

ORDINANCE NO. 1592

AN ORDINANCE PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 1.06 ACRES OF REAL PROPERTY DESCRIBED AS LAND SITUATED SOUTHWEST 1/4 of SECTION 27, T.3S., R.1E., W.M.. (TAX MAP 31E27CB); AND AMENDING THE EXISTING COUNTY ZONING FROM RURAL RESIDENTIAL FARM FOREST 5 ACRES (RRFF5) TO CITY HIGH DENSITY RESIDENTIAL (R-2) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS.

WHEREAS, on December 7, 2022, at a public hearing the City Council of the City of Canby approved by a vote of 5 to 0, Annexation (ANN/ZC 22-01) which called for the annexation of 1.06 acres of real property into the City of Canby. The applicant is S.T.J.1, LLC, managing members Jeff and Thomas Scott. A complete legal description and survey map of the property as 1885 N. Redwood St. delineates the property to be annexed and is attached hereto as Exhibit A & B respectively and by this reference are incorporated herein;

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

WHEREAS, an application was filed by the City as the applicant listed above to annex the real property identified and bring said real property into the City's jurisdiction as previously negotiated with Clackamas County and included in an Inter-Governmental Agreement (IGA) adopted by the Canby City Council on December 5, 2018 as Resolution No. 1306;

WHEREAS, a public hearing was conducted by the Canby Planning Commission on November 28, 2022 after public notices were mailed, posted and published in the Canby Herald, as required by law;

WHEREAS, the Canby Planning Commission heard and considered testimony regarding the annexation by Figure 16.84.040 of Chapter 16.84 of the Land Development and Planning Ordinance at the public hearing and at the conclusion of the public hearing; the Planning Commission voted to recommend that the City Council approve the application;

WHEREAS, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on November 28, 2022;


WHEREAS, the Canby City Council, after considering the applicant's submittal, the staff report, the Planning Commission's hearing record and their recommendation documented in their written Findings, Conclusions and Order, and after conducting its own public hearing; voted to approve the annexation; and

WHEREAS, the written Findings, Conclusions and Order of the Council action is to be approved by the City Council at the next regular Council meeting on December 7, 2022.

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

Section 1. It is hereby proclaimed by the City Council of Canby that 1.06 acres of real property as described, set, and shown in Exhibit A & B and attached hereto, is annexed into the corporate limits of the City of Canby, Oregon.

SUBMITTED to the Council and read the first time at a regular meeting thereof on December 7, 2022 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on December 21, 2022, commencing at the hour of 7:00 PM at the Council Meeting Chambers located at 222 NE 2nd Avenue, Canby, Oregon.



Melissa Bisset, CMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on 21st day of December 2022, by the following vote:

YEAS 6 NAYS 0



Brian Hodson
Mayor

ATTEST:



Melissa Bisset, CMC
City Recorder

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.
3880 SE 8th Ave., Suite 280

Ronald b. Sellards, P.E.

Portland, OR 97202

503-235-8795

FAX: 503-233-7889

Email: chris@ztecengineers.com

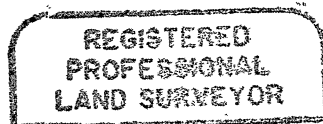
March 14TH, 2022

SCOTT INVESTMENT COMPANIES ANNEXATION OF LOT 3 OF "ALICE ACRES"

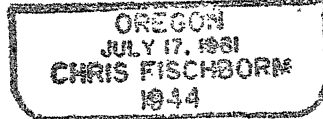
A TRACT OF LAND BEING ALL OF LOT 3 OF THE PLAT OF "ALICE ACRES", LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

