

AMENDED AGENDA

CANBY CITY COUNCIL MEETING

December 6, 2006, 7:30 P.M.

**Council Chambers
155 NW 2nd Avenue**

Mayor Melody Thompson

***Council President Teresa Blackwell
Councilor Randy Carson
Councilor Walt Daniels***

***Councilor Roger Harris
Councilor Tony Helbling
Councilor Wayne Oliver***

WORK SESSION

6:30 P.M.

**City Hall Conference Room
182 N Holly**

The City Council will be meeting in a work session to discuss the process for amending the City Charter and possible amendments.

CITY COUNCIL MEETING

1. CALL TO ORDER

- | | |
|--|--------|
| A. Pledge of Allegiance and Moment of Silence | |
| B. Canby Kiwanis Food & Toy Drive Proclamation | Pg. 1 |
| C. Mayor & Council Election Proclamation | Pg. 2 |
| D. Measure 3-224 Proclamation | Pg. 5 |
| E. Measure 3-225 Proclamation | Pg. 7 |
| F. Measure 3-226 Proclamation | Pg. 9 |
| G. Measure 3-228 Proclamation | Pg. 11 |

2. COMMUNICATIONS

3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)

4. MAYOR'S BUSINESS

5. COUNCILOR COMMENTS & LIAISON REPORTS

6. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)

- A. Approval of Accounts Payable \$280,744.61
- B. Approval of Minutes of the November 15, 2006 City Council Regular Meeting and Executive Session
- C. New Off-Premise Liquor License for Premier Wine Club Services Pg. 13
- D. Contract with Municipal Court Judge Jon S. Henriksen Pg. 15
- E. Parks & Recreation Advisory Board Appointment

7. RESOLUTIONS & ORDINANCES

- A. Res. 938, Proclaiming Annexation of 1.03 Acres Pg. 18
- B. Res. 939, Proclaiming Annexation of 73.35 Acres Pg. 20
- C. Res. 940, Proclaiming Annexation of 1.7 Acres Pg. 25
- D. Res. 941, Accepting Results of the 11-7-06 Election, Proclaiming Passage of Five Year Local Option Serial Levy to Fund the Canby Swim Center Pg. 29
- E. Ord. 1227, Authorizing Purchase of Road Right-of-Way For the Extension of SW Berg Parkway and Declaring an Emergency Pg. 30

8. NEW BUSINESS

9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

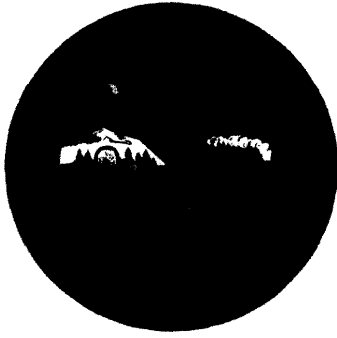
10. CITIZEN INPUT

11. ACTION REVIEW

12. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation

13. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.4021 ext. 233. A copy of this Agenda can be found on the City's web page at www.ci.canby.or.us. City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.



OFFICE OF THE MAYOR

Proclamation

Canby Kiwanis Food & Toy Drive

WHEREAS, Canby Kiwanis Food & Toy Drive originated for the purpose of providing toys and food for less fortunate families in our community; and

WHEREAS, by way of this Proclamation, the City of Canby recognizes that greater public awareness and involvement is needed in order for such programs to achieve their highest potential in providing and promoting joy to each household in this community; and

WHEREAS, the Kiwanis Club of Canby has undertaken the project of collecting and distributing toys and food to these needy families during the time from December 15 through December 16; and

WHEREAS, donations for food baskets can be collected at the warehouse located at 555 Southwest Second Avenue;

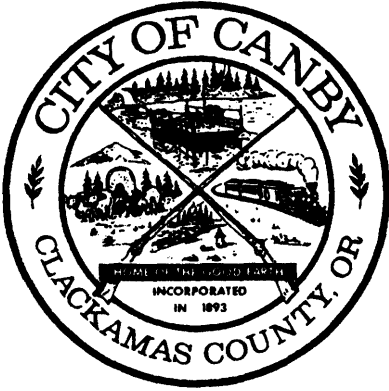
NOW, THEREFORE, I, Melody Thompson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim December 10 through December 16, 2006 as:

CANBY KIWANIS FOOD & TOY DRIVE WEEK

and urge all people of the City of Canby to observe this time by participating in this toy and food drive helping to provide assurance that each family may have a Atwinkle in their eye this holiday season

Given unto my hand this 6th day of December, 2006.

Melody Thompson
Mayor



City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 7, 2006, and

WHEREAS, the Clackamas County Elections Department offers the following abstract as an official count of votes as of November 22, 2006:

MAYOR -

Melody Thompson - 3,678
Write-In - 181
Over Votes - 0
Under Votes - 1,827

CITY COUNCIL -

Roger Harris – 3,023
Tony Helbling – 2,988
Wayne Oliver – 3,416
Write-In - 210
Over Votes - 3
Under Votes - 7,418

WHEREAS, the three people receiving the most votes for City Council will be selected to four year terms on the Canby City Council.

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Elections Division dated November 22, 2006.

Dated this 6th day of December, 2006.

Melody Thompson
Mayor

NUMBERED KEY CANVASS

General Election
Clackamas County, Oregon
November 7, 2006

RUN DATE:11/22/06 12:43 PM

REPORT-EL52 PAGE 0068

CITY OF CANBY: Mayor

Vote For 1

01 = Melody Thompson

02 = WRITE-IN

VOTES PERCENT

VOTES PERCENT

3,678 95.31
181 4.69

03 = OVER VOTES
04 = UNDER VOTES

0
1,827

	01	02	03	04
0122 122	985	42	0	512
0123 123	298	8	0	138
0124 124	1008	57	0	503
0125 125	763	30	0	333
0126 126	624	44	0	341

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
Sherry Hall

NUMBERED KEY CANVASS

RUN DATE:11/22/06 12:43 PM

General Election
Clackamas County, Oregon
November 7, 2006

REPORT-ELS2 PAGE 0069

CITY OF CANBY: Councilors

Vote For 3

- 01 = Tony Helbling
- 02 = Roger Harris
- 03 = Wayne Oliver

VOTES PERCENT

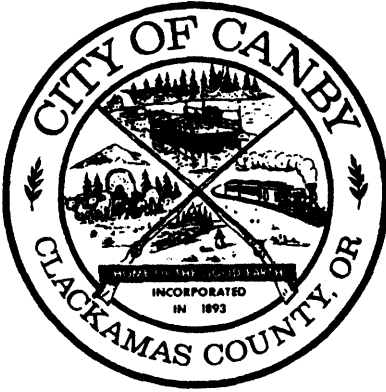
VOTES PERCENT

2,988 31.01 04 = WRITE-IN
3,023 31.37 05 = OVER VOTES
3,416 35.45 06 = UNDER VOTES

210 2.18
3
7,418

	01	02	03	04	05	06
0122 122	831	794	905	54	0	2033
0123 123	228	250	284	12	3	555
0124 124	821	839	956	51	0	2037
0125 125	611	631	710	35	0	1391
0126 126	497	509	561	58	0	1402

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
v. *Sherry Hall*



City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 7, 2006, to consider the following measure:

MEASURE NO. 3-224

SHALL 1.03 ACRES LOCATED AT 1480 N HOLLY STREET, SOUTH OF TERRITORIAL ROAD, BE ANNEXED INTO CANBY?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 7, 2006.

