RESOLUTION NO. 1052

A RESOLUTION APPROVING ANNEXATION OF 4.77 ACRES OF LAND, OF WHICH 4.62 ACRES SHALL BE ZONED R-1 (LOW DENSITY RESIDENTIAL), AND 0.15 ACRE SHALL BE ZONED R-1.5 (MEDIUM DENSITY RESIDENTIAL), PENDING ANNEXATION APPROVAL BY THE CANBY ELECTORATE; AND APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CANBY AND NORMAN E. BECK AND JENNY L. BECK, PROPERTY OWNERS, FOR 4.62 ACRES OF THE LAND.

WHEREAS, Norman E. Beck and Jenny L. Beck, husband and wife, hereinafter referred to as "BECK", own 4.62 acres of real property commonly described as 1732 N. Pine Street, Canby, OR 97013, and more particularly described in Exhibit A to the Development Agreement; and

WHEREAS, the property described in Exhibit A to the Development Agreement is located within the boundaries of a designated "Development Agreement Area", as shown in Figure 16.84.040 of the Canby Municipal Code, and therefore in accordance with Canby Municipal Code 16.84.040(A)(1)(a), a Development Agreement is a necessary criteria to approve an annexation request; and

WHEREAS, Norman and Jenny Beck have submitted an application to the City of Canby requesting annexation of 4.77 acres of land, and requesting that the easterly 4.62 acres be zoned R-1 (Low Density Residential) and the westerly 0.15 acre be zoned R-1.5 (Medium Density Residential); and

WHEREAS, the Canby Planning Commission held a public hearing on November 23, 2009, concerning execution of a Development Agreement by and between the City of Canby and BECK for 4.62 acres, and concerning annexation and zoning for 4.77 acres; after which Planning Commission recommended to the City Council that the Development Agreement be approved, that the Annexation be approved, and that the zoning of the property upon annexation be designated as requested; and

WHEREAS, the City Council received a record of the Planning Commission's public hearing, together with Commission's recommendation of approval on February 17, 2010, and based on the findings and conclusions detailed in the December 14, 2009 Planning Commission 'Findings, Conclusions & Order', attached hereto this Resolution as Attachment 1, the City Council voted to approve the Development Agreement, to approve the annexation request and refer the question of annexation to the voters of Canby, and upon annexation to zone the property as requested;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

- 1. The City Council hereby approves the Development Agreement by and between the City of Canby and BECK, an as-yet-unexecuted copy of which is attached hereto this Resolution as Attachment 2.
- 2. The Interim City Administrator is hereby authorized and directed to sign the Development Agreement. The City Recorder and City Attorney are hereby authorized to do all other necessary and proper acts to facilitate execution of the Development Agreement. And BECK is hereby authorized to record the signed Development Agreement with the official records of Clackamas County within seven (7) calendar days from today.
- 3. The City Council hereby approves Annexation application no. ANN-09-01 for submission to the Canby electorate for vote; a legal description of the property to be annexed is attached hereto this Resolution as Attachment 3.
- 4. Upon annexation, the zoning of the 4.77 acres of annexed land shall be designated as follows: The westerly 20-foot-wide half of N. Pine Street (approx. 6,598 sq. feet) shall be zoned Medium Density Residential, and the remainder of the annexed property (approx. 4.62 acres) shall be zoned Low Density Residential.
- 5. This Resolution shall take effect immediately.

ADOPTED this 17th day of February, 2010, by the Canby City Council.

Melody Thompson - Mayor

ATTEST:

Kimberly Scheafer, SMC

City Recorder



BEFORE THE PLANNING COMMISSION OF THE CITY OF CANBY

A REQUEST FOR APPROVAL OF A)	FINDINGS, CONCLUSIONS & ORDER
DEVELOPMENT AGREEMENT FOR)	ANN 09-01
4.62 ACRES OF LAND; AND A REQUEST)	
TO ANNEX 4.77 ACRES OF LAND; AND A	.)	
REQUEST TO CHANGE THE ZONING)	
FROM CLACKAMAS COUNTY RRFF-5)	
TO CITY OF CANBY R-1 FOR 4.62 ACRES	5)	
OF THE LAND, AND TO CITY OF CANBY	()	
R-1.5 FOR THE REMAINING 0.15 ACRE)	

NATURE OF APPLICATION:

The applicant is proposing to annex approximately 4.77 acres into the City of Canby. The application includes the following requests: (1) Approval of a development agreement for 4.62 acres of land; (2) Annexation of 4.77 acres of land; and (3) If annexed, change the zoning from Clackamas County RRFF-5 to City of Canby R-1 (Low Density Residential) for 4.62 acres of the land, and to City of Canby R-1.5 (Medium Density Residential) for the remaining 0.15 acre.

