

Canby City Council
Regular Meeting
August 5, 1974

The meeting was called to order by the mayor at 7:34 p.m. followed by the traditional flag salute.

Roll Call

Present: Mayor Roth, Councilmen Gerber, Giger, Tate, Wagner & Westcott

Absent: Councilman Kariker

Others Present: Administrator Wyman, Attorney Bettis Sr.,
Supt. Whiteside, Police Chief Graziano and Foreman Atwood

Upon call for corrections, additions or comments regarding the minutes of previous meetings and there being none, the mayor declared the minutes of July 15 and July 22 approved as distributed.

Ordinance #584, AN ORDINANCE AUTHORIZING THE EMPLOYMENT OF ZAROSINSKI-TATONE ENGINEERS, INC. AND ENGINEERING SERVICES FOR CONSTRUCTION OF A TRUNK SEWER FROM THE SEWAGE TREATMENT PLANT TO SOUTH IVY STREET; AUTHORIZING APPLICATION FOR STATE OR FEDERAL GRANT MONIES OR MATCHING FUNDS; AND AUTHORIZING PAYMENT OF ENGINEERING SERVICES was read on first reading by the city attorney. After a short period of discussion a motion was made by Councilman Giger, seconded by Gerber and carried to pass Ordinance #584 on first reading, to be posted as provided by the Canby City Charter and to come up for final council action at a special meeting on August 26.

Ordinance #585, AN ORDINANCE PROVIDING FOR THE CALLING OF A CITY TAX BASE ELECTION IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON, ON TUESDAY, NOVEMBER 5, 1974, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF CANBY, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION SET FORTH IN SECTION II, ARTICLE XI, OREGON CONSTITUTION was read on first reading by the city attorney. A motion was made by Councilman Giger, seconded by Gerber and carried to pass Ordinance #585 on first reading, to be posted in compliance with the Canby City Charter and to come up for final council action on August 26.

Four persons representing the Clackamas County Coalition of Social Services, with Sherrie Sutton and Sheila Rowan as spokeswomen, reviewed the proposed budget and the monetary requirements with the city council. Lengthy discussion followed after which it was declared that the matter would be given further attention at the workshop on August 12 and the item to appear on the agenda for the August 19 meeting. A copy of the Social Services budget is attached to and becomes a part of the file copy of these minutes.

A letter was read and discussion followed pertaining to objections to the construction of 235 and other low-cost housing units in the city of Canby. Supt. Whiteside reminded the council that most of the low-cost housing financed by the federal government met FHA requirements and city building specifications and that the city had very little alternative as to whether or not building permits should be issued. This matter was referred to the city attorney and staff for further study.

A letter from the League of Oregon Cities was read by Administrator Wyman advising of a special priority assessment to provide member cities with advice and information regarding legislative activities and other special information to be brought to the immediate attention of city councils from time to time during the coming year. After a short period of discussion a motion was made by Councilman Tate, seconded by Giger and carried approving a 2¢ per capita assessment for that purpose.

Administrator Wyman advised the council that the application of Guardian Properties before the Metropolitan Boundary Commission had been tabled indefinitely.

The council discussed the renewal of the agreement between the city and Pacific Northwest Bell pertaining to the extension of an agreement with the city for use of streets, power poles, etc. for the telephone installations within the city. After a period of discussion a motion was made by Councilman Giger, seconded by Gerber and carried to refer the agreement document to the Canby Utility Board for its consideration of the agreement as it pertains to telephone contact on city power poles.

The council reviewed the recent billing from Southern Pacific Railroad Company for city lease rental of parking lots and other railroad property totaling \$251. After a period of discussion a motion was made by Councilman Tate, seconded by Wagner and carried approving the payment of the rental bills.

Councilman Giger reported on a conversation with Kyle Read of Read-Bentz Insurance that the city's bodily injury and property damage coverage could be increased substantially by an additional \$750 premium per year. Upon discussion, Giger was unable to state whether this additional coverage would provide the city with \$1,000,000 liability or \$1,300,000 liability insurance. Thereupon a motion was made by Councilman Tate, seconded by Wagner and carried to table this matter for clarification.

