

RESOLUTION NO. 1079

A RESOLUTION ACCEPTING THE RESULTS OF NOVEMBER 2, 2010 ELECTION, PROCLAIMING ANNEXATION INTO THE CITY OF 4.77 ACRES DESCRIBED AS TAX LOT 2500 OF TAX MAP 3-1E-27C LOCATED AT 1732 N. PINE STREET AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMITS.

WHEREAS, on November 2, 2010, at a general election, the voters of the City of Canby approved by a vote of 3,966 to 1,837, Measure No. 3-362 which called for the annexation of 4.77 acres in the City of Canby. Clackamas County Elections Department certified the above election results as accurate on November 18, 2010. Applicant for the property is Norman and Jenny Beck, the owners of tax lot 2500 of Tax Map 3-1E-27C located at 1732 N. Pine Street. A complete legal description of the tax lot including a portion of N. Pine Street is attached hereto as Exhibit "A", and a map showing the location of the tax lot and portion of N. Pine Street to be annexed is attached hereto as Exhibit "B" and by this reference are all incorporated herein; and

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

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby that the Election Results as set forth in the abstract dated November 18, 2010, are official and accepted by the Council of Canby; and it is hereby

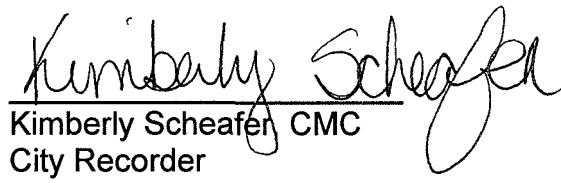
PROCLAIMED by the Council of Canby that 4.77 acres of property described in Exhibit "A" and shown on Exhibit "B" is annexed in the corporate limits of the City of Canby, Oregon. Said boundaries of the property are set by the legal descriptions set forth in Exhibit "A".

This Resolution shall take effect on December 1, 2010.

ADOPTED this 1st day of December, 2010, by the Canby City Council.


Melody Thompson - Mayor

ATTEST:


Kimberly Scheafer CMC
City Recorder

LEGAL DESCRIPTION FOR ANNEXATION
AUGUST 25, 2009

A PORTION OF LOT 77, CANBY GARDENS, PLAT NO. 230, IN THE SOUTHWEST ONE QUARTER OF SECTION 27, T3S, R1E, W.M., CLACKAMAS COUNTY, 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, A DISTANCE OF 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, A DISTANCE OF 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 EAST RIGHT-OF-WAY LINE, NORTH 00°01'58" WEST, A DISTANCE OF 329.97 FEET TO A POINT IN THE NORTH LINE OF LOT 77; THENCE ALONG THE SAID NORTH LINE, SOUTH 89°55'41" EAST, DISTANCE OF 589.99 FEET TO A POINT IN THE SAID WEST RIGHT-OF-WAY LINE OF THE MOLALLA FOREST ROAD; THENCE ALONG THE SAID WEST RIGHT-OF-WAY LINE, SOUTH 00°01'00" EAST, A DISTANCE OF 329.95 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.47 ACRES MORE OR LESS.