HEARING:

The Planning Commission held a public hearing to consider the application on November 23, 2009.

CRITERIA AND STANDARDS:

1. In judging whether or not an <u>Annexation Development Agreement</u> shall be approved, CMC Section 16.84.040.A.1.a sets forth the approval criteria that the Planning Commission and City Council must use to evaluate the development agreement, as follows:

16.84.040.A.1.a A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:

- 1. Timing of the submittal of an application for zoning
- 2. Dedication of land for future public facilities including park and open space land
- 3. Construction of public improvements

Findings, Conclusion and Order ANN 09-01 Page 1 of 5

- 4. Waiver of compensation claims
- 5. Waiver of nexus or rough proportionality objections to future exactions
- 6. Other commitments deemed valuable to the City of Canby
- 2. In judging whether or not an Annexation Application shall be approved, and subsequently forwarded to the voters of Canby as a ballot measure so that a final decision may be reached during an election, CMC Section 16.84.040.A (1 through 10) sets forth the approval criteria that the Planning Commission and City Council must use to evaluate the annexation application, as follows:
 - 16.84.040.A.1 For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.
 - 16.84.040.A.2 Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning low density residential, light industrial, etc.) currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient.
 - 16.84.040.A.3 Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89.020 of the City of Canby Land Development and Planning Ordinance.
 - 16.84.040.A.4 Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities.
 - 16.84.040.A.5 Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time.
 - 16.84.040.A.6 Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand.
 - 16.84.040.A.7 Statement outlining method and source of financing required to provide additional facilities, if any.
 - 16.84.040.A.8 Statement indicating the type and nature of any comprehensive plan text or map amendments or zoning text or map amendments that may be required to complete the proposed development.
 - 16.84.040.A.9 Compliance with other applicable city ordinances or policies.
 - 16.84.040.A.10 Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222.
- 3. In determining what the <u>Zoning Designation</u> shall be for newly annexed land, CMC Section 16.08.040 states that zoning of newly annexed areas shall be considered by the Planning Commission in its review and by the Council in conducting its public hearing for the annexation.

CMC Section 16.54.040 sets forth the approval criteria that the Planning Commission and City Council must use to evaluate amending the zoning map, as follows:

16.54.040.A - The Comprehensive Plan of the city, giving special attention to Policy 6 of the land use element and implementation measures therefore, and the plans and policies of the county, state and local districts in order to preserve functions and local aspects of land conservation and development.

16.54.040.B - Whether all required public facilities and services exist or will be provided concurrent with development to adequately meet the needs of any use or development which would be permitted by the new zoning designation.

FINDINGS AND REASONS:

The Planning Commission held a public hearing on November 23, 2009, during which the November 16, 2009, staff report, including all attachments, and a powerpoint presentation was presented by staff. Staff recommended that Planning Commission forward a recommendation of approval to City Council for the proposed annexation, development agreement, and zoning designations.

Applicant Testimony: Oral testimony was received from Pat Sisul of Sisul Engineering, who said he was speaking on behalf of the applicant. Mr. Sisul provided additional testimony concerning the applicant's analysis of developable land in the city and how the annexation would affect that supply. He said that based on the number of permits issued between 2004 and 2008, 499 building permits had been issued with a high of 201 in 2006 and a low of 15 in 2008. He also sited a study done by Portland State University for the school district that concluded between 1996 and 2008 the average number of single family permits was 106 per year. Based on the information he concluded the current available land fell under a 3-year buildable supply, and that if the land was annexed it would be late 2011 before the land would be available to develop.

<u>Proponent Testimony</u>: No oral testimony was received. Written testimony was received from JoAnn Hamilton-Scott, who stated she felt that the applicant should be allowed to do what they want with the subject property.

Opponent Testimony: No oral testimony was received. No written testimony was received.

Neutral Testimony: No oral testimony was received. No written testimony was received.