The council reviewed the computer print-outs of accounts payable in the amount of \$44,063.80 and after a period of discussion a motion was made by Councilman Giger, seconded by Wagner and carried unanimously by roll call vote that the above claims be approved for payment and warrants drawn on the treasurer in payment thereof. Councilman Tate continued his objection to split purchases in that such items on the computer print-outs failed to reveal sufficient information for council decision on payment. It was also discussed that progress reports from Engineering Consultant Edwards had not been presented for council review recently.

Administrator Wyman presented property appraisals submitted by Duane Weeks, William Stohr and John Rasmussen pertaining to two parcels of property in N.E. Canby that had recently been discussed by the council as possible purchases for future park use. Upon the council's review of the appraisal documents and the discussion that the city would have to be in a position to make full payment before the Federal B.O.R. or other funds would be forthcoming to the city. During discussion of the submitted proposal of \$30,500 for the parcel or property presently owned by Ada Erland a motion was made by Councilman Tate and seconded by Giger that the city take option on the property for one year not to exceed 10% down as an offer to the property owner for her consideration. After a period of

further discussion the mayor called for the vote on the motion which failed by a vote of 3 no, 1 yes and Tate abstaining. Then a similar motion was made by Councilman Tate and seconded by Giger concerning the 2nd parcel of property presently owned by Mrs. Omar Marshall appraised at \$28,500. Upon call for a vote by the mayor this motion also failed to pass by a roll call vote of 3 no and 2 yes with ^{Giger}Gerber and Tate voting in the affirmative. ~~Opposing councilmen expressed their feelings that the appraised prices per acre were excessive for these particular parcels of property.~~ *ON IT*
STRICTLY FROM RECORD BY COUNCIL
ACREMENT AT AUGUST 19 COUNCIL MEETING

Upon the request presented by Administrator Wyman and Supt. Whiteside that more street improvements be approved so that the Public Works crews might continue to work while the good weather continues, a motion was made by Councilman Westcott, seconded by Gerber and carried to approve the oil mat improvement for S. Locust St. between 2nd Avenue and Forest Manor; N. Maple St. from 14th Ave. to Territorial Rd.; N. Maple from 10th to 14th Avenue; and S. Elm St. from 4th to 6th Avenues.

Upon the administrator's request and after a period of discussion a motion was made by Councilman Westcott, seconded by Wagner and carried that the city be authorized to hire Mr. Thomas Henne as police patrolman after the required physical examination at the cost of the city.

Councilman Giger was excused at 10:00 p.m.

Supt. Whiteside advised the council that the city's 1943 street roller had broken down and that repair parts were not available for a machine of that age. It was further reported that a 1953 used roller had been located for immediate delivery at a cost of \$2,495. from Columbia Equipment Company. After a period of discussion including budget provisions for the purchase of this piece of equipment a motion was made by Councilman Tate and seconded by Wagner to authorize the purchase of the 1953 roller but this motion was later withdrawn in favor of a motion made by Councilman Gerber, seconded by Wagner and carried that the rental of this piece of equipment at \$400 a month be approved with the understanding that if the city later purchased the equipment that the monthly rental would apply to the total cost of \$2,495. The staff reported that a new comparable street roller would cost about \$12,000 and that delivery was very questionable.

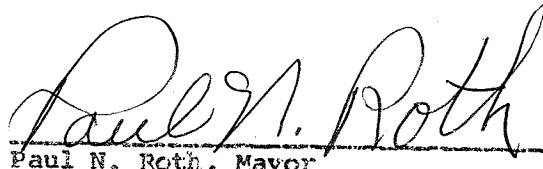
Mayor Roth requested that Ordinance #577 be presented at the August 12 workshop for study and preparation for adoption.