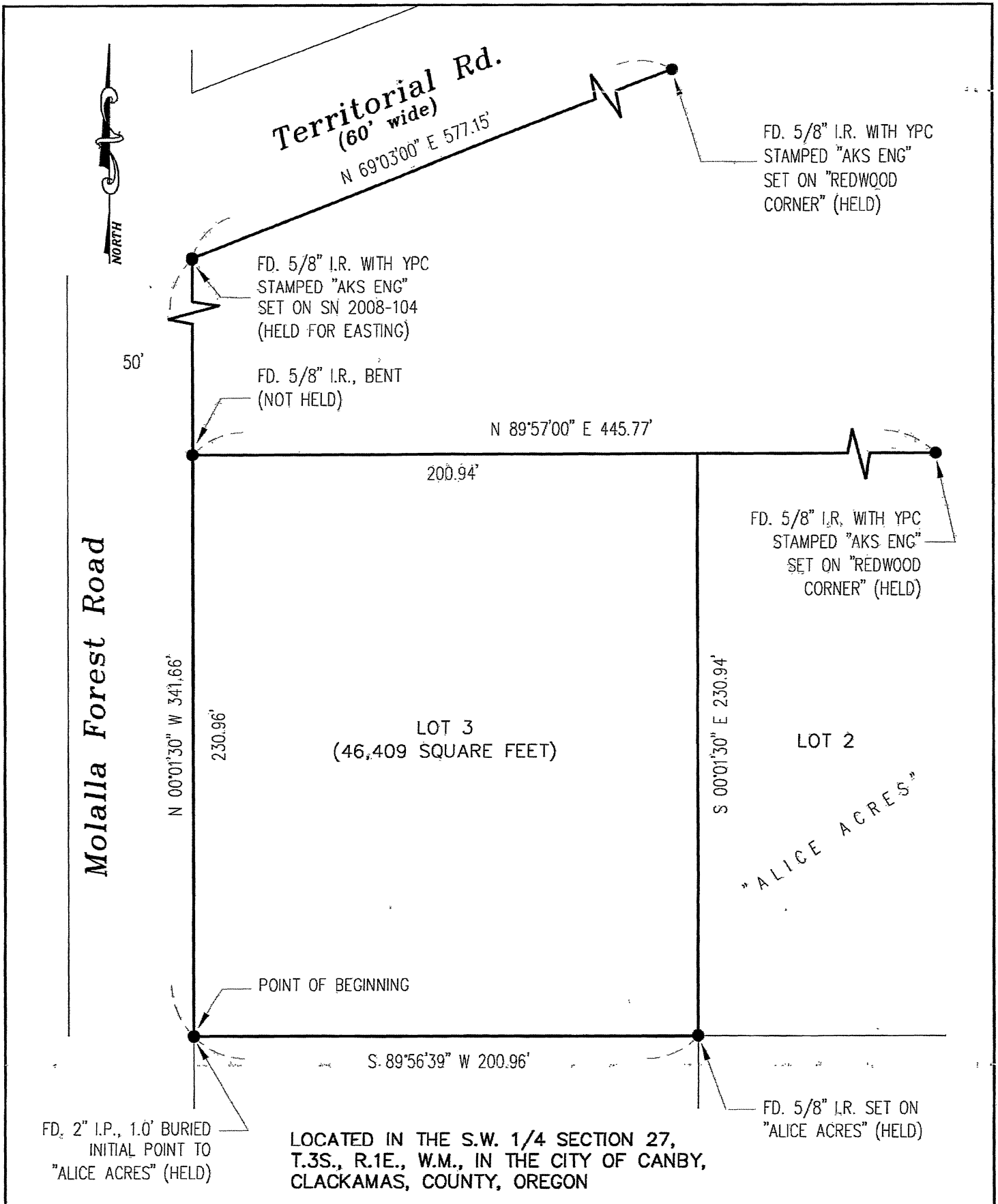
BEGINING AT A 2 INCH IRON PIPE, ONE FOOT BURIED, BEING THE INITIAL POINT TO SAID "ALICE ACRES" (PLAT NO. 1973), SAID POINT BEING AT THE SOUTHWEST CORNER OF SAID LOT 3 OF SAID "ALICE ACRES", SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF MOLALLA FOREST ROAD; THENCE FROM SAID POINT OF BEGINNING, NORTH 00°01'30" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 230.96 FEET TO THE NORTHWEST CORNER OF SAID LOT 3; THENCE NORTH 89°57'00" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 200.94 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 00°01'52" EAST, ALONG THE EAST LINE OF SAID LOT 3; A DISTANCE OF 230.94 FEET TO A 5/8 INCH IRON ROD AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE SOUTH 89°56'39" EAST, ALONG THE SOUTH LINE OF SAID LOT 3, A DISTANCE OF 200.96 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED.

SAID TRACT OF LAND CONTAINS AN AREA OF 1.0654 ACRES (46,409 SQUARE FEET) MORE OR LESS.



