior to the 13th day of August, 1962, the same being the scheduled date for the public hearing on the question of annexation, one hundred (100) per cent of the land owners who also own one hundred (100) per cent of the land in the contiguous territory and of real property therein representing one hundred (100) per cent of the assessed value of all real property in said contiguous territory expressly consented in writing to the annexation, and a statement of their consent was duly filed with the Canby City Council on the 17th day of July, 1962, and such consent is on record in the office of the Canby City Recorder; and

WHEREAS, The public hearing on the question of annexation was duly and regularly held at the time and place scheduled, and registered voters of the City appeared and were heard on the question of annexation, and after such hearing it was determined by the City Council that there were not sufficient remonstrances to the proposed annexation and that the annexation should be concluded by appropriate ordinance; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: That the following described territory contiguous to the City of Canby, all of which land is in the County of Clackamas, State of Oregon, is hereby added, taken into, and made a part of the City of Canby:


Beginning at a point in the center of the Territorial Road in Section 28, Township 3 South, Range 1 East of the Willamette Meridian, in Clackamas County, State of Oregon, which point is due North of the Northeast corner of Lot 59, Canby Gardens; running thence South to the Northeast corner of said Lot 59; thence continuing South along the East line of Lots 59, 58 and 57, Canby Gardens, to the Southeast corner of Lot 57, Canby Gardens; thence West along the South line of Lots 57 and 48 to the Southwest corner of Lot 48, Canby Gardens; thence North along the West line of said Lot 48 and along the West line of Lots 47 and 46, Canby Gardens, to the South line of Territorial Road; thence Northeasterly along the Southerly line of said Road and the Northerly line of Lot 46 to the Northerly terminus of the West line of Amrine Road; thence North to the center of the Territorial Road; thence North  $78^{\circ} 24'$  East along said centerline 20 feet more or less to an iron pipe set at the Southwest corner of that tract conveyed to Mary L. Collins et al by deed recorded September 26, 1946 in Deed Book 377 page 429, records of Clackamas County, Oregon. Thence North along the West line of said Collins tract 5893.8 feet to an angle corner on the West line of said Collins tract; thence North  $8^{\circ} 30'$  East 654 feet more or less to an iron pipe at the most Westerly corner of the tract conveyed to Crown Zellerbach Corp. by deed recorded May 23, 1946 in Book 368 page 33; thence South  $45^{\circ} 26'$  East along the South line of said Crown Zellerbach Tract to an intersection with the Southerly line of the Molalla Forest Road as said roadway is described in Deed Book 358 at page 92; thence Southeasterly and Southerly along said right of way line to an intersection of said line with the centerline of the Territorial Road; thence South  $68^{\circ} 45'$  West along the said centerline to the place of beginning..

Section 2: That on the taking effect of this Ordinance, the corporate limits and boundary lines of the City of Canby shall be as hereinafter described, to-wit:

Beginning at a point in the section line between Section 29 and 32 in Township 3 South, Range 1 East of the Willamette Meridian in the center of the main channel of the Molalla River; thence East to the Southwest corner of Lot 48, CANBY GARDENS; thence North along the West line of said Lot 48 and along the West line of Lots 47 and 46, CANBY GARDENS to the South line of Territorial Road; thence Northeasterly along the Southerly line of said Road and the Northerly line of Lot 46, CANBY GARDENS, to the Northerly terminus of the West line of Amrine Road; thence North to the center of the Territorial Road; thence North 78° 24' East along said centerline 20 feet more or less to an iron pipe set at the Southwest corner of that tract conveyed to Mary L. Collins, et al by Deed recorded September 26, 1946, in Deed Book 377, Page 429, Records of Clackamas County, Oregon; thence North along the West line of said Collins tract 5,893.8 feet to an angle corner on the West line of said Collins tract; thence North 8° 30' East 654 feet more or less to an iron pipe at the most Westerly corner of the tract conveyed to Crown Zellerbach Corporation by Deed recorded May 23, 1946, in Book 368, Page 33, Clackamas County Deed Records; thence South 45° 26' East along the South line of said Crown Zellerbach tract to an intersection with the Southerly line of the Molalla Forest Road as said roadway is described in Deed Book 358 at Page 92, Clackamas County Deed Records; thence Southeasterly and southerly along said right-of-way line to an intersection of said line with the center line of Territorial Road; thence South 68° 45' West along the said centerline to a point which is due North of the Northeast corner of Lot 59, CANBY GARDENS; running thence South to the Northeast corner of said Lot 59; thence continuing South along the East line of Lots 59, 58 and 57, CANBY GARDENS, to the Southeast corner of Lot 57, CANBY GARDENS; thence East to the Northeast corner of Section 33, Township 3 South, Range 1 East of the Willamette Meridian; thence South to the Southeast corner of the Northeast Quarter of Section 4, Township 4 South, Range 1 East of the Willamette Meridian; thence West 60 chains to the angle corner in L. D. Cross Claim; thence South 20 chains; thence West to the center of the main channel of the Molalla River; thence down the center of the main channel of said River to the place of beginning.

Passed on first reading at a regular meeting of the Canby City Council held on the 4th day of September, 1962; ordered published at full length in the Canby Herald once each week for two consecutive weeks 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 the 1st day of October, 1962.

ATTEST:

  
J. R. RICHARDSON - City Recorder

  
EARL OLIVER - Mayor

Passed on final reading at a regular meeting of the Canby

City Council held on the 1st day of October, 1962, by the following  
vote: Yeas 5, Nays 0. *ABSENT*

Approved by the Mayor for the City of Canby this 5<sup>TH</sup> day  
of October, 1962.

  
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EARL OLIVER - Mayor

ATTEST:

  
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J. R. RICHARDSON - City Recorder