The Planning Commission considered the findings detailed in the November 16, 2009, staff report and the powerpoint presented by staff, and made the additional finding that Mr. Sisul has given an accurate evaluation of buildable lands, and that annexation of this land will result in less than a 3-year's supply of buildable lands; and based on all these findings, the Planning Commission recommended that City Council should approve the proposed annexation, development agreement, and zoning designations, with one condition of approval, as reflected in the written Order below.

CONCLUSION:

The Planning Commission of the City of Canby concludes that, based on the findings and conclusions contained in the November 16, 2009 Staff Report, together with the additional findings detailed above in 'Findings and Reasons', that the Planning Commission should recommend to City

Council that annexation application ANN 09-01 be approved as detailed in the Recommendation below.

RECOMMENDATION:

IT IS RECOMMENDED BY THE PLANNING COMMISSION of the City of Canby that the City Council APPROVE annexation application ANN 09-01 as follows:

- 1. The Development Agreement in Exhibit B to the November 16, 2009 staff report should be approved, executed, and recorded; and
- 2. Annexation 09-01 in Exhibit C to the November 16, 2009 staff report should be approved for submission to the electorate for vote; and
- 3. The zoning of the property upon annexation should be designated as follows: The westerly 20-foot-wide half of N. Pine Street (approx. 6,598 sq. feet) shall be zoned Medium Density Residential, and the remainder of the annexed property (approx. 4.62 acres) shall be zoned Low Density Residential; and
- 4. Approval should include a Condition, consistent with recital 1.C of the Development Agreement, that Beck shall have 7 calendar days from the date the Council approves the Development Agreement, Annexation, and Zone Change, to record the Development Agreement; and failure to record the Development Agreement within the time specified will result in removal of the annexation application from the ballot for consideration by the electors.

I CERTIFY THAT THIS ORDER recommending APPROVAL of ANN 09-01 to the City Council was presented to and APPROVED by the Planning Commission of the City of Canby.

DATED this 14th day of December, 2009.

Daniel K. Ewert, Chairman Canby Planning Commission

> Melissa Hardy Associate Planner

ATTEST:

ORAL DECISION –

November 23, 2009

AYES:

Ewert, Joyce, Kocher, Milne, Slagle and Taylor

NOES:

None

ABSTAIN:

None

ABSENT:

None

WRITTEN DECISION -

December 14, 2009

AYES:

Ewert, Joyce, Kocher, Milne, Slagle and Taylor

NOES:

None

ABSTAIN:

None

ABSENT:

None

AFTER RECORDING RETURN TO: City of Canby, Attn: City Recorder P O Box 930 Canby OR 97013 NORMANEBECK

UNTIL REQUESTED OTHERWISE, SEND TAX STATEMENTS TO: Norman E. Beck P O Box 638 Wilsonville OR 97070

Clackamas County Official Records Sherry Hall, County Clerk

2010-010668



\$82.00

Cnt=1 Stn=1 JANISKEL \$40.00 \$16.00 \$16.00 \$10.00

DEVELOPMENT AGREEMENT (ANNEXATION)

RECITALS:

- 1. Norman E. Beck and Jenny L. Beck, husband and wife, hereinafter referred to as "BECK", own real property commonly described as 1732 N. Pine Street, Canby, OR 97013 and more particularly described in the attached Exhibit A.
- 2. The City of Canby, hereinafter referred to as "CANBY", is an Oregon municipal corporation.
- 3. The property described in Exhibit A is located within the boundaries of a designated annexation "Development Agreement Area" as shown on the City of Canby Annexation Development Map (Figure 16.84.040).
- 4. Canby procedures for annexation specify the Planning Commission shall conduct a public hearing to review any proposed annexations and determine the appropriate zoning designation upon annexation. The Planning Commission shall furnish its recommendation concerning annexation and assigned zoning to the City Council. The City Council will authorize an election for annexation when it is determined the applicable standards and criteria of Canby Municipal Code 16.84.040 are met and will determine appropriate zoning for the property based on the criteria set forth in the Canby Municipal Code 16.54.040. Thereafter the annexation may only be approved by a majority vote among the electorate of Canby.
- 5. The purpose of this Annexation Development Agreement is to satisfy the requirements of Canby Municipal Code 16.84.040 including providing adequate public information and information evaluating the physical, environmental, and related social effects of a proposed annexation. The proposed annexation does not require the statutory development agreement of ORS 94.504 et seg.