The council and staff discussed the city's schedule and procedure as it pertains to street cleaning with the city's motorized sweeper. Administrator Wyman explained that the schedule had been set up to include the commercial district only as a result of the recent gasoline shortage. The council agreed that now that the gasoline shortage is no longer a serious problem, attention should be given to the sweeping of residential streets in addition to commercial areas.

The meeting was adjourned at 10:22 p.m.



J. R. Richardson, City Recorder



Paul N. Roth, Mayor

Requesting AgencyAmount Requested

1. CLACKAMAS COUNTY CHILDREN'S COMMISSION
"Serves children (ages 3-12) of working parents including Milwaukie Day Care, four Headstart Programs, and a mobile resource unit." \$ 25,000.00
2. CLACKAMAS COUNTY LEGAL AID ASSOCIATION
"To provide legal services to low-income families." 28,250.00
3. CLACKAMAS COUNTY MENTAL HEALTH DAY TREATMENT PROGRAM
"Provides group and individual psychotherapy for severely emotionally disturbed to reduce admissions to mental health hospitals." 28,750.00
4. CLACKAMAS COUNTY HEALTH DEPARTMENT
"Provides Home Health Visiting Nurse services for low-income families and conducts a family planning clinic." 12,736.00
5. CLACKAMAS COUNTY SENIOR CITIZENS
"Plans and coordinates services for the elderly." 10,650.00
6. CLACKAMAS COUNTY YOUTH COMMISSION
"Employment programs for youngsters (ages 14-18). Currently these are: Home repair for senior citizens, GED, tutoring, youth for hire and recreation." 36,398.00
7. COMMITTEE FOR PROGRESS THROUGH LAW
"Serves to inform the low-income of social services available by means of a newsletter. Provides a telephone re-assurance program for the elderly and shut-ins." 1,350.00
8. MOLALLA SERVICE CENTER
"A volunteer service providing help and advice to low-income people, including GED classes, health services, teen center, dial-a-friend, etc." 2,322.00
9. OUTREACH PROGRAM - ASSOCIATION FOR RETARDED CITIZENS
"Serves retarded citizens by providing training, counseling and recreation." 26,283.00
10. SANDY COMMUNITY ACTION COUNCIL, INC.
"Serves low-income and itinerate population with donated clothing, furniture, food and emergency gasoline." 1,871.00
11. MOLALLA LOAVES AND FISHES
"Provides low-cost, nutritive midday meals on a pay-what-you-can basis." 250.00

Some City Earmark Funds

\$ 173,860.00

EC Comm Action - Out-

Health Dept

CEO prep

CLACKAMAS COUNTY COALITION OF SOCIAL SERVICES

August 2, 1974

<u>City</u>	<u>Population</u>	<u>Requested Contributions @ 1.14 per head</u>
Barlow	105	\$ 119.70
Canby	4,920	5,608.80
Estacada	1,360	1,549.40
Gladstone	7,725	8,792.50
Happy Valley	1,420	1,618.80 1553
Johnson City	400	456.00
Lake Oswego	18,150	20,691.00
Milwaukie	17,850	20,349.00 5600
Molalla	2,435	2,775.90
Oregon City	11,185	12,750.90
Sandy	1,750	1,995.00 2500
West Linn	8,130	9,268.00
Wilsonville	1,015	1,157.10 1500
Rivergrove	320	364.80
Total		<hr/> \$87,497.10

CLACKAMAS COUNTY COALITION OF SOCIAL SERVICES

825 Portland Avenue
Gladstone, Oregon 97027

July 18, 1974

Mayor & Council Members
Canby City Hall
Canby, Oregon 97013

Dear Mayor & Council Members:

The Clackamas County Coalition of Social Services formally requests a place on your agenda for your August 5, 1974 Council meeting, to present the needs and amounts of funding necessary to preserve the Human Services programs for the coming 74-75 year. If a place on that particular agenda is not possible, will you reserve a spot on another agenda as soon as possible and let us know at your earliest convenience.

Thank you in advance.