YES - 3,254

NO - 2,229

Over Votes - 1

Under Votes - 202

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 22, 2006.

Dated this 6th day of December, 2006.

Melody Thompson, Mayor

NUMBERED KEY CANVASS

General Election
Clackamas County, Oregon
November 7, 2006

RUN DATE:11/22/06 12:43 PM

REPORT-EL52 PAGE 0155

3-224 CITY OF CANBY: ANNEXATION OF 1.03 ACRES

VOTES PERCENT

VOTES PERCENT

Vote For 1

01 = Yes

02 = No

3,254 59.35

2,229 40.65

03 = OVER VOTES

04 = UNDER VOTES

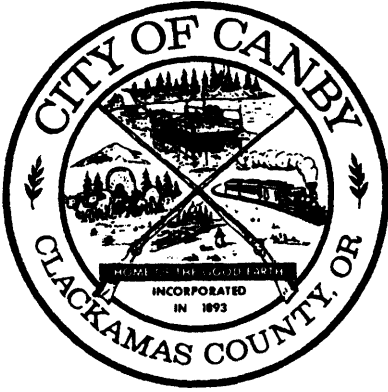
1

202

	01	02	03	04
122 122	907	578	0	54
123 123	253	174	0	17
124 124	880	639	0	49
125 125	685	388	1	52
126 126	529	450	0	30

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*

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City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 7, 2006, to consider the following measure:

MEASURE NO. 3-225

SHALL 73.35 ACRES LOCATED AT IN THE SE CORNER OF THE CANBY PIONEER INDUSTRIAL PARK BE ANNEXED INTO CANBY?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 7, 2006.

YES - 3,256

NO - 2,221

Over Votes - 2

Under Votes - 207

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 22, 2006.

Dated this 6th day of December, 2006.

Melody Thompson, Mayor

NUMBERED KEY CANVASS

General Election
Clackamas County, Oregon
November 7, 2006

REPORT-EL52 PAGE 0156

RUN DATE:11/22/06 12:43 PM

3-225 CITY OF CANBY: ANNEXATION OF 73.35 ACRES

Vote For 1

01 = Yes

02 = No

VOTES PERCENT

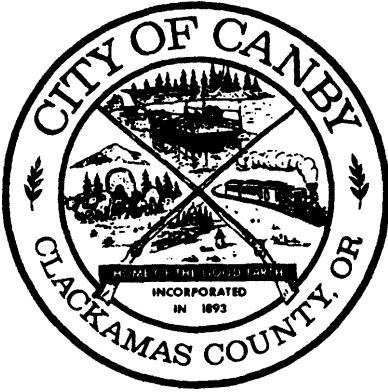
3,256 59.45
2,221 40.5503 = OVER VOTES
04 = UNDER VOTES

VOTES PERCENT

2
207

	01	02	03	04
0122 122	845	640	0	54
0123 123	270	150	0	24
0124 124	949	571	2	46
0125 125	638	436	0	52
0126 126	554	424	0	31

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*
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City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 7, 2006, to consider the following measure:

MEASURE NO. 3-226

SHALL 1.7 ACRES LOCATED AT 1203 NE TERRITORIAL ROAD, EAST OF N. PINE STREET, BE ANNEXED INTO CANBY?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 7, 2006.

YES – 2,959

NO - 2,516

Over Votes - 2

Under Votes - 209

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 22, 2006.

Dated this 6th day of December, 2006.

Melody Thompson, Mayor

NUMBERED KEY CANVASS

General Election
Clackamas County, Oregon
November 7, 2006

RUN DATE:11/22/06 12:43 PM

REPORT-EL52 PAGE 0157

VOTES PERCENT

VOTES PERCENT

3-226 CITY OF CANBY: ANNEXATION OF 1.7 ACRES

Vote For 1

01 = Yes

02 = No

2,959 54.05

2,516 45.95

03 = OVER VOTES

04 = UNDER VOTES

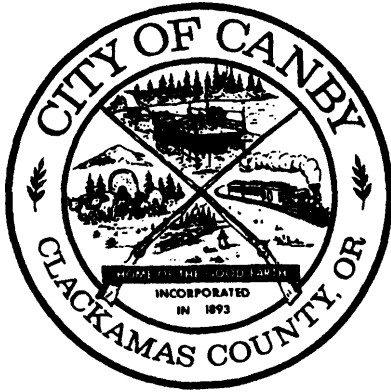
2

209

	01	02	03	04
0122 122	817	669	1	52
0123 123	240	186	1	17
0124 124	797	721	0	50
0125 125	635	436	0	55
0126 126	470	504	0	35

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: *Sherry Hall*

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City of Canby

General Administration Office

PROCLAMATION

WHEREAS, the City of Canby, County of Clackamas, Oregon, held a General Election on November 7, 2006, to consider the following measure:

MEASURE NO. 3-228

SHALL THE CITY IMPOSE \$0.42 PER \$1000.00 OF ASSESSED PROPERTY VALUE FOR FIVE YEARS, 2007-2012, FUNDING SWIM CENTER OPERATIONS?

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 7, 2006.

YES – 3,492

NO – 2,040

Over Votes - 1

Under Votes - 153

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 22, 2006.

Dated this 6th day of December, 2006.