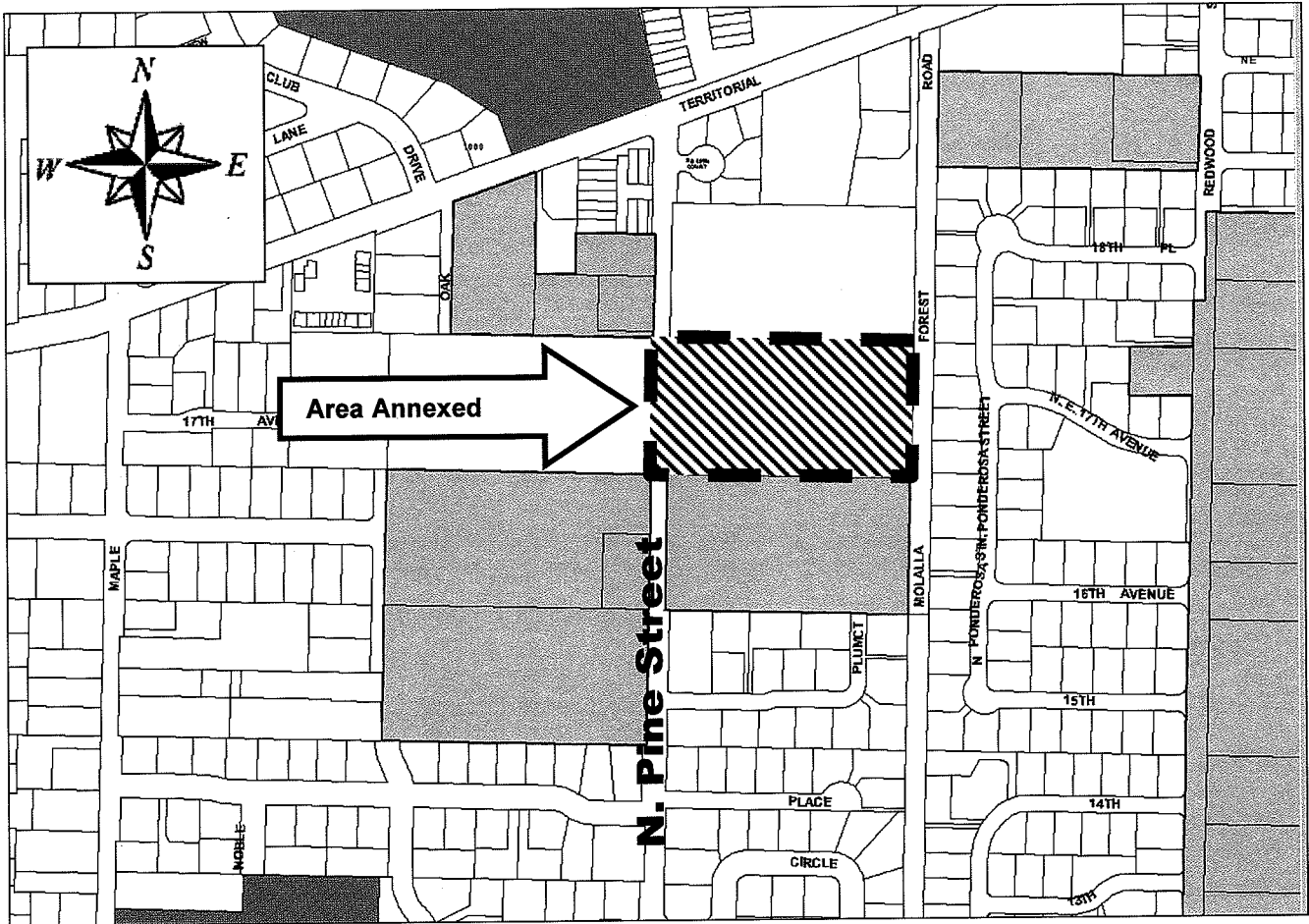
TOGETHER WITH A TRACT OF LAND BEING A PORTION OF NORTH PINE STREET, COUNTY ROAD NO. 2580, DESCRIBED AS FOLLOWS:

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, A DISTANCE OF 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, A DISTANCE OF 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°58'02" WEST, AT A RIGHT ANGLE TO SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH PINE STREET; THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF NORTH PINE STREET NORTH 00°01'58" WEST, A DISTANCE OF 329.97 FEET TO A POINT; THENCE SOUTH 89°58'02" EAST, AT A RIGHT ANGLE TO SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 40.00 FEET TO A POINT IN THE NORTH LINE OF SAID LOT 77; THENCE LEAVING THE NORTH LINE OF SAID LOT 77 ALONG THE EAST RIGHT-OF-WAY LINE OF NORTH PINE STREET SOUTH 00°01'58" EAST, A DISTANCE OF 329.97 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 0.30 ACRES MORE OR LESS.

THE COMBINED AREAS TALLING 4.77 ACRES MORE OR LESS.

EXHIBIT "B"



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