

ORDINANCE NO. 1283

AN ORDINANCE AUTHORIZING PURCHASE OF ROAD RIGHT-OF-WAY FOR THE WIDENING OF S. PINE STREET AT ITS INTERSECTION WITH HIGHWAY 99E AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Purchase Authorized. The City of Canby is hereby authorized to purchase from Kinsman LLC, an Oregon limited liability company, the following described property to be used for road right-of-way:

See Exhibit "A"

Section 2. Purchase Price. The total purchase price to be the sum of Twenty Three Thousand Five Hundred Sixty Four and 86/100 dollars (\$23,564.86).

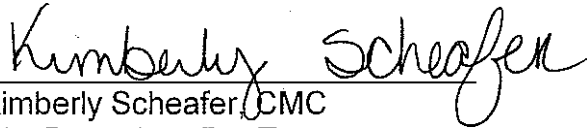
Section 3. Funds to Pay Purchase Price. The total sum of \$23,564.86 shall be set off as credit towards System Development Charges owed to the City of Canby.

Section 4. City Attorney to approve Title Report and Deed. The City Attorney shall first approve the preliminary title report and form of deed for the City's purchase of said right-of-way. All costs associated with the closing of this sale to be paid by the City.

Section 5. City Administrator to Execute Deed for Road Purposes. The City Administrator is authorized and directed to execute and receive in the name of the City of Canby, as purchaser, the required deed and any other documents as may be required for closing the transaction.

Section 6. Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible with the widening of S. Pine Street for the use and benefit of the citizens of the City of Canby, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon final reading and enactment by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, June 18, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on Wednesday, July 2, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd Avenue, Canby, Oregon.

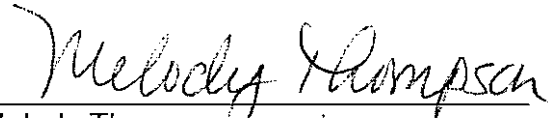


Kimberly Scheafer, CMC
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 2nd day of July, 2008, by the following vote:

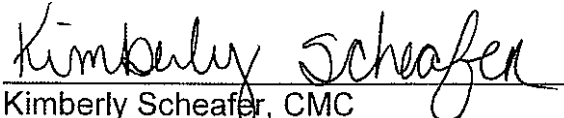
YEAS 5

NAYS 0



Melody Thompson
Mayor

ATTEST:



Kimberly Scheafer, CMC
City Recorder - Pro Tem

Exhibit "A"

**LEGAL DESCRIPTION
CANBY RITE AID (HUD7784)
ROW DEDICATION**

May 9, 2008
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A portion of Parcel 1 Partition Plat No. 1994-106, Clackamas County Plat Records, located in the southeast 1/4 of Section 33, Township 3 South, Range 1 East of the Willamette Meridian, City of Canby, Clackamas County, Oregon, being described as follows:

Commencing at the southeast corner of said Parcel 1; thence along the easterly line of said Parcel 1 N 4°20'53" W a distance of 85.22 feet to the **Point of Beginning**; thence continuing along said easterly line N 4°20'53" W a distance of 14.38 feet to a point of curvature; thence along a curve to the left, having a radius of 190.00 feet, a delta angle of 38°30'57", and whose long chord bears N 23°36'21" W a distance of 125.33 feet to a point of compound curvature; thence along a curve to the left, having a radius of 50.00 feet, a delta angle of 60°58'03", and whose long chord bears N 73°20'50" W a distance of 50.73 feet to a point of non-tangency; thence S 63°17'00" W a distance of 18.57 feet to a point of cusp, being on the northerly line of said Parcel; thence leaving said northerly line along a curve to the right, having a radius of 50.00 feet, a delta angle of 78°35'29", and whose long chord bears S 77°25'16" E a distance of 63.33 feet to a point of tangency; thence S 38°07'31" E a distance of 23.75 feet to a point of curvature; thence along a curve to the right, having a radius of 190.00 feet, a delta angle of 33°46'38", and whose long chord bears S 21°14'12" E a distance of 110.39 feet to said **Point of Beginning**.

Contains 946 square feet, more or less.

The Basis of Bearings for this description is per said Partition Plat No. 1994-106.
The attached Exhibit "B" entitled "ROW DEDICATION" is made a part hereof.