Melody Thompson, Mayor

NUMBERED KEY CANVASS

General Election
Clackamas County, Oregon
November 7, 2006

REPORT-EL52 PAGE 0159

RUN DATE:11/22/06 12:43 PM

3-228 CITY OF CANBY: 5-YEAR LEVY FOR SWIM CENTER

VOTES PERCENT

VOTES PERCENT

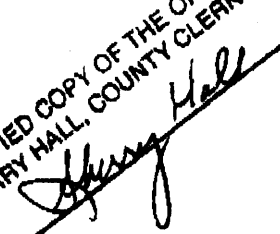
Vote For 1

01 = Yes

02 = No

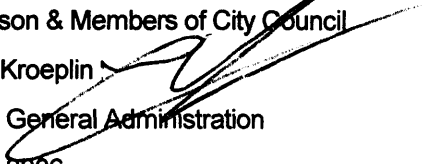
3,492 63.12
2,040 36.8803 = OVER VOTES
04 = UNDER VOTES1
153

	01	02	03	04
0122 122	955	545	0	39
0123 123	278	154	0	12
0124 124	945	584	0	39
0125 125	716	372	1	37
0126 126	598	385	0	26

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: 

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Memo

To: Mayor Thompson & Members of City Council
From: Chief Greg A. Kroeplin 
CC: Kim Scheafer, General Administration
Date: November 22, 2006
Re: Liquor License Application / Premier Wine Club Services, LLC

I have reviewed the attached liquor license application completed by the applicant, Brian Edward Granvall and Ann Granvall. In addition, I met with the applicant at the business (321 SE Sequoia Parkway) where we discussed laws involving the sale of alcoholic beverages. Mr. Granvall told me that he would be working closely with OLCC as it relates to training on pertinent laws involving alcohol related violations and crimes.

I recommend that the Canby City Council recommend approval of this application to the Oregon Liquor Control Commission (OLCC).

OREGON LIQUOR CONTROL COMMISSION
LIQUOR LICENSE APPLICATION

pd. 11.20.06 \$100

RECEIVED

NOV 20 2006



PLEASE PRINT OR TYPE

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
☐ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☐ Limited On-Premises Sales (\$202.60/yr)
☒ Off-Premises Sales (\$100/yr)
☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☐ Change Ownership
☒ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☐ Other _____

Applying as:

- ☐ Individuals ☐ Limited Partnership ☐ Corporation ☒ Limited Liability Company

FOR CITY AND COUNTY USE ONLY

The city council or county commission:
City of Canby

(name of city or county)

recommends that this license be:

Granted ☐ Denied ☐

By: _____
(signature) (date)

Name: Melody Thompson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: Steve Sander

Date: 11/3/06

90-day authority: ☐ Yes ☐ No

1. Applicant(s): [See SECTION 1 of the Guide]

① Ann Renee Granvall ③ Premier Wine Club Services LLC
② John Edward Granvall ④ _____

2. Trade Name (dba): Premier Wine Club Services, LLC

3. Business Location: 321 SE Sequoia Parkway Canby Clackamas OR 97013
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 4114 W Maple St Vancouver WA 98660
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 360 699 8754 360 750 6262
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☐ Yes ☒ No

7. If yes to whom: _____ Type of License: _____

8. Former Business Name: _____

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(manager must fill out an individual history form)

10. What is the local governing body where your business is located? Canby, OR
(name of city or county)

11. Contact person for this application: Ann Renee Granvall (name)
321 SE Sequoia Parkway (address) Canby, OR 97013 (see above) (phone number(s))
(fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① Ann Granvall Date 8.8.06 ③ _____ Date _____
② John Granvall Date 8/8/06 ④ _____ Date _____

1-800-452-OLCC (6522)
www.olcc.state.or.us

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CONTRACT FOR PROFESSIONAL SERVICES OF A MUNICIPAL JUDGE

RECITALS:

1.

The City of Canby, Clackamas County, Oregon, has a Municipal Court and a Municipal Judge, which is authorized by the current City Charter and all previous charters. All areas within the City are within the territorial jurisdiction of the Municipal Court; and the Municipal Judge exercises original and exclusive jurisdiction of all offenses defined and made punishable by the ordinances of the City and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the City.

2.

Section 5 of Chapter V of the City's Charter effective January 1, 1983, authorizes the City Council to contract for the professional services of a Municipal Judge, and in that regard and by that authority the City intends by this agreement to contract for the professional services of Jon S. Henricksen, attorney at law, of Gladstone, Oregon.

3.

The business of the Municipal Court which is to be performed by the Municipal Judge is not subject to the direction, control or interference of the Canby City Council, or any of its officers, agents or employees. The Municipal Judge engaged by this contract is an independent contractor as that term is commonly understood and normally defined and is not subject to withholdings on any account or for any purpose.

4.

The City of Canby is acquainted and satisfied with the professional ability of Jon S. Henricksen, as he has served as the City's Municipal Judge since July 1, 1979, and he is acquainted with the duties and responsibilities of a municipal Judge for the City of Canby; and the parties therefore hereby agree as follows:

IN CONSIDERATION of the duties, which includes Municipal Court as scheduled by the Municipal Court Clerk, to be performed by Jon S. Henricksen as Municipal Judge for the City of Canby, and the payment therefore which is to be made to him by the City, the parties hereby covenant and agree that:

- a). **JON S. HENRICKSEN, hereinafter referred to as JUDGE, assumes the duties of this office effective retroactive to July 1, 2006, and will perform them promptly, efficiently and in a judicious manner as required by the Charter of the City of Canby and the laws of the State of Oregon which apply to the judges of any court.**
- b). **This contract shall continue until terminated by either party, without cause, following a sixty (60) day written notice from the party wishing to terminate the agreement.**
- c). **Until the expiration of this contract or otherwise terminated as herein provided, or until a raise is approved by the City Council, the City shall pay a monthly contract fee of THREE THOUSAND FOUR HUNDRED EIGHTY-ONE DOLLARS (\$3481.00).**
- d). **The JUDGE shall make a monthly report of the cases before the Municipal Court and the income to the Court and furnish such other information and reports which are within his power to produce and which are requested from time to time by the Canby City Council.**
- e). **The City shall budget from time to time (as historically has been approved by the budge committee) budget line items for other necessary expenses of the Court, training for clerks and the continuing education of the JUDGE.**
- f). **The City shall also provide, at it's expense, a budget line item for pro-tem Judges who shall sit and hear cases where the JUDGE has any existing legal or personal conflict of interest that arises in Canby Municipal Court.**
- g). **The JUDGE shall provide at his own expense, a pro-tem Judge, who shall sit and hear cases when the JUDGE is absent due to illness, vacation, teaching at the NATIONAL JUDICIAL COLLEGE, or when conflicts arise with other court schedules in his private practice. The pro-tem Judge or Judges shall be approved by the City Council.**
- h). **The JUDGE will not represent any clients in matters of criminal defense**

where the police agency is the Canby Police Department whether in Municipal Court or in Clackamas County Circuit Court.

