


**RECORDING COVER SHEET**

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**AFTER RECORDING RETURN TO:**

**City of Canby  
PO Box 930  
Canby, OR 97013  
Attn: Kim Scheafer,  
City Recorder**

<b>Clackamas County Official Records</b>	<b>2015-015941</b>
<b>Sherry Hall, County Clerk</b>	
	<b>\$203.00</b>
01835489201500159410050056	<b>03/24/2015 01:21:34 PM</b>
D-VAC	Cnt=2 Stn=54 COUNTER2
\$25.00 \$5.00 \$16.00 \$22.00 \$10.00 \$125.00	

1. DOCUMENT TITLE(S)

**ORDINANCE NO. 1412 NORTH JUNIPER STREET VACATION**

2. NAME(S) AND ADDRESS(ES) of DIRECT party(s):

**CITY OF CANBY, 182 N HOLLY ST, CANBY, OR 97013**

3. NAME(S) AND ADDRESS(ES) OF INDIRECT party(s):

**CITY OF CANBY, 182 N HOLLY ST, CANBY, OR 97013**

## **ORDINANCE NO. 1412**

### **AN ORDINANCE VACATING A PORTION OF NORTH JUNIPER STREET PUBLIC RIGHT-OF-WAY FROM THE NORTHERN BOUNDARY OF NE 2<sup>ND</sup> AVENUE 115 FEET NORTHERLY TO THE SOUTHERLY BOUNDARY OF THE ALLEY BETWEEN NE 2<sup>ND</sup> AVENUE AND NE 3<sup>RD</sup> AVENUES.**

**WHEREAS**, the City presently owns and maintains the portion of N Juniper Street public right-of-way to be vacated as shown in Exhibit "A", and the street vacation more particularly described through legal description in Exhibit "B", both attached heretofore by this reference incorporated herein; and

**WHEREAS**, the City initiated this vacation of the aforementioned right-of-way by application on December 23, 2014; and

**WHEREAS**, the application was reviewed by the Planning Director and found to be complete; and

**WHEREAS**, the vacation is requested as a critical component for land assemblage for a proposed Canby Urban Renewal Agency Civic Center project; and

**WHEREAS**, the City Council adopts a condition of approval to create new utility easements for the relocation of existing utility services as required for continuity of services for the benefit of the public; and

**WHEREAS**, as required by law, a notice of public hearing was published for two (2) consecutive weeks in the Canby Herald newspaper and posted on the property; and

**WHEREAS**, a public hearing was held on this matter before the Canby City Council on February 18, 2015 and all statutory requirements for the vacation were found to be met; now therefore,

### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

1. The public right-of-way as shown in Exhibit "A" and more particularly described by legal description in Exhibit "B" shall be vacated and title to the vacated property shall attach to the neighboring property owner which is the Canby Urban Renewal Agency.
2. The Canby City Council adopts a condition of approval, which states "The vacation approval is subject to the City, in agreement with each utility service agency, to establish a suitable alternative easement(s) within the general area between N Ivy Street and N Knott Street to accommodate agency relocation of their utility services as required for the benefit of the public and abandonment of existing service lines within the vacation area no longer required".

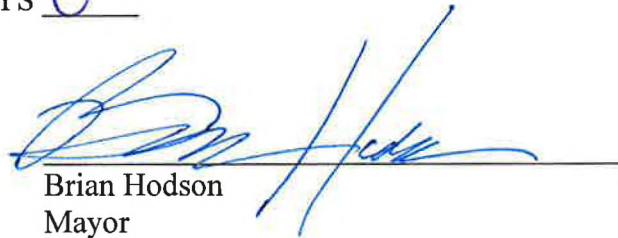
**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on February 18, 2015, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 4, 2015, commencing at the hour of 7:30 PM in the City Council Chambers located at 155 NW 2<sup>nd</sup> Avenue, Canby, Oregon

  
Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 4<sup>th</sup> day of March 2015, by the following vote:

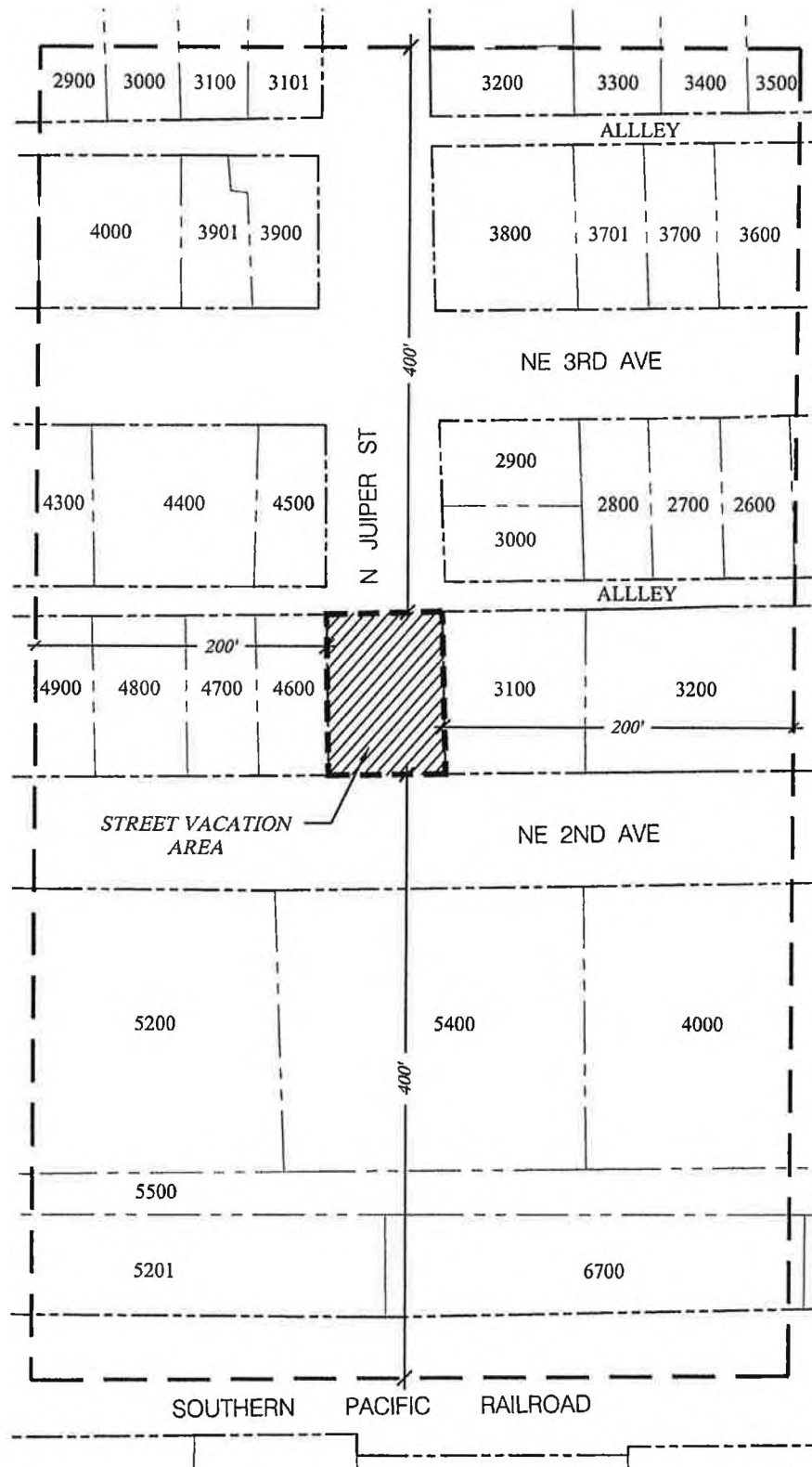
YEAS 5

NAYS 0

  
Brian Hodson  
Mayor

ATTEST:

  
Kimberly Scheafer, MMC  
City Recorder



**MAILING NOTIFICATION AREA**

EXHIBIT A

**N. JUNIPER STREET VACATION  
 T3S, R1E, W.M., 33CA TL #4600 AND  
 T3S, R1E, W.M., 33CA TL #3100  
 CANBY URBAN RENEWAL AGENCY**



SCALE: N.T.S.  
 CURRAN-McLEOD, INC.  
 CONSULTING ENGINEERS

CANBY, OREGON

**“EXHIBIT B”**

**City of Canby  
North Juniper Street Vacation**

**Benefitting Property:**

Urban Renewal Agency of Canby  
Clackamas County Deed Record 2014-060231  
T3S, R1E, W.M., 33CA, TL 4600, and  
T3S, R1E, W.M., 33DB TL 3100

**Vacated public Right-of-Way description on North Juniper Street:** A portion of North Juniper Street situated in the Philander Lee Donation land Claim No. 56 in Township 3 South, Range 1 East of the Willamette Meridian, in the City of Canby, Clackamas County, Oregon, more particularly described as beginning at the southeast corner of Parcel 1 of that tract of land conveyed to the Canby Urban Renewal Agency in Clackamas County Fee Number 2014-060231, thence N 27°00'00" W a distance of 115.00 feet to the northeast corner of said parcel 1, thence N 63°00'00" E a distance of 80.00 feet to the northwest corner of Parcel 2 in said land conveyed to the Canby Urban Renewal Agency, thence S 27°00'00" E a distance of 115.00 feet to the southwest corner of said Parcel 2, thence S 63°00'00" W a distance of 80.00 feet to the point of beginning, said vacation containing 9,200 square feet.

**Revised Legal description of Canby Urban Renewal Agency Parcel:** A tract of land situated in the Philander Lee Claim No. 56 in Township 3 South, Range 1 East of the Willamette Meridian, in the City of Canby, Clackamas County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Parcel 1 of that tract of land conveyed to the Canby Urban Renewal Agency in Clackamas County Fee Number 2014-060231, said point being on the northerly boundary of NE 2nd Avenue and N 63°00'00" E a distance of 330.00 feet from the most easterly corner of Block 12 Canby, thence N 27°00'00" W a distance of 115.00 feet to the northwest corner of said parcel 1, thence N 63°00'00" E a distance of 230.00 feet to the northeast corner of Parcel B in said land conveyed to the Canby Urban Renewal Agency, thence S 27°00'00" E a distance of 115.00 feet to the southeast corner of said Parcel B, thence S 63°00'00" W a distance of 230.00 feet to the point of beginning.