NOW, THEREFORE, it is hereby agreed:

- I. CANBY MUNICIPAL CODE 16.84.040 APPLICABLE PROVISIONS.
- 1 DEVELOPMENT AGREEMENT (BECK/CITY OF CANBY)

- A. <u>Timing of the submittal of an application for zoning</u>. Concurrent with review of this Agreement, the Council shall consider BECK'S annexation application and request that, upon approval of the annexation by the voters, the property described in Exhibit A shall be zoned R-1. This approach will insure that the development agreement as well as the annexation and zone change approvals are consistent with City Code 16.84.
- B. Scope of annexation request. In addition to the property described as Exhibit A, BECK's annexation application shall include the entire area of N. Pine Street, County Road No. 2580 adjacent to the Beck property as described in Exhibit B. One half of the area or twenty (20) feet of the area described in Exhibit B is owned by BECK. The other half is a portion of lot 61 of the plat of "Canby Gardens" (plat no. 230) located in the Southeast one-quarter of Section 28, Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon, and owned by Thomas Holmes, hereinafter referred to as HOLMES. BECK agrees to join that portion of HOLMES property identified in Exhibit B within the annexation request. Upon annexation, BECK and HOLMES shall dedicate street right-of-way up to forty (40) feet for N. Pine Street to meet the standards of the City of Canby with future land use actions on the property as part of the development approval process.
- C. <u>Timing for Recording.</u> BECK shall have seven (7) calendar days from the date the City Council takes final action approving this Agreement, the annexation and zone change requests to record this Agreement. Failure to record this agreement within the time specified will result in removal of the annexation application from the ballot for consideration by the electors. A condition of approval will be attached to the annexation and zone change approval imposing this same requirement.
- D. <u>Dedication of land for future public facilities including park and open space land</u>. At the time of development, and at the discretion of the City of Canby, BECK agrees to satisfy CANBY's parkland dedication obligation based on the standards and regulations currently in place through:
 - 1. Payment of City's park system development charge; or
- 2. Actual parkland dedication of land adjacent to other parkland and contiguous to the Molalla River Forest Road.
- E. <u>Construction of public improvements</u>. At the time of development, City required public improvements will be built to Canby Municipal Code specifications by BECK. BECK agrees to provide an extension of 17th Avenue, in alignment with the existing segment west of Pine Street, east through the property and, if decided by the City at the time of tentative plat design approval, to provide a logical connection of the 17th Avenue extension to the south to connect with the extension of North Plum Court.
- F. <u>Utility availability.</u> BECK agrees to ensure that utilities and infrastructure are available to serve the property described in Exhibit A at densities currently authorized in the R-1 zone. To the extent that additional utility or service infrastructure is required to serve the property when developed, BECK agrees to provide those utilities and services

^{2 -} DEVELOPMENT AGREEMENT (BECK/CITY OF CANBY)

in a way that is commensurate with the impacts from development and consistent with the City's Code. BECK also agrees to allow connection to BECK's constructed public facilities by adjacent property owners.

- G. <u>Waiver of compensation claims</u>. BECK waives compensation or waiver of land use regulations as provided in ORS 195.300 and 195.336, as well as Measure 49, resulting from annexation and the concurrent zone change approval.
- H. Rough proportionality of future exactions. To the extent that this agreement identifies specific park dedication, right-of-way dedication, utility or service obligations, these obligations are necessary and will be limited to an amount necessary to serve this development based on the proposed development application as well as on the uses and densities permitted in the R-1 zone.
- I. Other commitments deemed valuable to the City of Canby. BECK agrees development will meet the requirements of the adopted CANBY Municipal Code in effect at the time of development.

II. OTHER CONSIDERATIONS.

- A. <u>Duration</u>. This Agreement shall be effective upon CANBY, acting by and through its city council, approving this Agreement and upon its recording with the Clackamas County Recording Office. As used herein, "approval" means the granting of the approval and the expiration of the period of appeal, or if appeal is filed, the resolution of that appeal. This Agreement shall continue in effect for a period of eight (8) years after its effective date unless cancelled as provided in Section II, C below.
- B. <u>Recording.</u> Within seven (7) calendar days after taking effect, BECK shall record this agreement with the Clackamas County Recorder's Office and provide a copy of the recorded agreement to the City Attorney.
- C. <u>Cancellation</u>. In the event a majority of the city electorate denies the annexation, BECK may request the cancellation of this Development Agreement. BECK and CANBY agree to cooperate to prepare and record a mutually agreeable document to rescind this Development Agreement. Upon rescission, this Development Agreement shall be null and void without further legal effect.
- D. <u>Modification</u>. This Agreement may be modified or amended upon the mutual consent of BECK and CANBY.

