

ORDINANCE NO. 537

AN ORDINANCE AUTHORIZING THE PURCHASE OF LAND FOR WATER TREATMENT AND STORAGE FACILITIES.

WHEREAS, the qualified legal voters of the City of Canby approved a Charter Amendment at a special City election duly and legally called and held on November 3, 1970, for the purpose of authorizing the issuance and sale of general obligation bonds of the City in the sum of \$440,000 for the purpose of improving the City's water distribution system and to acquire additional water storage facilities, including necessary land and other property necessary for improvements of the water distribution system; and

WHEREAS, the Canby City Council has proceeded to issue and sell the bonds authorized for the said purposes and employed the engineering firm of Clark & Groff Engineers, Inc. of Salem, Oregon, to prepare the plans and supervise the construction of the City's water distribution system improvement project, and one of the phases of the project involves the construction and erection of a ground storage water reservoir and water treatment plant, and additional land for such facility is required; and a suitable location has been selected and a satisfactory purchase price for the land has been negotiated with the owners thereof; and

WHEREAS, the additional land hereinafter described is necessary for the improvement of the City's water utility system and the location of the land makes its development feasible for the improvement project, and the selling price is reasonable, NOW, THEREFORE,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: That the City of Canby purchase for cash from SIDNEY A. BROCKLEY, JAMES O. GOODWIN, JOHN C. ANICKER, JR. and STANLEY C. URBIGKEIT, dba CANBY INDUSTRIAL PARK, the following described real property for the purchase price of \$6,500 and for the purpose of providing additional land for the City's Water Department for the construction and erection of a water treatment

plant, including a ground storage water reservoir:

Part of the Wesley Joslyn D.L.C. and part of the Lucius Seely D.L.C. in Section 33, T. 3 S., R. 1 E. of the W.M. in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point on the southerly line of the Dahlia Park Addition, said point being South 63° West 1258.60 feet from the Northwest corner of the Philander Lee D.L.C. No. 56; thence continue South 63° West 292.88 feet; thence South 26° 57' East 150.0 feet to the South line of a proposed City street, said point being the true point of beginning; thence 26° 57' East 300.0 feet to a point; thence North 63° East 150.0 feet to a point; thence North 26° 57' West 300.0 feet to the South line of said proposed street; thence South 63° West 150.0 feet to the true point of beginning, said parcel containing 1.033 acres more or less.

Section 2: That the purchase price be paid in cash from the proceeds of the City's water bonds now on deposit in the "WATER DEPARTMENT CONSTRUCTION ACCOUNT" upon tender by the owners to the City of a good and sufficient Warranty Deed conveying said property in fee simple free and clear of liens or encumbrances and together with an Owner's Title Insurance Policy in the face amount of the purchase price.

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 special meeting thereof on the 8th day of April, 1971; 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 special meeting thereof to be held on the 26th day of April, 1971, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall.

  
WERNER DINTEMAN - Mayor

ATTEST:

  
J. R. RICHARDSON - City Recorder

Passed on final reading by the Canby City Council at a special meeting thereof held on the 26th day of April, 1971, by the following vote: Yeas 6. Nays 0.

  
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WERNER DINTEMAN - Mayor

ATTEST:

  
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J. R. RICHARDSON - City Recorder