Sincerely,

Cherie Sutton *JS*

Cherie Sutton,
Secretary

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West Linn	8,130	9,268.00
Wilsonville	1,015	1,157.10 1500
Rivergrove	320	364.80
Total		<hr/> \$87,497.10

Dear Mr. Ross,

I consider you an intelligent member of the planning commission so please take the time to read my views.

Please consider a strong ^{No} vote on the issue to build 134 houses on Fir St by James Payton, Builder.

As you well know Canby water & sewer systems can not handle this! Also schools.

We must be more careful as so many lovely areas in Canby are being ruined by a street of cracks & holes & ~~garbage~~ trash!

The street behind Higgin Station is a disgrace to our city. One can't even get a tractor between them to landscape nicely.

The street of 235 homes behind Cedar is another disgrace. Now I notice the one running the other way connecting the lovely homes of Baker, Ash & Aspen has houses crammed close together too & not very lovely homes either!

allained in Conby!!!

Silverton - a lovely city
has none of this type of
building alluded. a
Silverton landscaper commented
Conby is being completely
ruined by these homes &
apt. complexes, & wonders
why our city fathers are
so blind!

I feel its too much get
rich fast, chop up beautiful
sandy soil, plaster houses -
then we have more animals
to run & more kids &
then we scream about crowded
schools!

Please use your intelligent
judgement & hopefully other
members will also use
some sense and stop this
now. before the lovely
"golden center city" becomes
a low income gypsy camp!

Sincerely,

Mrs. Norman Meyer

Long Elder Resident

P.S. When the crime rate increases
as we build this type of area this
is not progress. Business people
in town must concentrate on beauty & soil,
instead of money, money, money.

WADE P. BETTIS
RAYMOND R. REIF
WADE P. BETTIS, JR.

BETTIS & REIF
ATTORNEYS AT LAW
160 N.W. THIRD AVENUE
CANBY, OREGON 97013

TELEPHONES
266-1113
655-1674
AREA CODE 503

July 19, 1974

Mr. J. R. Richardson, Recorder
City of Canby
P. O. Box D
Canby, Oregon 97013

Re: Permit Extension Agreement: City of Canby -
Pacific Northwest Bell Telephone Company

Dear Jarrel:

I am enclosing three copies of a Permit Extension Agreement for the above entitled matter. Please schedule it for Council review and approval at a Council meeting; and if approved by the Council, the Minutes should show that fact. Then Mayor Roth and you should fill in the dates and sign your names and attach the City's corporate seal. Then transmit to the Telephone Company with a request that they approve and return one fully completed and signed copy for you to attach to the City's Permit.

Incidentally, I reviewed the original Permit and there is nothing in it that requires any change so far as I know. You might check with Mr. Whiteside and see if his experience with the Telephone Company under the terms of the original Permit Agreement would indicate a need for any modifications.

Sincerely,

BETTIS & REIF

Wade P. Bettis

WPB:EN
Encl.

cc: Honorable Paul N. Roth, Mayor
Mr. Harold A. Wyman, Administrator
Mr. John L. Whiteside, Supt. of Public Works

The Permit between PACIFIC NORTHWEST BELL TELEPHONE COMPANY, therein and herein referred to as the "company," and the CITY OF CANBY, OREGON, a municipal corporation of Clackamas County, Oregon, therein and herein referred to as the "city," approved and granted by the city August 4, 1969, and accepted and dated by the company August 16, 1969, and to which this Extension Agreement is attached, is hereby extended by mutual consent of the parties upon the same terms and conditions as provided in said Permit for a period of five (5) years from and after August 16, 1974.

Approved by the Canby City Council at a meeting thereof on the _____ day of _____, 1974, and signed by the Mayor of the City of Canby and attested by the Canby City Recorder this _____ day of _____, 1974.

PAUL N. ROTH - Mayor

ATTEST:

J. R. RICHARDSON - City Recorder

Accepted by Pacific Northwest Bell Telephone Company this _____ day of _____, 1974.

