

ORDINANCE NO. 543

AN ORDINANCE AUTHORIZING THE PURCHASE OF LAND FOR CONSTRUCTION OF WATER INTAKE STRUCTURE, LINES AND PIPING FOR EXPANSION OF WATER UTILITY SYSTEM; AND DECLARING AN EMERGENCY.

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 of a water intake structure with necessary lines and piping for expansion of the water utility system, and additional land for that purpose 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 W. Beauford Knight and Dorothy L. Knight, husband and wife, the following described real property for the purchase price of \$7,500.00 and for the purpose of providing additional land for the City's water department for the construction of water intake structures, lines and piping:

A tract of land in Section 32, T. 3 S., R. 1 E. of the W. M., in the County of Clackamas and State of Oregon, described as follows:

Beginning at the initial point of KNIGHT ADDITION, a recorded Plat; thence South 63° 00' West along the Southeasterly line of said Plat, 277.94 feet to the most Southerly corner thereof; thence North 27° 00' West along the Southwesterly line of said Plat, 410.00 feet to the Southeasterly line of Lot 25 of said Plat; thence South 63° 00' West along the Southeasterly line of said Lot 25, 187.17 feet to the most Southerly corner thereof; thence South along the East line of that certain tract of land conveyed to the State of Oregon, by and through its State Highway Commission, recorded March 20, 1953, in Book 466, page 699, Deed Records, a distance of 165.00 feet, more or less, to the Southeast corner thereof; thence West along the South line of said tract 250.00 feet, more or less, to the Southwest corner thereof; thence South 10° 13' West along the Westerly line of that certain tract of land conveyed to W. Beauford Knight, et ux, recorded January 21, 1963, in Book 616, page 399, Deed Records, 602.64 feet, more or less, to the most Southerly corner thereof; thence North 63° 00' East along the Southeasterly line of said Knight tract, 899.74 feet, more or less, to the most Southerly corner of Parcel 1 of that certain tract of land conveyed to Albert Berg, et ux, recorded December 17, 1947 in Book 400, page 549, Deed Records; thence Northwesterly along the Westerly line of said Berg tract 57.00 feet to the most Westerly corner thereof; thence North 63° 00' East along the Northerly line of said Berg tract 229.00 feet to the most Northerly corner thereof; thence North 0° 12' West 53.03 feet to the point of beginning.

SUBJECT TO the rules, regulations and easements of the Molalla River Improvement District as set forth in instrument recorded June 2, 1938, in Book 247, page 309, Deed Records; as supplemented by instrument recorded August 27, 1951, in Book 448, page 91, Deed Records; and assigned to The United States Government, by instrument recorded June 2, 1938, in Book 247, page 323, Deed Records.

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, which is to be paid for by the City.

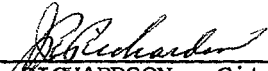
Section 3: It being deemed by the Canby City Council that an emergency exists and that the immediate purchase of the above described real property is necessary and essential, this Ordinance

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 on the 21st day of June, 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 12th day of July, 1971, at the hour of 7:30 o'clock p.m., Oregon Daylight Saving Time, at the Canby City Hall.


WERNER DINTEMAN - Mayor

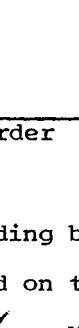
ATTEST:


J. R. RICHARDSON - City Recorder

Passed on final reading by the Canby City Council at a special meeting thereof held on the 12th day of July, 1971, by the following vote: Yeas 6. Nays 0.


WERNER DINTEMAN - Mayor

ATTEST:


J. R. RICHARDSON - City Recorder