

**RESOLUTION NO. 1057**

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 4.77 ACRES DESCRIBED AS TAX LOT 2500 OF TAX MAP 3-1E-27C LOCATED at 1732 N. PINE STREET; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE NOVEMBER 2, 2010 ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by Norman and Jenny Beck, the owners of tax lot 2500 of Tax Map 3-1E-27C, to annex 4.77 acres into the City of Canby; and

**WHEREAS**, pursuant to the provisions of the Canby City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Canby for an election; and


**WHEREAS**, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by September 2, 2010 in order to appear on the ballot for the November 2, 2010 election; and

**WHEREAS**, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and Summary for Voter's Pamphlet to be submitted to the Elections Department;

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

1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 2, 2010 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.

ADOPTED this 7th day of April, 2010, by the Canby City Council.

  
\_\_\_\_\_  
Walt Daniels  
Council President

ATTEST:

  
\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 4.77 ACRES  
INTO THE CITY OF CANBY**

Measure No. \_\_\_\_\_

Word Total 377 (500 max)

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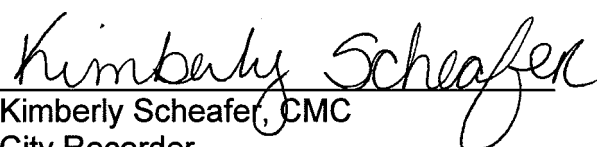
This measure would approve the annexation of 4.77 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 2500 of Tax Map 3-1E-27C and is located generally in the northeast part of the City. The annexation application also includes all of N. Pine Street from the applicant's westerly property line of Tax Lot 2500 across the width of N. Pine Street. Tax Lot 2500 is currently zoned Rural Residential Farm and Forest (RRFF-5) under County zoning. If annexation into the City is approved by the voters, the parcel would be rezoned to R-1, Low Density Residential, as required under the City's Comprehensive Land Use Plan (Comp Plan) and Zoning Map. The westerly 0.15 acres of N. Pine Street would be zoned R-1.5 (Medium Density Residential).

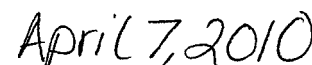
Tax Lot 2500 is owned by Norman and Jenny Beck. The Becks have filed the application for annexation into the City of Canby. The City, following its Charter, has put this matter before the voters for approval.

The parcel is located at 1732 N Pine Street, south of NE Territorial Road, west of the Logging Road Trail. The property currently contains one single family residence. Adjacent properties to the north, west and east are within current city limits. Adjacent property to the south is currently located outside the city limits. Property to the west is zoned for Medium Density Residential. Property to the north is zoned High Density Residential and contains the Willamette Grove Apartments. As indicated above, the subject property would be rezoned upon annexation approval to R-1, Low Density Residential. Under the R-1 zoning regulations, the applicant could construct up to 18 single family lots, however in their application they indicate that, at this time, they simply want to build one additional single family residence for a family member. Annexation alone does not set the future uses to be built on the property. Any further development would have to comply with state and local land use laws and would be subject to public review.

The Canby Planning Commission unanimously voted to approve the application and the Canby City Council unanimously voted to approve the application and refer it to a vote of the Canby electorate.

**CITY OF CANBY**

  
\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder

  
\_\_\_\_\_  
Date

# Notice of City Measure Election

## SEL 802

rev 01/10: ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.465

### City and Notice Information

Notice is hereby given on April 7, 2010, that a measure election will be held in

City of Canby Oregon on November 2, 2010.  
Name of City or Cities Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

### Caption 10 words

MEASURE APPROVING ANNEXATION OF 4.77 ACRES INTO CITY OF CANBY.

### Question 20 words

SHALL 4.77 ACRES LOCATED AT 1732 N PINE STREET, SOUTH OF NE TERRITORIAL ROAD, BE ANNEXED INTO CANBY

### Summary 175 words

Annexation is the legal process to bring property into the Canby City limits. Norman and Jenny Beck have filed an application as owners of a 4.77 acres parcel, asking the City to bring it into the City limits. The legal description of the property is Tax Lot 2500 of Tax Map 3-1E-27C. The parcel is located at 1732 N Pine Street, south of NE Territorial Road and west of the Logging Road Trail. This annexation will also include all of N Pine Street that abuts the westerly most property line of Tax Lot 2500. This application has been approved by the City Planning Commission following a hearing on November 23, 2009 and further approved by the Canby City Council at its meeting of February 17, 2010. The property currently contains one single family residence. It is currently zoned Rural Residential Farm and Forest (RRFF 5) by Clackamas County. Canby's Zoning Map designates the property for Low Density Residential (R-1) zoning upon annexation. Any future development requires City review and must comply with land use laws.