PACIFIC NORTHWEST BELL TELEPHONE COMPANY

By: _____
Vice President and General Manager

READ - BENTZ INSURANCE

334 N. W. First
Post Office Box 277
Canby, Oregon 97013

TELEPHONE: 266-2216

OREGON AUTOMOBILE - NORTH PACIFIC INSURANCE COMPANIES

July 15, 1974

REFERRED BY Mayor

City of Canby
Canby, Oregon

Attn: Mr. Harry Wyman, City Administrator

Dear Mr. Wyman:

We are pleased to deliver to you the renewal of the Liability Insurance for the City of Canby effective July 1, 1974 to July 1, 1975. This policy affords 300,000 Bodily Injury, Property Damage liability for the City and under the policy the Mayor, City Council, City Attorney and Employees are automatically covered for insurance while acting within their capacity.

I would like to draw to your attention the fact that the State legal limits for recovery against the City is 300,000, but Council employees and other individuals could be named in a suit beyond these limits. Because of the incidence of filing of larger lawsuits than this, I feel I should draw to your attention the fact that there is an exposure beyond the State Law for the above individuals.

I secured a quotation of \$750 annual premium for an additional One Million for the City Council and employees acting within their capacity. I would encourage you to give considerable consideration to this coverage.

In no way do I intend to intimate that 300,000 is not enough or is ample, nor likewise do I suggest that the One Million would be sufficient, but it certainly would afford a great deal of additional protection, not only for the City but for the above named individuals also.

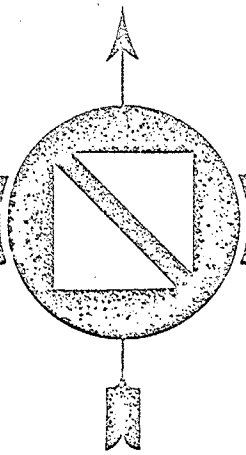
I would like to also, at this time, thank you and your employees for the excellent cooperation in helping us in maintaining your insurance records current, without this cooperation this would be an extremely difficult task.

Very truly yours,

Lyfe L. Read

Lyfe L. Read
READ-BENTZ INSURANCE

LLR:vw



PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION

6400 S.W. CANYON COURT

PORTLAND, OREGON 97221

PHONE: 297-2237

July 22, 1974

To: Local Governments and Interested Persons
From: Donald E. Carlson, Executive Officer
Re: BOUNDARY COMMISSION POLICY ON REGIONAL LAND USE
PLANNING

Please find attached a copy of the Boundary Commission's Policy on Regional Land Use Planning.

This policy is a tool for the Commission to use in meeting its responsibility for "guiding the creation and growth of cities and special districts" in the Portland Metropolitan region.

As indicated in the policy, the Commission will use the CRAG Interim Regional Development Policy as a guide when making decisions on boundary changes and water and sewer main extensions.

The Commission will appreciate receiving any comments about the policy statement. If you have questions regarding the policy or its application, please feel free to call.

Donald E. Carlson

DEC/jk
Enc. 1

STAFF:

DONALD E. CARLSON, Executive Officer
KENNETH S. MARTIN, Administrative Analyst
JEAN KRETZER, Secretary

COMMISSIONERS:

JERRY TIPPENS, Chairman
MRS. BROOKS GUNSUL, Vice Chairman
DONOVAN E. BLAIR
RICHARD M. BROWN
DR. RONALD C. CEASE

ANTHONY N. FEDERICI
H. JOSEPH FERGUSON
MRS. CAROLYN GASSAWAY
LOUIS C. LAVACHEK
CAMPBELL RICHARDSON
DR. PAUL J. SLOMINSKI

POLICY ON REGIONAL LAND USE PLANNING

(Adopted May 1, 1974)

The Boundary Commission as an agency of the State of Oregon is given the

"responsibility to insure an orderly determination and adjustment of local government boundaries to best meet the needs of the people" (ORS 199.410(1))

