

ORDINANCE NO. 1442

AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 2.0 ACRES INCLUDING 1.85 ACRES OF REAL PROPERTY DESCRIBED AS TAX LOTS 1100 AND 1101 OF SECTION 27C, T3S, R1E, WM (ASSESSOR TAX MAP 3-1E-27C AND .15 ACRES (6600 SQUARE FEET) OF ADJACENT N. REDWOOD STREET RIGHT-OF-WAY AND AMENDING THE ZONING FROM COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5) TO CITY LOW DENSITY RESIDENTIAL (R-1) AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on June 1, 2016, at a public hearing the City Council of the City of Canby approved by a vote of 6 to 0, Annexation/Zone Change 16-01 which called for the annexation of 2.0 acres into the City of Canby. Applicant and owners of the annexed property are Ryan T. and Kerrie A. Oliver of tax lot 1100 and Lloyd and Jo Ann Walch of tax lot 1101 Section 27C, T3S R1E WM (Assessor Map 3-1E-27C) and one-half of the adjacent right-of-way located on the east side of N. Redwood Street. A complete legal description of the tax lots and adjacent right-of-way is attached hereto as Exhibit "A", and a map showing the location of the tax lots and adjacent right-of-way is attached hereto as Exhibit "B" and by this reference are all incorporated herein; and

WHEREAS, Pursuant to CMC 16.84.080, the City must proclaim by ordinance or resolution, the annexation of said property in the City and set the boundaries of the new property by legal description; and

WHEREAS, the zoning of the annexed land shall be designated as R-1 Low Density Residential for tax lots 1100 and 1101 which conforms with the Canby Comprehensive Plan, and such zoning shall be indicated on the official zoning map for the City of Canby; and

WHEREAS, an application was filed with the City by the applicant/owners listed above to change the zoning of two parcels and one-half the adjacent right-of-way totaling 2.00 acres from Rural Residential Farm Forest 5-Acre (RRFF-5) to City Low Density Residential (R-1); and

WHEREAS, a public hearing was conducted by the Canby Planning Commission on May 9, 2016 after public notices were mailed, posted and printed in the Canby Herald, as required by law; and

WHEREAS, the Canby Planning Commission heard and considered testimony regarding the annexation and accompanying zone change at a public hearing on May 9, 2016 and at the conclusion of the public hearing, the Planning Commission voted 4-0 to recommend that the City Council approve the applications. The written Findings, Conclusions and Order was approved by the Planning Commission and forwarded to the Council with its recommendation; and

WHEREAS, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on June 1, 2016; and

WHEREAS, the Canby City Council, after considering the staff report, reviewing the record of the Planning Commission's decision and conducting its own public hearing, voted to accept the Planning Commission's recommendation; and

WHEREAS, the written Findings, Conclusions and Order was approved by the City Council on June 1, 2016.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. It is hereby proclaimed by the Council of Canby that 2.0 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed into the corporate limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal descriptions set forth in Exhibit "A".

Section 2. The annexed land shall be rezoned from the County Rural Residential Farm Forest 5-Acre (RRFF-5) to City Low Density Residential (R-1) as called for in Canby's Comprehensive Plan and the Mayor, attested by the City Recorder, is hereby authorized and directed to have the zone change made to the official zoning map for the City of Canby.

SUBMITTED to the Council and read the first time at a regular meeting thereof on June 1, 2016 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on June 15, 2016, commencing at the hour of 7:30 PM at the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

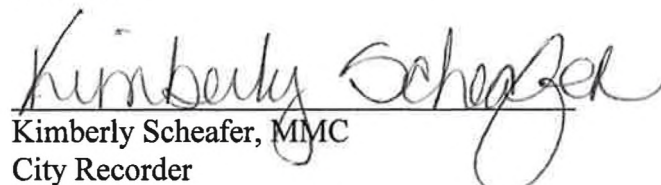

Kimberly Scheafer, MMC
City Recorder

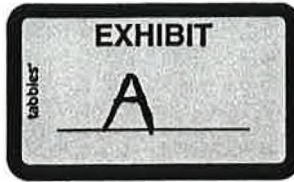
PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on June 15, 2016 by the following vote:

YEAS 5 NAYS 0


Brian Hodson
Mayor

ATTEST:


Kimberly Scheafer, MMC
City Recorder



#7675
 RYAN OLIVER
 PROPOSED ANNEXATION TO THE CITY OF CANBY

"EXHIBIT A"

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING A PORTION OF LOT 99, "CANBY GARDENS", A SUBDIVISION PLAT OF RECORD, PLAT NO. 230, CLACKAMAS COUNTY PLAT RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