Dated this 18th day of February, 2010.

Norman E. Beck

Jenny L. Beck

3 - DEVELOPMENT AGREEMENT (BECK/CITY OF CANBY)

CITY OF CANBY, OREGON	
By: Munda Kloch	_
Amanda Klock, Interim City Administrator Dated:	_
APPROVED AS TO FORM:	
By: Came Licht	_
Dated: 2/10/10	_ _
APPROVED BY ACTION OF CITY COUNCIL C CITY COUNCIL RESOLUTION NO.: 1052	ON February 17, 2010.
STATE OF OREGON)) ss.	
County of Clackamas)	February 18, , 2010
Personally appeared before me, NOR foregoing instrument to be his voluntary act and	MAN E. BECK, and acknowledged the deed.
OFFICIAL SEAL VALERIE KRAXBERGER NOTARY PUBLIC-OREGON COMMISSION NO. 419269 MY COMMISSION EXPIRES SEPTEMBER 4, 2011	Notary Public for Oregon My Commission Expires: 914/1/
STATE OF OREGON) ss.	
County of Clackamas)	February 18, 2010
Personally appeared before me, JEN foregoing instrument to be her voluntary act and	NNY L. BECK, and acknowledged the deed.
OFFICIAL SEAL VALERIE KRAXBERGER NOTARY PUBLIC OREGON COLIMISSION NO. 419269 MY COMMISSION EXPIRES SEPTEMBER 4, 2011	Notary Public for Oregon My Commission Expires: 9/4/11

4 – DEVELOPMENT AGREEMENT (BECK/CITY OF CANBY)

STATE OF OREGON
) ss.

County of Clackamas
) February 18, 2010

Personally appeared before me, AMANDA KLOCK, as the Interim City Administrator of the City of Canby, Oregon.

OFFICIAL SEAL
KIM SCHEAFER
NOTARY PUBLIC-OREGON
COMMISSION NO. 410676
MY COMMISSION EXPIRES DECEMBER 2, 2010

Notary Public for Oregon
My Commission Expires: 12-2-10

PDX_DOCS:437228.3 [36434-00200] 09/4/09



LEGAL DESCRIPTION FOR DEVELOPMENT AGREEMENT (BECK)

April 30, 2009

A PORTION OF LOT 77, CANBY GARDENS, PLAT NO. 230, IN THE SOUTHWEST ONE QUARTER OF SECTION 27, T3S, R1E, W.M., CITY OF CANBY, STATE OF OREGON MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT IN THE SOUTH LINE OF LOT 77, CANBY GARDENS AND THE WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD, 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 77; THENCE ALONG THE SOUTH LINE OF THE SAID LOT, NORTH 89°55'49" WEST 589.90 FEET TO A POINT IN THE EAST RIGHT OF WAY LINE OF NORTH PINE STREET, COUNTY ROAD NO. 2580; THENCE ALONG THE SAID RIGHT OF WAY LINE, NORTH 00°01'58" WEST 329.97 FEET TO A POINT IN THE NORTH LINE OF LOT 77; THENCE ALONG THE SAID NORTH LINE, SOUTH 89°55'41" EAST 589.99 FEET TO A POINT IN THE SAID WEST RIGHT-OF-WAY OF THE MOLALLA FOREST ROAD; THENCE ALONG THE SAID WEST RIGHT OF WAY LINE, SOUTH 00°01'00" EAST 329.95 FEET TO THE POINT OF BEGINNING. CONTAINING 4.47 ACRES MORE OR LESS.

TOGETHER WITH THE EAST ONE HALF OF NORTH PINE STREET, COUNTY ROAD NO. 2580, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF LOT 77, CANBY GARDENS AND THE WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD, 50 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 77; THENCE ALONG THE SOUTH LINE OF THE SAID LOT, NORTH 89°55'49" WEST 589.90 FEET TO A POINT IN THE EAST RIGHT OF WAY LINE OF NORTH PINE STREET, COUNTY ROAD NO. 2580 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°55'49" WEST 20.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 77, BEING ALSO A POINT IN THE CENTERLINE OF NORTH PINE STREET; THENCE ALONG THE WEST LINE OF THE SAID LOT AND THE SAID STREET CENTERLINE, NORTH 00°01'58" WEST 329.97 FEET TO THE NORTHWEST CORNER OF THE SAID LOT; THENCE ALONG THE NORTH LINE OF SAID LOT 77, SOUTH 89°55'41" EAST 20.00 FEET TO THE NORTHWEST CORNER OF THE HEREIN ABOVE DESCRIBED TRACT OF LAND; THENCE LEAVING THE NORTH LINE OF LOT 77 ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH PINE STREET SOUTH 00°01'58" EAST 329.97 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 0.15 ACRES MORE OR LESS.