The purpose of the Commission is to

"provide a method for guiding the creation and growth of cities and special service districts in Oregon in order to prevent illogical extensions of local government boundaries and to assure adequate quality and quantity of public services and the financial integrity of each unit of local government." (ORS 199.410(2))

In making its determinations on boundary changes and water and sewer system extensions, the Commission is required to consider among other factors

"past and prospective physical development of land that would directly or indirectly be affected..." (ORS 199.462(1))

The Commission recognizes the impact that boundary changes and water and sewer utility main extensions have on the use of land in the Portland metropolitan area; and the Commission recognizes the need for a regional comprehensive land use plan and policy statement which will guide the Commission in carrying out its statutory responsibilities.

The Commission recognizes the efforts of the Columbia Region Association of Governments to develop and adopt a regional comprehensive land use plan by 1976 and the Commission encourages the successful completion of that effort.

The Commission realizes that many decisions affecting land use and development must be made between now and the completion and adoption of the regional comprehensive land use plan. The Commission feels that these decisions should be made within a framework that applies uniformly throughout the Portland metropolitan region and that decisions which must be made should support the successful completion of the regional comprehensive land use plan. Thus the Commission supports the statement adopted by the CRAG Executive Board on May 18, 1973 which reads as follows:

"During the interim period required to determine the region's 'optimum' level of population and development...all decisions relating to growth and development will be made with the basic aim of KEEPING OUR OPTIONS OPEN...and, if need be, (we will) attempt to discourage activities now carried on which have the effect of limiting our options..."

In recognition of the goal of "KEEPING OUR OPTIONS OPEN" the Commission supports the "interim objective" adopted by the CRAG General Assembly on April 19, 1973 which reads as follows:

"Encourage development on the vacant lands lying within the already developed areas where services are available, thus eliminating the proliferation of public services into undeveloped areas and thereby lessening the degree of urban sprawl and encouraging better utilization and a higher economic return on existing facilities."

In general support of the "interim objective" described above and in order to fully carry out its statutory responsibilities in a logical and uniform manner, the Boundary Commission by this policy statement concurs with the "Interim Regional Development Policy" which was presented to and adopted by the Columbia Region Association of Governments' General Assembly on January 31, 1974. A copy of that policy is on file in the Commission office and the Commission will use it as a guide when considering and making decisions on boundary changes and water and sewer main extensions.

The Commission in adopting this policy statement is not ignoring the need for parks and open space within the urban area. The Commission will balance that need against the need to "encourage development on the vacant lands lying within the already developed areas where services are available" pending completion and adoption of the regional comprehensive plan in 1976.

This policy does not supersede the Commission's previously adopted policy on "Land Use and Coordinated Planning" (adopted 5/20/70) but the two policies will be utilized together by the Commission.

WARRANTY DEED

JAMES H. & JEANETTE PAYTON, H&W
CITY OF CANBY, a municipal corporation
P.O. Box D, Canby, Oregon 97013
GRANTOR
GRANTEE
GRANTEE'S ADDRESS, ZIP

After recording return to:

WADE P. BETTIS
Attorney at Law
160 NW Third Avenue
Canby, Oregon 97013
NAME, ADDRESS, ZIP

Until a change is requested, all tax statements
shall be sent to the following address:

CITY OF CANBY
P. O. Box D
Canby, Oregon 97013
NAME, ADDRESS, ZIP

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF OREGON

County of _____

SS.

I certify that the within instrument was received for record on the _____ day of _____, 19_____, at _____ o'clock _____ M., and recorded in book _____ on page _____ or as file/reel number _____, Record of Deeds of said County.

Witness my hand and seal of County affixed.

