

ORDINANCE NO. 604

AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ACQUIRE BY PURCHASE A PARCEL OF REAL PROPERTY; PROVIDING FOR PAYMENT OF THE PURCHASE PRICE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby anticipates a future need for more real property to enlarge its sewage treatment plant and sewage disposal facilities and also for other municipal facilities and purposes; and

WHEREAS, the United States National Bank of Oregon and others as Trustees under the terms of the Last Will and Testament of Truman W. Collins, Deceased, has offered to sell to the City for \$60,000 cash, without limitations or restrictions on use or title, that property hereinafter described which consists of approximately 33.63 acres of land and timber without improvements which is immediately south of and adjacent to the City's sanitary sewer treatment and disposal plant; and

WHEREAS, the Canby City Council has investigated all particulars and obtained an independent appraisal, and has determined that the property is desirable, the price is reasonable and funds are available; now, therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: That the City acquire by purchase for cash in the amount of SIXTY THOUSAND DOLLARS (\$60,000.00) the following described real property located in Canby, Clackamas County, Oregon, presently owned by Grace C. Goudy, The Heirs at Law and/or Devisees of the Estate of Mary L. Collins, Deceased, and the Trustees of the Estate of Truman W. Collins, Deceased, and more particularly described as follows, to-wit:

Part of the West one-half of Section 27, T.3S.,R.1E. of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at the Southeast corner of that certain tract of land conveyed to Mary L. Collins, et al, by Deed recorded in Book 377, page 429, Deed Records; thence from the Southeast corner of said Collins tract North along the East line of said tract, 1677.89 feet to the most Southerly Southeast corner of the tract conveyed to the City of Canby, by instrument recorded May 29, 1970 as Recorder's Fee No. 70-10260 through 70-10262, Film Records; thence West along the Southerly line of said City of Canby tract 740.42 feet to the East line of the Molalla Forest Road, as described in instrument recorded April 26, 1967 in Book 689, page 101, Deed Records; thence Southerly along the Easterly line of said Molalla Forest Road to a point in the center of the Oregon City-Salem Territorial Road in said Section 27; thence Northeasterly along said center line 852.00 feet, more or less, to the point of beginning.

TOGETHER WITH a permanent non-exclusive easement, including the terms and provisions thereof, as set forth in instrument recorded April 26, 1967 in Book 689, page 101, Deed Records.

Section 2: That the purchase price, the City's share of closing costs and the costs of appraisal and timber cruise by Donald S. Hattan & Associates in the sum of \$1,000.00 be paid from the City's SEWER SINKING FUND.

Section 3: Inasmuch as this Ordinance is necessary for the peace, health, safety and general welfare of the City of Canby, an emergency is hereby declared to exist, and this Ordinance shall take effect immediately upon its final reading and enactment by the City Council.

Passed on first reading at a regular meeting of the Canby City Council held on Monday, March 1, 1976; ordered posted in three (3) public and conspicuous places for a period of two (2) full calendar weeks as required by the Canby City Charter; and to come up for final reading and action of the Canby City Council at a

meeting thereof to be held on Monday, the day of
March, 1976, at the hour of 8:00 o'clock p.m. at the Canby City
Hall.

Paul N. Roth
PAUL N. ROTH - Mayor

ATTEST:

Harold A. Wyman
HAROLD A. WYMAN - City Recorder

Passed on second and final reading at a meeting of the
Canby City Council held on the day of March, 1976, by the
following vote: Yeas 6. Nays 0.

Paul N. Roth
PAUL N. ROTH - Mayor

ATTEST:

Harold A. Wyman
HAROLD A. WYMAN - City Recorder