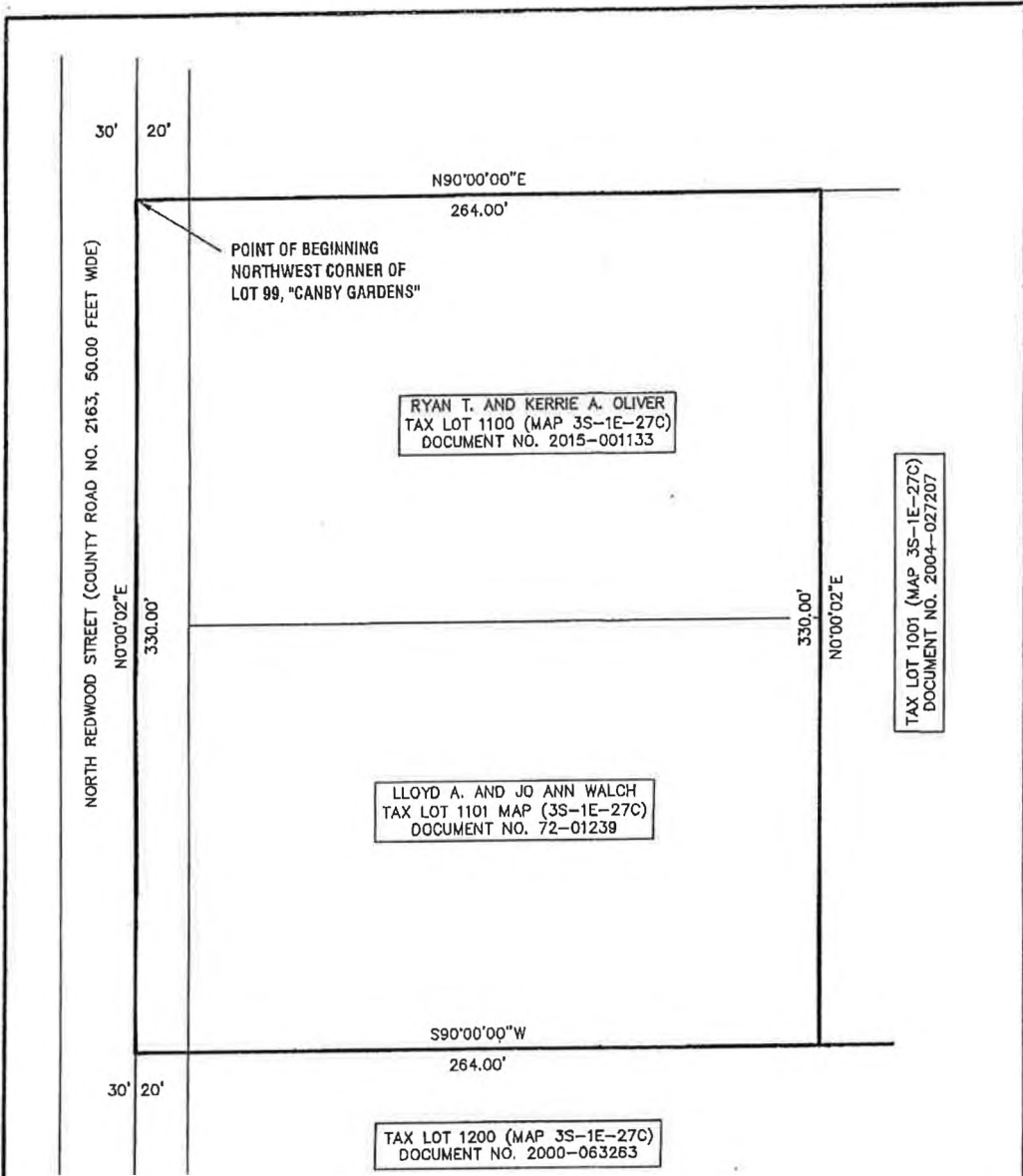
BEGINNING AT THE NORTHWEST CORNER OF LOT 99, "CANBY GARDENS", PLAT NO. 230, CLACKAMAS COUNTY PLAT RECORDS, SAID POINT BEING ON CENTERLINE OF NORTH REDWOOD STREET (COUNTY ROAD NO. 2163, 50.00 FEET WIDE); THENCE N.90°00'00"E., 264.00 FEET; THENCE S.00°00'02"W., 330.00 FEET TO THE SOUTH LINE OF LOT 99, "CANBY GARDENS"; THENCE ALONG THE SOUTH LINE OF LOT 99, S.90°00'00"W., 264.00 FEET TO THE CENTERLINE OF NORTH REDWOOD STREET, BEING THE WEST LINE OF LOT 99; THENCE ALONG SAID CENTERLINE, N.00°00'02"E., 330.00 FEET TO THE POINT OF BEGINNING, CONTAINING 87120 SQUARE FEET (2.00± ACRES) MORE OR LESS.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 FEBRUARY 8, 2000
 JOSEPH C. McALLISTER
 49695

DATE OF SIGNATURE: 2/22/16
 EXPIRES: 12/31/2016





PROPOSED ANNEXATION
87,120 SQUARE FEET ±
2.00 ACRES ±



Scale: 1" = 50'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Joseph C. McAllister

OREGON
FEBRUARY 8, 2000
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DATE OF SIGNATURE: 2/22/16
EXPIRES: 12/31/2016

EXHIBIT "B"

7675EXH2.dwg

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

**PROPOSED ANNEXATION TO THE CITY OF
CANBY, OREGON FOR RYAN OLIVER, LOCATED
IN THE SW ¼ OF SECTION 27, T.3S., R.1E., WM**