

REGULAR MEETING OF THE CITY COUNCIL OF CANBY
HELD ON DECEMBER 4, 1922.

Meeting called to order by the Mayor, W. S. Maple,
On Roll call: W. S. Maple, Mayor; Philip Hammond, City Attorney; C. L. Eid, Recorder; Louis Lent, Chief of Police.
Councilmen: Bair, Dedman, Evans, Johnson, Lee, Sandsness, Sheldon and Phull.

Whereupon the minutes were read for October and November and various special meetings. Mr. Lee corrected the minutes of Adjourned meeting October 2, 1922 to read published wholesale power rates instead of Published rated. No further corrections were made and the minutes were approved as read.

The telegrams from the State Audit Committee were presented to the Council. The City Attorney states that a lot of work was necessary to complete report.

Whereupon the City Attorney reports that the bill of sale of Electric system is not yet completed. Whereupon the City Attorney read the following bill of sale.

KNOW ALL MEN BY THESE PRESENTS, That the Molalla Electric Company, a corporation organized and existing under and by virtue of the laws of the State of Oregon, party of the first part in and for the consideration hereinafter contained and expressed, to it paid by the City of Canby, a municipal corporation in Clackamas County, Oregon, the party of the second part, at and upon the delivery of these presents, - receipt whereof is hereby acknowledged, - has granted bargained, sold, assigned, conveyed and delivered and by these presents does grant, bargain, sell, convey, assign and deliver unto Canby, its successors and assigns, all the following property, to-wit:

All the personal and real property of every name, nature and description used by the party of the first part within the boundaries of the City of Canby as a distributing electric system, for the transmission and delivery of electric current and electric power to the people of the City of Canby, including all equipment and fixtures, fixed or movable and in use in said service, and including all of the various articles set out in the inventory or report compiled by J. B. Beebe of the Public Service Commission of the State of Oregon under date of April 27, 1922, to the City of Canby and the grantor hereof; which report is hereby referred to and made a part hereof; for the purpose of more particularly establishing the identity of the property herein intended to be sold, together with material and extensions in betterments and repairs added to said property since the date of said report, EXCEPTING, NEVERTHE LESS, the terminus of the main transmission line of the party of the

first part situated on the North bank of the Molalla River and which transmission line extends from Canby Southward to Woodburn in Marion County, and which terminus was not included in such report.

That the full consideration for all of the above mentioned property, consisting of poles, fixtures, overhead line, line transformers and devices, electric service, construction and meters (excepting a few meters, less than ten in number, owned individually by customers), is Seven Thousand Dollars (\$7000.00) cash, and as part of the consideration therefor the party of the first part agrees to secure and have recorded in Clackamas County, proper release for all liens against the said property herein conveyed, from the lien of the bonds of said party of the first part held by the Trustees of Whitman College, or otherwise, and as further consideration, moving from the City of Canby, to the party herein as a part of this transaction, that certain claim of the City of Canby of long standing against the Molalla Electric Company for alleged expenditures in the original construction of said street lighting system, is merged in this transaction and is hereby released and cancelled.

And the party of the first part, in consideration hereof does for itself, its successors and assigns covenant with Canby, its successors and assigns, that it will warrant and defend all and singular the said property above conveyed, forever against all lawful claims and demands whatsoever, except my claim that may be advanced and established by the Clackamas County Fair Association for ownership of any of the materials going into the short transmission line extending northerly to the Fair Association Grounds.

As a further consideration for this transfer, the City of Canby may purchase electric energy from the Molalla Electric Company at the published rate of the Portland Railway Light & Power Company, now in effect, or hereinafter established, plus line loss on energysso purchased from the party of the first part over its main transmission line, extending from Canby to the point of connection of said transmission line with the transmission line of the Portland Railway Light & Power Company in the City of Woodburn, Marion County, Oregon, such line loss to be computed, fixed and established by competent officials or official of the Portland Railway Light & Power Company, both parties reserving the right, if either is convinced that such computation of line loss is inadequate or unfavorable, to refer the matter to the Public Service Commission for consideration and final adjustment, and such privilege shall continue for the grantee to continue to purchase electric energy suitable to its needs from the party of the first part and at the same rate and upon the same terms so long as the Molalla Electric Company remains the owner and in possession of said transmission line from Woodburn to Canby, and it is agreed that said party of the first part shall at all times maintain and keep said transmission line in good order and repair for the purpose of delivering such power to the said City of Canby and maintaining good service over said line. The Molalla Electric Company reserves the right and privilege of serving its suburban customers outside and contiguous to the boundary lines of the City of Canby over the system hereby sold and assigned, where and as necessary to supply said suburban customers now existing and hereafter "hooked up", and the line loss on power so transmitted over said Canby's system shall be charged to the party of the first part and shall likewise be computed, fixed and established by representatives of the Portland Railway Light & Power Company with similar right of review by the Public Service Commission.