THE COMBINED AREAS TOTALLING 4.62 ACRES MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 10, 1996
PATRICK M. GAYLORD
2767

Renewed through 6/30/89

ZTec Engineers, Inc.

Civil & Structural & Surveying

John Middleton, P.E.

Ron Sellards, P.E. 3737 SE 8th Ave. Portland, OR 97202 (503)235-8795 fax. 233-7889 email chris aztecongineers.com Chris Fischborn, PLS

LEGAL DESCRIPTION PINE STREET IN FRONT OF LOT 77 OF "CANBY GARDENS"

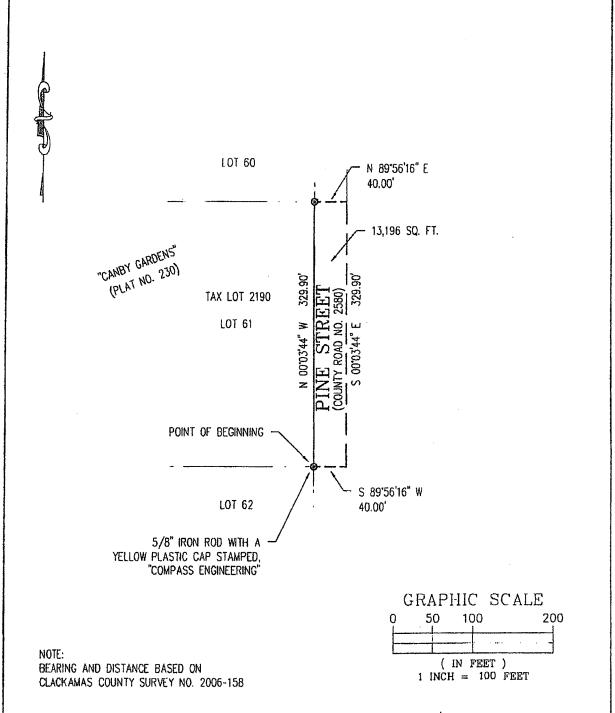
A tract of land being a portion of Pine street (County Road No. 2580), located in the Southeast one-quarter of Section 27, Township 3 South, Range 1 East, of the Willamette Meridian, Clackamas County, Oregon. Said tract of land being more particularly described as follows:

Beginning at a 5/8 inch iron rod with a yellow plastic cap stamped. "Compass Engineering," found at the intersection of the South line of said lot 61 with the West right-of-way line of said Pine street; thence North 00°03'44" West, along said West right-of-way line, a distance of 329.90 feet to a 5/8 inch iron rod with a yellow plastic cap stamped. "Compass Engineering," found at a point on the North line of said lot 61; thence North 89°56'16" East, at a right angle to said West right-of-way line, a distance of 40.00 feet to the point of the East right-of-way line of said Pine street: thence South 00°03'44" East, along said East right-of-way line, a distance of 329.90 feet to a point; thence South 89°56'16" West, at a right angle to said West right-of-way line, a distance of 40.00 feet to the true point of beginning of the tract of land herein described.

Said tract of land contains an area of 13,196 square feet more or less.

PROFESSIONAL LAND SURVEYOR

OREGON
JULY 17, 1981
CHRIS FISCHEORE



PINE STREET IN FRONT OF LOT 77 OF "CANBY GARDENS"

IIILE: ANNEXATION EXHIBIT			XHIBIT	ZTec ENGINEERS, INC.		
DATE:	5/28/09	PLOT DA	TE: 5/28,09			
DWG BY:	JWS	CHK BY:	CCF		3737 S.E. 8TH AVE. PORTLAND, OREGON 97202 (503) 235-8795	
SHEET:	PINE ST.	FILE:	S1202-5B.dwg	CLIENT:	CITY OF CANBY	