(i). The Council shall conduct an evaluation of the Judge's performance annually. The Judge is to develop a self-evaluation form each year and turn it in to the Council no later than 60 days prior to the scheduled performance review. The date of the evaluation shall be first council meeting in November commencing in the year 2007.

2). The recitals at the outset of this agreement are approved by the parties as correct and to the extent necessary are hereby incorporated into this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in two counterparts consisting of a total of three (3) pages, this ____ day of December, 2006.

THE CITY OF CANBY:

By: _____
MAYOR

By: _____
Jon S. Henricksen

By: _____
City Recorder – Pro Tem

Term to Exp. 6.30.07

**CITY OF CANBY
APPLICATION
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

RECEIVED
NOV 20 2006
CITY OF CANBY

Date: 11/20/06

Name: Matt Olsen Occupation: Insurance Agent

Home Address: _____

Employer: Self employed Position: state Farm Agent

Daytime Phone: _____ Evening Phone: Same

E-Mail Address: Matt.Olsen.nygg@statefarm.com

For which position are you applying? Park & Rec Council member

What are your community interests (committees, organizations, special activities)? _____

I enjoy working with sports and other
activities outside.

Experience and educational background: B.S in Environmental Engineering
from Oregon State University.

Reason for your interest in this position: I'm new to the community and
I would like to volunteer my time doing something I enjoy.
and that helps the community.

List any other City or County positions on which you serve or have served: _____

Information on any special membership requirements: _____

Referred by (if applicable): Canby chamber of Commerce

Feel free to attach a copy of your resume and use additional sheets if necessary

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

Please return to:
City of Canby
182 N Holly Street
PO Box 980
Canby, OR 97011

Phone: 503.256.4021 Fax: 503.256.7061

Note: Please be advised that this information may be made available to anyone upon a public records request and may be posted on the City's web site.

RESOLUTION NO. 938

A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 7, 2006 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 1.03 ACRES DESCRIBED AS TAX LOT 1800 OF TAX MAP 3-1E-28CD LOCATED AT 1480 N. HOLLY STREET, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on November 7, 2006, at a general election, the voters of the City of Canby approved by a vote of 3254 to 2229 Measure No. 3-224 which called for the annexation of 1.03 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 22, 2006. Applicant for the property was Reid Hellbusch, property owner. The property is more particularly described as Tax Lot 1800 of Tax Map 3-1E-28CD. A complete legal description of Tax Lot 1800 is attached hereto as Exhibit "A", and a map showing the location of the tax lot is attached hereto as Exhibit "B" and by this reference all are incorporated herein; and

WHEREAS, pursuant to CMC 16.84.080, the City of Canby must proclaim by resolution, the annexation of said property into the City and set the boundaries of the new property by legal description;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 22, 2006, are official and accepted by the Council of Canby; and it is hereby

PROCLAIMED by the Council of Canby that 1.03 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".

This resolution shall take effect on December 6, 2006.

ADOPTED this ____ day of December, 2006, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, City Recorder, Pro-Tem

RESOLUTION NO. 939

A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 7, 2006 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 73.35 ACRES DESCRIBED AS TAX LOTS 100, 101, 102 & 103 OF TAX MAP 4-1E-03 LOCATED IN THE SOUTHWEST QUADRANT OF THE CITY, NORTH OF SW 13TH AVE, WEST OF MULINO ROAD AND SOUTH OF S TOWNSHIP ROAD, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on November 7, 2006, at a general election, the voters of the City of Canby approved by a vote of 3256 to 2221 Measure No. 3-225 which called for the annexation of 73.35 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 22, 2006. Applicant for the property was Weygandt, LLC, R.A. Weygandt & Patsy Weygandt and Lisa M. Weygandt, property owners. The property is more particularly described as Tax Lots 100, 101, 102 & 103 of Tax Map 4-1E-03. A complete legal description of each tax lot is attached hereto as Exhibit "A", and a map showing the location of the tax lots is attached hereto as Exhibit "B" and by this reference all are incorporated herein; and

WHEREAS, pursuant to CMC 16.84.080, the City of Canby must proclaim by resolution, the annexation of said property into the City and set the boundaries of the new property by legal description;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 22, 2006, are official and accepted by the Council of Canby; and it is hereby

PROCLAIMED by the Council of Canby that 73.35 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".

This resolution shall take effect on December 6, 2006.

ADOPTED this ____ day of December, 2006, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, City Recorder, Pro-Tem



GAYLORD
LAND SURVEYING, INC.

- Surveying Oregon Since 1970 -

2910 S.E. Oak Grove Blvd. • Milwaukie, OR 97267

Phone 503-654-1492 • Fax 503-654-7878

E-mail: pat@gaylordlandsurveying.com

March 31, 2006

LEGAL DESCRIPTION FOR WEYGANDT ANNEXATION

LEGAL DESCRIPTION FOR A PROPOSED ANNEXATION TO THE CITY OF CANBY IN THE NORTHEAST ONE QUARTER OF SECTION 3, T4S, R1E, W.M., CITY OF CANBY, CLACKAMAS COUNTY, OREGON. THE BOUNDARY OF THE SAID ANNEXATION IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

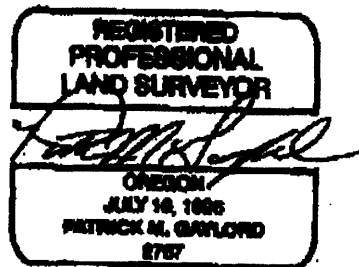
BEGINNING AT THE NORTHEAST CORNER OF SECTION 3, T4S, R1E, W.M.; THENCE SOUTH $89^{\circ}59'09''$ WEST 1319.94 FEET TO THE EAST ONE SIXTEENTH CORNER BETWEEN SECTION 3 AND 34 AT THE NORTHWEST CORNER OF GOVERNMENT LOT 1; THENCE ALONG THE WEST LINE OF GOVERNMENT LOT 1, BEING ALSO THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER, SOUTH $00^{\circ}30'53''$ WEST 1267.04 FEET TO A POINT IN THE NORTHEAST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS CONVEYED TO THE PORTLAND, EUGENE AND EASTERN RAILWAY COMPANY AND DESCRIBED BY DEED BOOK 124, PAGE 489, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTHEASTERLY LINE OF THE SAID RIGHT OF WAY SOUTH $39^{\circ}48'34''$ EAST 1837.79 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHEAST ONE QUARTER OF SECTION 3; THENCE ALONG THE SAID SOUTH LINE OF THE NORTHEAST ONE QUARTER NORTH $89^{\circ}57'08''$ EAST 123.79 FEET MORE OR LESS TO THE EAST ONE QUARTER CORNER OF SAID SECTION 3; THENCE ALONG THE EAST LINE OF SECTION 3, NORTH $00^{\circ}39'40''$ EAST 2679.14 FEET TO THE POINT OF BEGINNING. CONTAINING 61.69 ACRES MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIBED TRACT OF LAND:

BEGINNING AT THE MOST SOUTHERLY SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO RAYMOND A. WEYGANDT AND PATRICIA A. WEYGANDT BY DEED RECORDED IN DEED BOOK 683 PAGE 340, CLACKAMAS COUNTY DEED RECORDS WHICH BEARS SOUTH $89^{\circ}57'08''$ WEST ALONG THE SOUTH LINE OF THE NORTHEAST ONE QUARTER OF SAID SECTION 3, T4S, R1E, W.M., 563.10 FEET MORE OR LESS FROM THE EAST ONE QUARTER CORNER OF SECTION 3; THENCE NORTH $00^{\circ}39'40''$ EAST PARALLEL TO THE EAST LINE OF SECTION 3, T4S, R1E, W.M., 397.04 FEET TO A POINT IN THE SOUTHWEST LINE OF THE SOUTHERN PACIFIC RAILROAD RIGHT OF WAY AS CONVEYED TO THE PORTLAND, EUGENE AND EASTERN RAILWAY COMPANY AND DESCRIBED BY DEED BOOK 124, PAGE 489, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG SAID SOUTHWEST LINE NORTH $39^{\circ}48'34''$ WEST 1171.32 FEET TO A POINT 7.00 FEET WEST, AS MEASURED AT RIGHT ANGLES, OF THE WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER; THENCE SOUTH $00^{\circ}30'53''$ WEST PARALLEL TO THE

SAID WEST LINE OF THE EAST ONE HALF OF THE NORTHEAST ONE QUARTER
1297.48 FEET TO A POINT IN THE SOUTH LINE OF THE NORTHEAST ONE QUARTER;
THENCE ALONG THE SAID SOUTH LINE NORTH 89°57'10" EAST 7.00 FEET TO THE
CENTER-EAST ONE SIXTEENTH CORNER OF SECTION 3; THENCE CONTINUING
ALONG THE SAID SOUTH LINE NORTH 89°57'10" EAST 750.00 FEET TO THE SAID
SOUTHERLY SOUTHEAST CORNER OF DEED BOOK 683 PAGE 340. CONTAINING
14.74 ACRES MORE OR LESS.

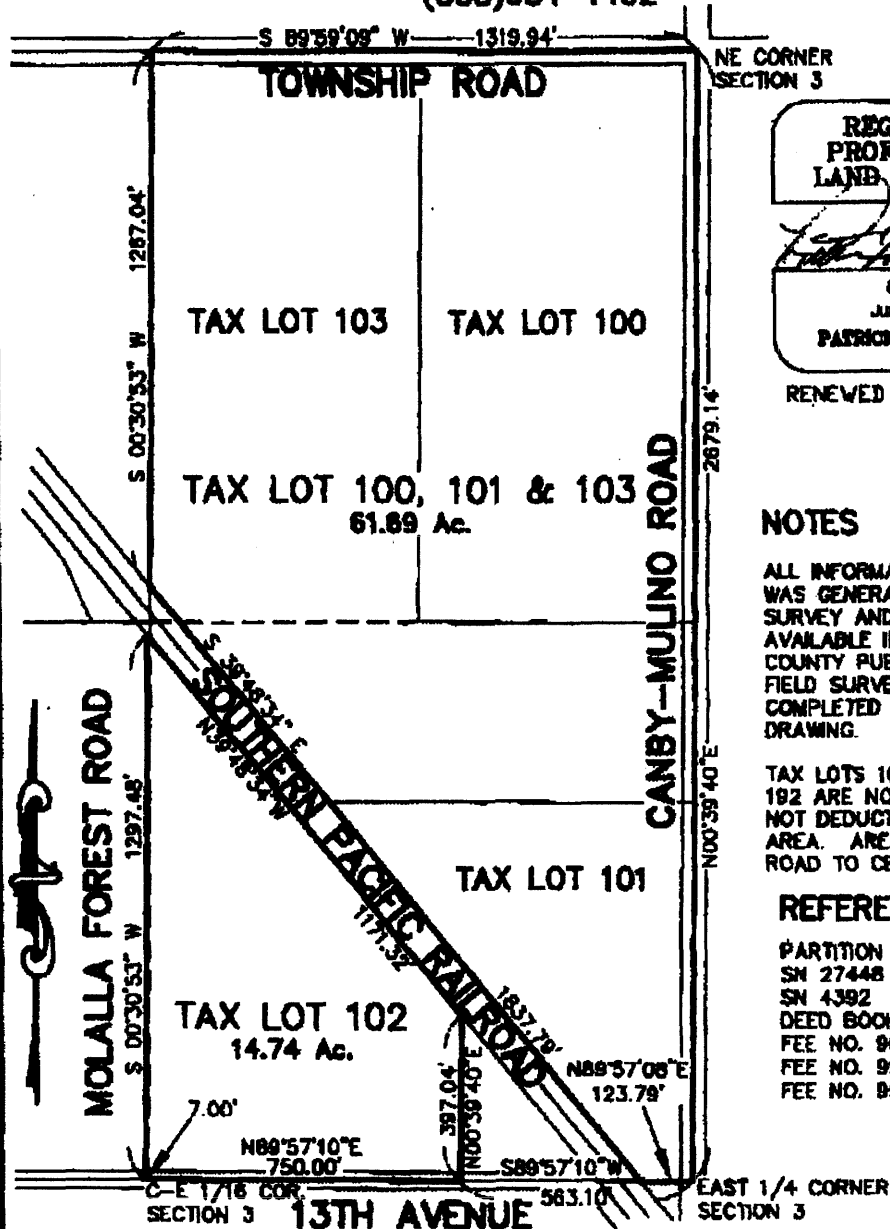
THE TOTAL COMBINED AREA OF THE ABOVE DESCRIBED PARCELS BEING 76.43
ACRES MORE OR LESS.



**ANNEXATION EXHIBIT FOR THE
BUZZ AND PATSY WEYGANDY PROPERTY
IN THE NE1/4 OF SECTION 3, T4S, R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON**

SCALE 1" = 200' MARCH 31, 2006

GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492



**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Patrick M. Gaylord

OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

RENEWED THRU 06/30/07

NOTES

ALL INFORMATION SHOWN HERE WAS GENERATED FROM RECORD SURVEY AND DEED INFORMATION AVAILABLE IN THE CLACKAMAS COUNTY PUBLIC RECORDS. NO FIELD SURVEYING WAS COMPLETED TO PREPARE THIS DRAWING.