Nothing contained in this agreement shall operate as a requirement that Canby shall maintain or cause to be constructed any other or further or additional transmission lines or wires for the distribution of electrical energy to supply such customers of the Molalla Electric Company outside of and North of the Molalla River but that the rights herein mentioned of the Molalla Electric Company to supply such suburban customers shall be permissible only and without liability on the part of the City of Canby to construct additional or heavier equipment or to maintain transmission or distributing line which do not produce any revenue to Canby.

It is understood that this transfer shall be effective as and from the last meter reading of said Company, to-wit: About October 27, 1922, and all revenues to be collected from the sale of electric energy within Canby by means of such property from and after said date, shall go to the City of Canby, and said City in turn shall pay for the current so used from such date at the published rate of the Portland Railway Light & Power Company, plus line loss in transmission from Woodburn as hereinabove stipulated for. Further, the costs of additional equipment necessary to "step down" the current from the main transmission line to measure and meter the electric energy to be delivered to the City of Canby for its use over the property herein conveyed, shall be borne by the Molalla Electric Company, and the equipment and devices, transformers, etc. necessary for such purpose shall be put in place and maintained likewise at the sole cost and expense of the party of the first part, title in and to such added equipment to remain in the Molalla Electric Company.

Accounting between the Molalla Electric Company and the City of Canby shall be made monthly, not later than the tenth day of each month.

The City of Canby shall not be required to add any equipment whatsoever to the equipment purchased herein and now in use on said transmission line to secure energy for the purpose for which it is now used in Canby.

And the Grantor hereof, for its self and for its successors, covenants to and with the Grantee, its successors and assigns, that from time to time on demand of the Grantee, its successors or assigns, that said Grantor, or its successors will make, do execute, acknowledge and deliver all such further acts, deeds, conveyances and assurances as may be reasonably devised or required, for effectuating the intention of these presents and for the better assuring or confirming unto the said Grantee, its successors and assigns, all and singular the above granted and bargained property.

IN WITNESS WHEREOF, the Molalla Electric Company has caused its corporate name and seal to be hereunto affixed and this instrument to be signed by its President and Secretary thereunto duly authorized, this day of A. d., 1922, and the City of Canby has caused its approval to be endorsed thereon by its Mayor and Recorder in turn thereunto duly authorized, by action of the Common Council of the City of Canby, this day of A. D. 192

IN the presence of:

MOLALLA ELECTRIC COMPANY

BY _____
PresidentBY _____
Secretary.

APPROVED:

CITY OF CANBY
 BY W. D. Maple
 Mayor.
 BY [Signature]
 Recorder.

STATE OF OREGON)
 (ss.
 County of Multnomah)

ON this day of A. D. 192 , before
 me appeared E. G. Robinson, to me personally known who, being
 first duly sworn, did say that he is the President of the
 Molalla Electric Company, a corporation, and that the seal
 affixed to said instrument is the corporate seal of said Cor-
 poration, and that said instrument was signed and sealed in
 behalf of said Corporation by authority of its Board of Dir-
 ectors, and said E. G. Robinson acknowledged said instrument
 to be the free act and deed of said corporation,

IN TESTIMONY WHEREOF, I have hereunto set my hand
 and affixed my official seal this the day and year first in this,
 my certificate, written.

 Notary Public for Oregon
 My comm. ex.

Whereupon the following bills were read:

General Fund

Lewis Lent	\$15.00
Aug. Rothenberg	20.00
Library	5.00
J. Welch	9.50
Krueger Brothers	.65
J. R. Vinyard	1.27
Harve Bissell	1.00

Canby Hdw. & Imp. Co.	\$2.25
Wm. Wehner	6.00
C. L. Eid	12.80
City of Canby-lights	59.80
Mrs. L. Lent	3.00
Mrs. M. J. Lee	3.00
Mrs. W. B. Moore	3.00
Mrs. H. N. Brown	3.00
Mrs. J. R. Vinyard	3.00
City of Canby, water fund	15.00
Louis Nieland	6.80
Lent Bros.	5.60
	<u>\$175.67</u>

Water Fund

Louis Lent	\$25.00
State Accident Comm.	.76
Louis Lent--5% col.	18.26
City of Canby Power	36.07
Stefani Lumber Company	6.42
Lent Brothers	3.45
First Nat'l Bank	.50
First Nat'l Bank	210.00
Geo. Zimmer- Bonds #2, #3.	500.00
	<u>\$800.46</u>

Road Fund

A. H. Knight	\$15.00
J. Hess	10.50
F. A. Weygant	3.00
H. Johnson	27.00
Jim Malhum	3.00
Wm. Wehner	6.00
J. R. Pitts	3.00
	<u>\$67.50</u>

Electric Light Fund.