By _____ Recording Officer
Deputy

WARRANTY DEED—STATUTORY FORM

INDIVIDUAL GRANTOR

JAMES H. PAYTON & JEANETTE PAYTON, husband & wife, Grantor,
conveys and warrants to CITY OF CANBY, a municipal corporation, Grantee,
the following described real property free of encumbrances except as specifically set forth herein situated in Clackamas County, Oregon, to-wit:

A tract of land in the Philander Lee D.L.C.No. 56, situated in the Southeast quarter of Section 33, T.3S., R.1E., of the W.M., in Clackamas County, Oregon, described as follows:

Beginning at the Southeast corner of said Section 33; thence South 89° 43' 45" West, 906.84 feet; thence North 27° West 939.0 feet to the most Southerly corner of that tract of land conveyed to Lester Brown by deed recorded in Deed Book 201, page 157; thence continuing North 27° West 155.0 feet to the Northwesterly corner of that tract conveyed to Fred Richard Land, et ux, by Deed recorded under Recorder's Fee No. 72-2861, and the true point of beginning; thence continuing North 27° West 250.69 feet to the Southwesterly extension of the South line of Brownmore; thence North 62° 42' East along the

(continued on reverse side)
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The said property is free from encumbrances except

The true consideration for this conveyance is \$ None (Here comply with the requirements of ORS 93.030)

Dated this 28th day of March, 1974.

STATE OF OREGON, County of Clackamas) ss. March 28, 1974

Personally appeared the above named JAMES H. PAYTON and JEANETTE PAYTON, husband and wife,
and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon—My commission expires: 5/8/76

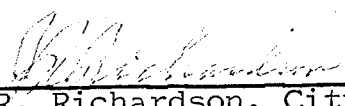
(continuation of legal description):

said extension a distance of 30 feet, to a point that is South 62°42' West 10 feet from the most Southerly corner of Lot 1, Block 3, Brownmore; thence South 27° East a distance of 250.59 feet to the North line of the aforementioned Fred Richard Land tract; thence South 62°25'30" West along the North line of said Land tract a distance of 30 feet to the true point of beginning.

* * * * *

STATE OF OREGON)
County of Clackamas) ss.
City of Canby)

The foregoing Deed was accepted and approved for recording by the Canby City Council at a meeting thereof on the 22 day of July, 1974.



J. R. Richardson, City Recorder

WADE P. BETTIS
RAYMOND R. REIF
WADE P. BETTIS, JR.

BETTIS & REIF
ATTORNEYS AT LAW
160 N.W. THIRD AVENUE
CANBY, OREGON 97013

TELEPHONES
266-1113
655-1674
AREA CODE 503

July 17, 1974

Mr. Harold A. Wyman, Administrator
City of Canby
P. O. Box D
Canby, Oregon 97013

Re: James H. Payton - City of Canby Deed for Street Purposes

Dear Harry:

Mr. Warren Schumacher, Manager of the Canby office of Trans-america Title Insurance Company, phoned me this date to advise that he has recorded for Mr. Payton Partial Releases of Mortgages which affected the property of Payton's as described in Transamerica Title Insurance Company Report No. 723-103 dated March 11, 1974 and being a 30 foot wide parcel conveyed to the City for widening of S. Locust Street. Mr. Schumacher assures me that at this time the property in question is free and clear of liens or encumbrances, and I am therefore enclosing the Deed of James H. Payton, et ux to the City of Canby dated March 28, 1974, signed and notarized for recording and conveying title to the property therein described.

Please submit this Deed to the Council at its meeting on Monday, July 22nd, for acceptance and approval for recording. The Minutes of such meeting should reflect that action, after which the City Recorder should insert the date of the meeting, sign his name and affix the City's official seal, and then deliver to me promptly for forwarding to Mr. Schumacher at the title company office for recording and the issuance of a Title Policy for the City. Call me if you have any questions concerning this matter.

Sincerely,

BETTIS & REIF


Wade P. Bettis

WPB:EN
Encl.

cc: Mr. Warren Schumacher
Honorable Paul N. Roth, Mayor
Mr. John L. Whiteside

7-26-74 Mayor Roth & Adm. Wyman both stated that the Council had previously approved this transaction when the Attorney was satisfied with mortgage satisfaction.


Richardson
Recorder