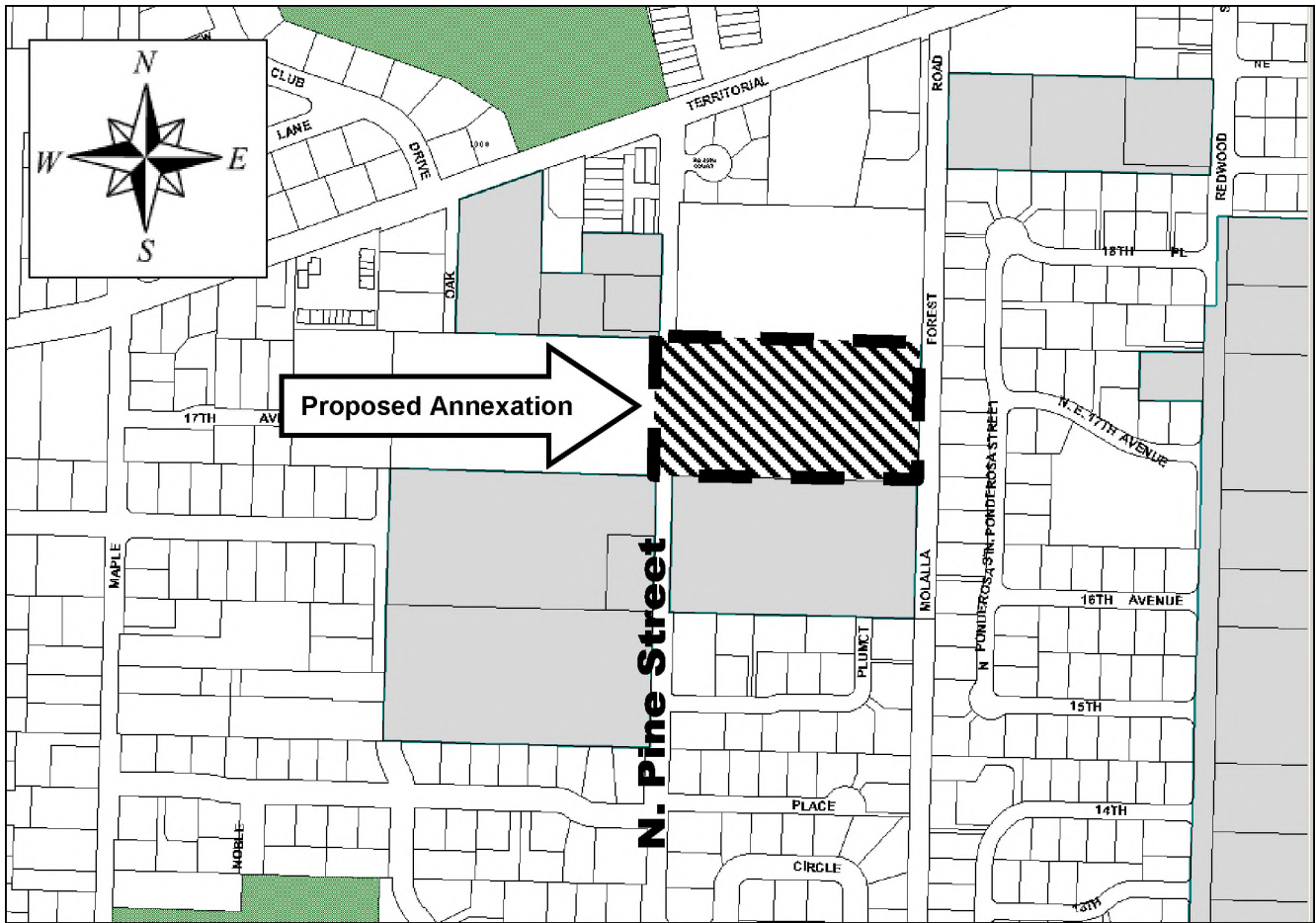
The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

  
Signature of Authorized City Official not required to be notarized

04-07-10  
Date Signed mm/dd/yy

Kimberly Scheafer, CMC  
Printed Name of Authorized City Official

City Recorder  
Title



**City File #: ANN 09-01**

**Applicant: Norman and Jenny Beck**

**Clackamas County Tax Map: 3-1E-27-C**

**Clackamas County Tax Lots: 02500, together with a 40-foot-wide tract of land lying within abutting N. Pine Street right-of-way**