Molalla Elec. Co.	\$200.00
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Whereupon it was moved and seconded that all bills ^{be approved} stand as read. Ayes: Bair, Dedman, Evans, Johnson Lee, Sandsness, Sheldon and Shull. Noes: None.

Finance Committee reports unfavorable regarding investors syndicate.

Whereupon it was moved and seconded that the coal left over from the improvement job be donated to the Domestic Science Class of Canby High School. Motion carried.

1922-6

An Ordinance for the purpose of levying a tax on all taxable property etc was read:

An Ordinance for the purpose of levying a tax on all taxable property, both real and personal, within Canby and declaring an emergency:

CANBY DOES ORDAIN AS FOLLOWS:

Section 1. The Council of the City of Canby does hereby levy a tax of \$4620.00 on all the taxable property both real and personal, which is taxable for County and State purposes, within the corporate limits of Canby, which is to be collected as other taxes are collected in the State of Oregon, by the sheriff and Tax Collector of Clackamas County, during the year 1923, with the taxes commonly known as the taxes of 1922. Said levy shall consist of \$2900.00 known as the regular City Tax and \$1720.00, Special taxes heretofore approved by the voters of Canby.

Section 2. Whereas it is necessary that Canby shall raise the sum of money aforesaid to meet the expenses of the City and protect the health and safety of the inhabitants thereof, an emergency is hereby declared to exist and this ordinance shall go into full force and effect upon its final passage and approval by the Mayor.

It was moved and seconded, that said reading be considered the first reading, and that said ordinance be adopted for the reason that the cost of publication thereof was excessive in the opinion of the Council and to come up for final passage at a regular meeting of the Council to be held on December the 4th, 1922. Motion carried.

Whereupon the following resolution was read appointing Louis Lent as collector for the Electric Light System:

Whereas it is necessary to collect the revenue due the City of Canby from the Electric Light System and to pay therefrom the necessary costs of maintaining the same.

It is therefore hereby Resolved by Canby that Louis Lent shall be collector of the revenues to be collected from such Distributing System, under the directions of the Electric Light Committee of the Council.

And be it further Resolved that such committee under the directions of the Council of Canby shall pay all costs of maintenance, costs of current and other charges out of the funds to be collected from such revenues, all of which charges shall be paid in the customary manner of bills against the City.

Ayes: Bair, Dedman, Evans, Johnson, Lee, Sheldon, Sandness and Skull. Noes: None.

It was moved and seconded that Mr. Lent be authorized to make extensions same as the P. R. L. & P. Co. under the same conditions. Motion Carried.

Whereupon it was moved and seconded that the meeting adjourn.
Motion carried.

C. I. [Signature]
C. I. [Signature]
[Signature]

APPROVED: JAN 2 1923

W. S. Maple

Mayor.

REGULAR MEETING OF THE CITY COUNCIL OF CANBY
HELD JANUARY 2, 1923.

The meeting was called to order by the Mayor, W. S. Maple. On roll call: W. S. Maple, Mayor; Philip Hammond, City Attorney; Clarence Eid, Recorder; Louis Lent, Chief of Police. Councilmen: Bair, Bowsley, Dedman, Johnson, Shull, Swanley, Weygandt.

Whereupon the minutes of the last meeting were read and approved as read.

The reports of Fourth Quarter and Annual Reports of the City Treasure were read. It was moved and seconded that the City Treasurer reports be referred to the finance Committee and be made a part of the minutes. Motion carried.

Whereupon the following bills were read:

WATER FUND:

Louis Lent	\$ 25.00
State Accident Commission	.87
First Nat'l Bank	210.00
First Nat'l Bank	500.00
Stefani Lumber Company	6.42
Canby Hdw. & Imp. Co.	1.00
K. Hornig	3.00
J. Hess	2.50
5% collection on \$368.62 (Louis Lent)	18.43