TAX LOTS 1091, 1093, 1090 AND 1092 ARE NOT SHOWN AND ARE NOT DEDUCTED FROM TOTAL AREA. AREAS SHOWN INCLUDE ROAD TO CENTERLINE.

REFERENCES

PARTITION PLAT NO. 1893-055
SN 27448
SN 4392
DEED BOOK 683 PAGE 340
FEE NO. 90-51422
FEE NO. 99-089726
FEE NO. 99-089727

RESOLUTION NO. 940

A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 7, 2006 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 1.7 ACRES DESCRIBED AS TAX LOT 1300 OF TAX MAP 4-1E-27CB LOCATED AT 1203 NE TERRITORIAL ROAD, AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on November 7, 2006, at a general election, the voters of the City of Canby approved by a vote of 2959 to 2516 Measure No. 3-226 which called for the annexation of 1.7 acres into the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 22, 2006. Applicant for the property was S.T.J., LLC, property owner. The property is more particularly described as Tax Lot 1300 of Tax Map 4-1E-27CB. A complete legal description of Tax Lot 1300 is attached hereto as Exhibit "A", and a map showing the location of the tax lot is attached hereto as Exhibit "B" and by this reference are incorporated herein; and

WHEREAS, pursuant to CMC 16.84.080, the City of Canby must proclaim by resolution, the annexation of said property into the City and set the boundaries of the new property by legal description;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 22, 2006, are official and accepted by the Council of Canby; and it is hereby

PROCLAIMED by the Council of Canby that 1.7 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".

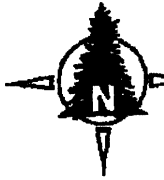
This resolution shall take effect on December 6, 2006.

ADOPTED this ____ day of December, 2006, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, City Recorder, Pro-Tem



GAYLORD
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— Surveying Oregon Since 1970 —

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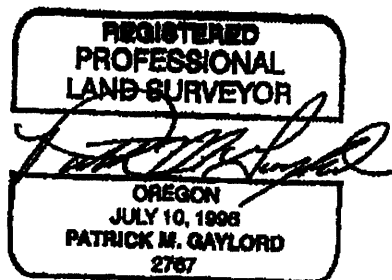
E-mail: pat@gaylordlandsurveying.com

April 27, 2005

LEGAL DESCRIPTION FOR ANNEXATION

LEGAL DESCRIPTION FOR A PROPOSED ANNEXATION IN THE NORTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, T3S, R1E, W.M., CITY OF CANBY, CLACKAMAS COUNTY, OREGON. THE BOUNDARY OF THE SAID ANNEXATION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "PACIFIC SURVEYS LS 2319" AT THE SOUTHEAST CORNER OF LOT 5, T&J MEADOWS, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG THE EAST LINE OF THE SAID PLAT NORTH 00°01'37" EAST 276.00 FEET TO A POINT IN THE SOUTH RIGHT OF WAY LINE OF TERRITORIAL ROAD FROM WHICH AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "PACIFIC SURVEYS LS 2319" BEARS SOUTH 69°03'00" W 0.29 FEET; THENCE ALONG THE SAID SOUTH RIGHT OF WAY LINE NORTH 69°03'00" EAST 248.64 FEET TO A POINT IN THE NORTHWESTERLY EXTENSION OF THE WEST LINE OF PARCEL 1 OF PARTITION PLAT NO. 1992-182 FROM WHICH AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "PARIS & ASSOC. RLS 289" BEARS SOUTH 03°00'32" EAST 0.16 FEET; THENCE SOUTH 03°00'32" EAST ALONG THE SAID NORTHWESTERLY EXTENSION AND THE SAID WEST LINE 167.79 FEET TO AN IRON ROD WITH YELLOW PLASTIC CAP MARKED "PARIS & ASSOC. PLS 2264" AT AN ANGLE POINT IN THE WEST LINE OF SAID PARCEL 1; THENCE CONTINUING ALONG THE WEST LINE OF THE PARTITION PLAT SOUTH 08°59'33" WEST 199.97 FEET TO THE SOUTHWEST CORNER OF PARTITION PLAT NO. 1992-182; THENCE LEAVING THE BOUNDARY OF THE SAID PLAT NORTH 89°57'22" WEST 209.89 FEET TO THE POINT OF BEGINNING. CONTAINING 1.70 ACRES MORE OR LESS.



ANNEXATION BOUNDARY FOR TOM SCOTT PART
OF TRACT 79, CANBY GARDENS
IN THE NW1/4 OF THE SW1/4 OF
SEC. 27, T3S, R1E, W.M.
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