Chris Fischborn





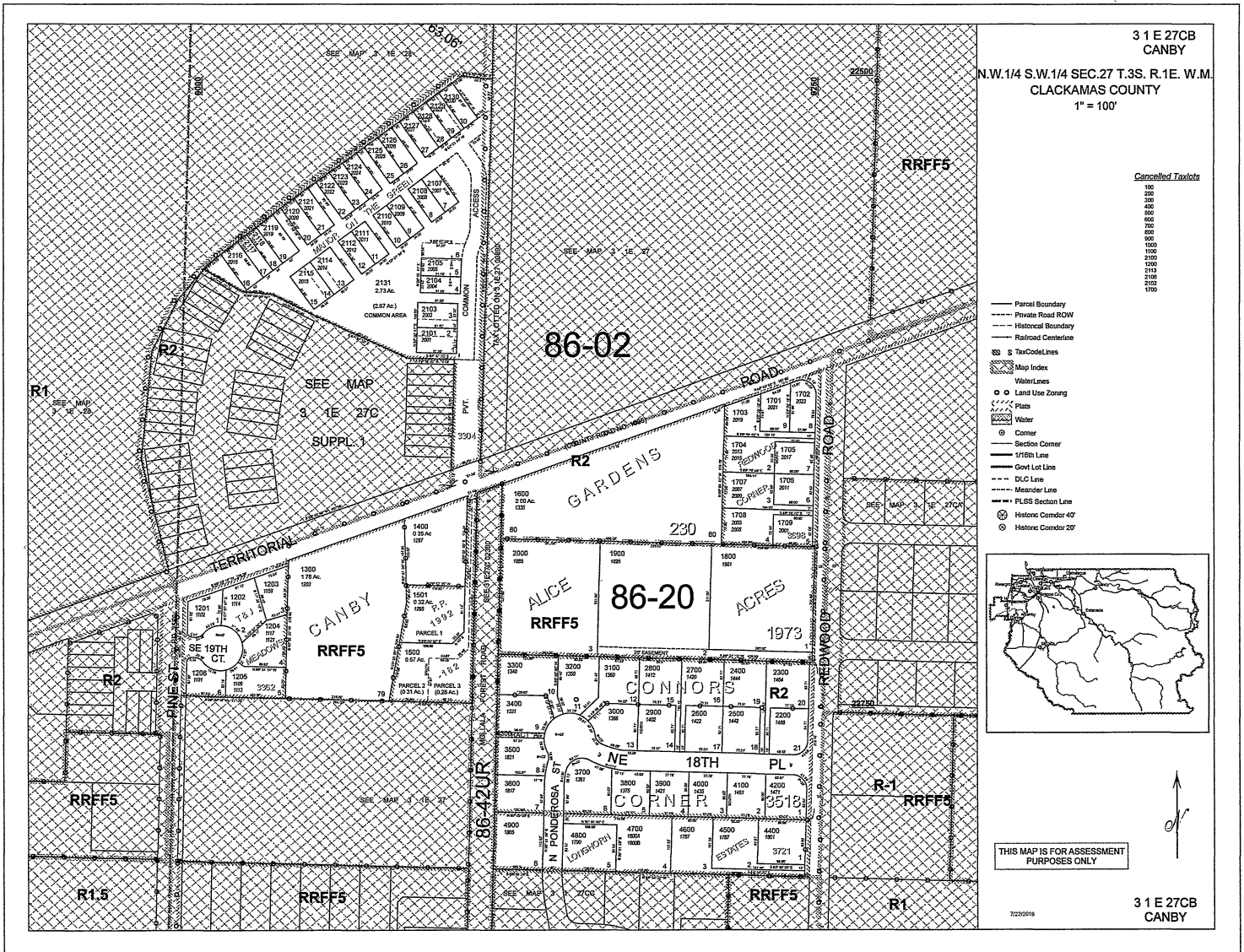
TITLE: SCOTT INVESTMENT CO. - ANNEXATION OF LOT 3		ZTec ENGINEERS, INC.	
PLOT DATE: 3-14-22		3880 S.E. 8TH AVE.; SUITE 280	
FILE: 21-4554-1	SCALE: -	PORTLAND, OREGON 97202	
CLIENT: SCOTT INVESTMENT CO.	SHEET: 1	(503) 235-8795	



First American

myFirstAm® Tax Map

1885 N Redwood St, Canby, OR 97013



AFFIDAVIT OF POSTING

STATE OF OREGON)
)
County of Clackamas) ss:
)
CITY OF CANBY)

I, Melissa Bisset, being first duly sworn, depose and say that I am the City Recorder for the City of Canby, Clackamas County, Oregon, a City duly incorporated under and by virtue of the laws of the State of Oregon.

That on the 7th day of December, 2022 the Council for said City of Canby held a Regular City Council Meeting, at which meeting Ordinance No. 1592 was read for the first time and passed by the vote of said Council and was then and there ordered posted in at least three (3) public and conspicuous places in said City for a period of five (5) days prior to the second reading and final vote on said Ordinance, as provided in Section 2 of Chapter 8 of the Charter of the City of Canby, and

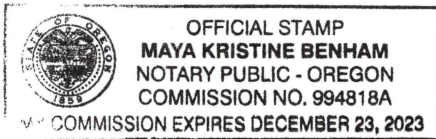
Thereafter, on the 9th day of December, 2022, I personally posted said Ordinance in the following three (3) conspicuous places, all within the said City of Canby, to wit:

- 1. Canby Civic Building
- 2. Canby Post Office
- 3. City of Canby Web Page

That since said posting on the date aforesaid, the said Ordinance will remain posted in the said three (3) public and conspicuous places continuously for the period of more than five (5) days and until the very 21st day of December, 2022.

Melissa Bisset
Melissa Bisset, City Recorder

Subscribed and sworn to before me this 7th day of December, 2022.



Maya Kristine Benham
Notary Public for Oregon
My Commission Expires: 12/23/2023