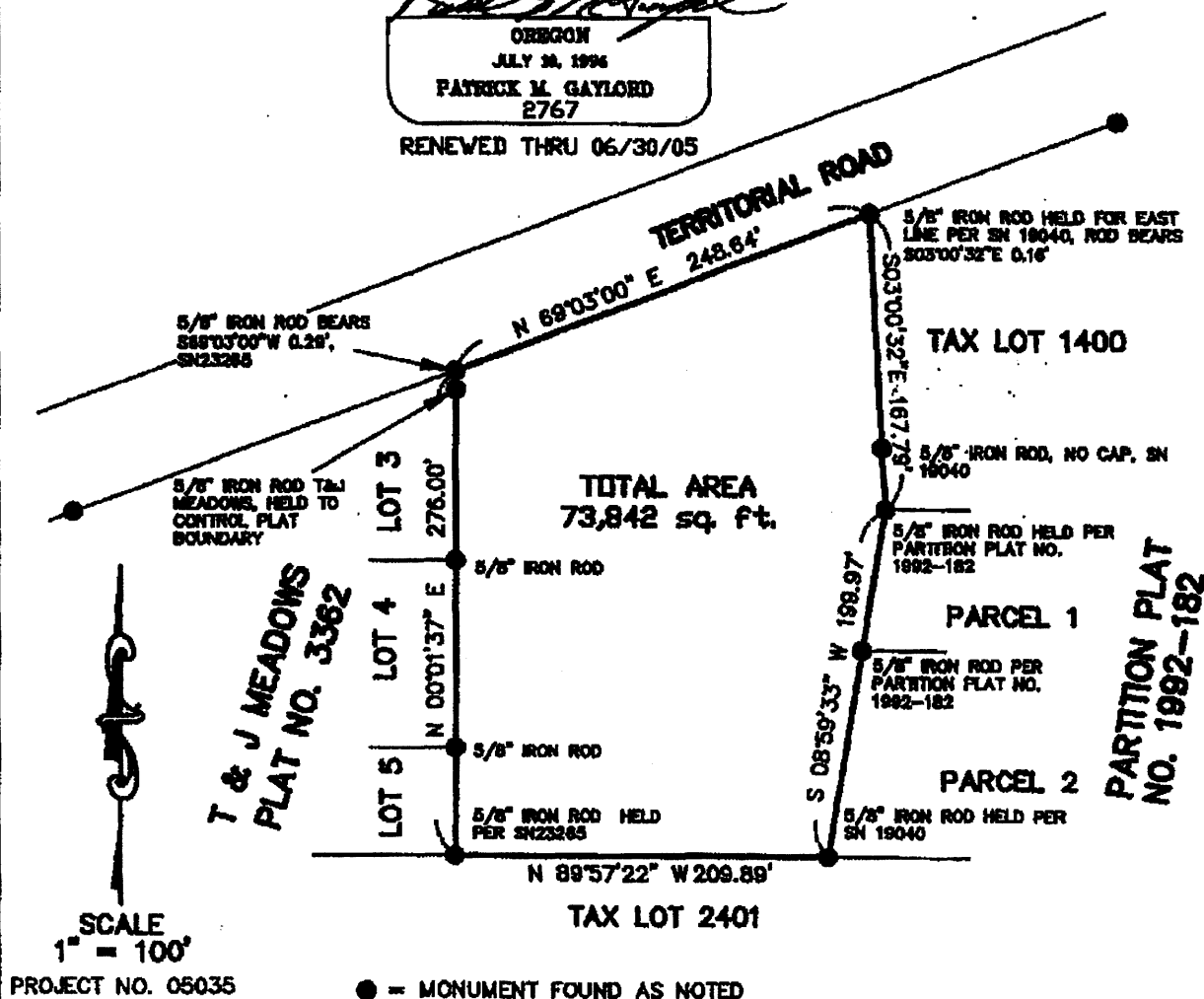
SCALE 1" = 100' APRIL 26, 2005

GAYLORD LAND SURVEYING, INC.
2910 S.E. OAK GROVE BLVD.
MILWAUKIE, OREGON 97267
(503)654-1492

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Patrick M. Gaylord
OREGON
JULY 28, 1996
PATRICK M. GAYLORD
2767

RENEWED THRU 06/30/05



RESOLUTION NO. 941

**A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 7, 2006 ELECTION,
PROCLAIMING PASSAGE OF A FIVE YEAR LOCAL OPTION SERIAL TAX LEVY TO
FUND THE CANBY SWIM CENTER**

WHEREAS, on November 7, 2006, at an election, the voters of the City of Canby approved by a vote of 3492 to 2040, Measure No. 3-228 which called for a five year local option serial tax levy to fund operation of the Canby Swim Center. Clackamas County Elections Department certified the above election results as accurate on November 22, 2006;

NOW THEREFORE, IT IS HEREBY RESOLVED by the Canby City Council that the Election Results as set forth in the abstract dated November 22, 2006, are official and accepted by the City Council; and it is hereby

PROCLAIMED by the Canby City Council that a local option serial levy for operation of the Canby Swim Center was approved and shall be in effect for five years, beginning in the fiscal year 2007-2008.

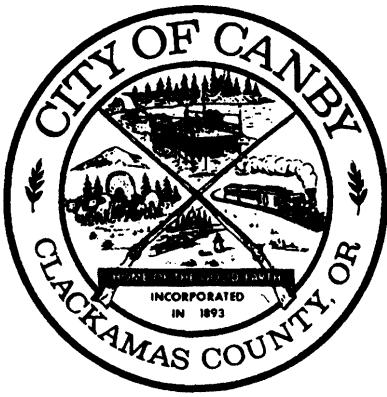
This resolution shall take effect on December 6, 2006.

ADOPTED this 6th day of December, 2006, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, City Recorder, Pro-Tem



City of Canby

Office of the City Attorney

Memo to: Mayor and Council

From: John Kelley, City Attorney

Date: November 28, 2006

Re: Ordinance No. 1227

Purchase of Road Right-of-Way from Kahut family for Berg Parkway Extension

We have reached an agreement with the Kahuts to purchase the right-of-way necessary for the extension of Berg Parkway. I have prepared Ordinance No. 1228 authorizing the purchase of the property. A copy of the letter agreement is attached to the Ordinance which sets forth our agreement with the Kahuts.

A motion to adopt Ordinance No. 1227 is necessary to start the escrow closing process. That should take about a month or so, and we will return with a Resolution for the Council to adopt to formally accept the right-of-way Deed.

ORDINANCE NO. 1227

AN ORDINANCE AUTHORIZING PURCHASE OF ROAD RIGHT-OF-WAY FOR THE EXTENSION OF SW BERG PARKWAY 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 Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut, Trustee and Kathleen M. Kahut, Trustee for the Kahut Living Trust, 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 Four Hundred Sixty-Two Thousand and no/100 dollars (\$462,000.00), plus such other consideration as set forth in a Letter Agreement dated November 8, 2006 between the parties. The sum of Four Hundred Forty-Two Thousand (\$442,000.00) of the total purchase price shall be deposited in escrow at or prior to the close of escrow in accordance with the terms of attached Letter Agreement. By this reference the attached Letter Agreement dated November 8, 2006 for the sale of road right-of-way is incorporated within as if set forth herein.

Section 3. Funds to Pay Purchase Price. The total sum of \$ 462,000.00 shall be paid from the City's current fiscal budget, account number 420-420-431-7600 titled "Transportation System Development Charge" fund.

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 deliver 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 extension of SW Berg Parkway 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, December 6, 2006, 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, January 3, 2007, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City Hall in Canby, Oregon.

Kimberly Scheafer
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 3rd day of January, 2007, by the following vote:

YEAS _____

NAYS _____

Melody Thompson
Mayor

ATTEST:

Kimberly Scheafer,
City Recorder - Pro Tem

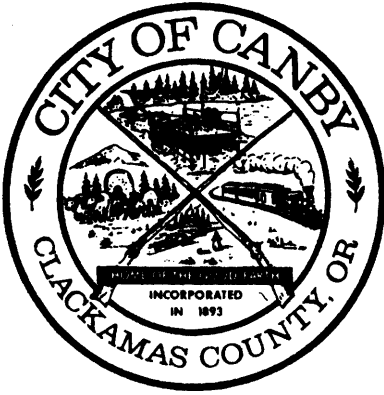
EXHIBIT A

Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut & Kathleen M. Kahut
A Portion of Township 4 South, Range 1E, Section 4B Tax Lot 901

Berg Parkway Roadway Dedication Legal Description

A portion of that tract of land conveyed to Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut and Kathleen M. Kahut in deed recorded under fee number 78-26233 Clackamas County Deed Records, in Section 4, Township 4 South, Range 1 East of the Willamette Meridian, more particularly described as follows: Beginning at the northeast corner of that parcel conveyed to Fred A. Kahut, et al., under said fee number, said point also being the south east corner of Lot 2 in Partition Plat 1996-56 Clackamas County, Oregon, thence south 0°03'00" east 154.03 feet more or less along the easterly property line of said tract to the true point of beginning, said point being on the proposed northern right-of-way of SW 13th Avenue and 25 feet northerly measured perpendicularly to the projected centerline of the existing SW 13th Avenue right-of-way; thence continuing south easterly along the eastern boundary of said Kahut tract 147.08 feet more or less to the southeast corner of said Kahut tract thence north 67°22'48" west along the southern boundary of said tract a distance of 141.90 feet to an angle point; thence north 63°02'20" west along the southern boundary 132.21 feet to an angle point; thence north 76°19'16" west along the southern boundary 96.08 feet to an angle point; thence north 76°47'00" west along the southern boundary 147.70 feet to an angle point; thence north 72°33'00" west along the southern boundary 57.93 feet to an angle point; thence north 25°32'30" west along the southern boundary 144.14 feet to the most westerly corner of the said Kahut tract; thence north 46°53'45" east 20.37 feet along the western boundary of said tract to an angle point; thence south 43°50'38" east 60.00 feet along the northern boundary of said tract to an angle point; thence south 63°33'11" east 84.59 feet along the northern boundary of said tract; thence north 73°18'02" east 26.07 feet more or less along the northern boundary of said tract to a point on the proposed northern boundary of SW 13th Avenue (Berg Parkway), said point being north 74°56'51" west 433.13 feet and south 88°49'34" west 27.89 feet from the true point of beginning; thence along a non-tangent curve left with radius 775 feet, delta 32°27'11" and arc length 438.97 feet with long cord south 74°56'51" east and cord length 433.13 feet to a point of tangency; thence north 88°49'34" east 24.51 feet to the true point of beginning, total area being 51,384 square feet more or less.

In addition, an easement for utility and sidewalk purposes shall be granted, said easement being 12 feet wide, parallel and abutting the northerly line of the above described dedication, total area of the easement being 5,508 square feet more or less.



City of Canby

Office of the City Attorney

November 8, 2006

R. Roger Reif
Attorney at Law
273 N. Grant Street
Canby, OR 97013

Re: Purchase of Right-of-Way from Kahuts
For the Berg Parkway Extension Project

Dear Roger:

The City of Canby is planning the construction of the above named roadway project. As you are aware, property owned by your clients, Fred and Nancy Kahut, Jerald A. Kahut and Kathleen M. Kahut Trustees for the Kahut Living Trust will be affected by this project. A Deed for Road Purposes, a Utility and Sidewalk Easement and a Temporary Construction Easement will be necessary in order to give the City the legal right to complete the construction of the roadway project.

In exchange for executing the documents and granting the above rights, and subject to final approval of the City Council, the City agrees to the following:

1. To compensate your clients, in full, for the Deed for Road Purposes, including the Utility and Sidewalk easement in the amount of \$438,330.00 and the further sum of \$1870.00 for the Temporary Construction Easement.
2. To compensate your clients \$1800.00 for a future curb cut and approach for access from Berg Parkway to the remainder of the property.
3. (a). To compensate your clients \$7500.00 to remove the existing residential dwelling and \$12,500.00 to remove the industrial building from the property. These buildings shall be removed by January 1, 2007.

(b). To not require the removal of the dwelling's concrete foundation and concrete flat work.

(c). To not require back-filling the dwelling's basement after the structure is removed.

4. To allow the owner sufficient time to take appropriate action to clean up any contamination or environmental hazard to a generic standard for industrially zoned property as required by the Department of Environmental Quality. The parties agree that the standard as set forth in OAR 340-122-0205 to 340-122-0306 (September 2003) shall govern. Owner agrees that he is responsible for clean-up of property already discovered to be contaminated and for clean-up of any other property discovered in the future to be contaminated that rises only to the level of contamination acceptable for industrially zoned property.

5. To clean up the construction debris at the conclusion of the project.

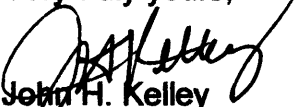
6. To close the transaction in escrow by an escrow agent of the City's choice. Prior to closing, each party will deposit with the escrow agent the funds, documents and instructions necessary for closing. The cost of the escrow and expenses incidental to the transfer of title shall be paid by the City. The owner is responsible to perfect the title to the property and provide title insurance for the City.

7. To comply with the terms and conditions of the Letter of Agreement. This is the entire, final and complete agreement between the Owner and the City pertaining to the sale and purchase of the right-of-way, and supersedes and replaces all written and oral agreements heretofore made.

8. To issue two checks, one to Fred A. Kahut and Nancy M. Kahut in the amount of \$20,000.00 for compliance with Item #3(a) above, and a second check in the amount of \$442,000.00 jointly to Fred A. Kahut, Nancy M. Kahut, Jerald A. Kahut, Trustee and Kathleen M. Kahut, Trustee for the Deed for Road Purposes, the Temporary Construction Easement and the curb cut. The first check will be paid directly by the City to the Kahuts upon completion of the removal of the buildings and the second check will be deposited with the escrow agent.

The total compensation for the above property rights, future curb cut and removal of both buildings is \$462,000.00. Payment will be made as stated above after approval and acceptance by the City of Canby. Thank you for your cooperation.

Very truly yours,


John H. Kelley
Canby City Attorney

This letter agreement is hereby accepted and approved:

Fred A. Kahut 11-20-06
By: Fred A. Kahut Date

Nancy M. Kahut 11-20-06
By: Nancy M. Kahut Date

THE KAHUT LIVING TRUST DATED DECEMBER 10, 2002

Jerald C. Kahut, Trustee 11-20-06
By: Jerald A. Kahut, Trustee Date

Kathleen M. Kahut 11-20-06
By: Kathleen M. Kahut, Trustee Date

The City of Canby:
Mark C. Adcock 11/20/06
By: Mark C. Adcock Date