

**RESOLUTION NO. 1122**

**A RESOLUTION OF THE CITY OF CANBY, (CITY) OREGON AUTHORIZING THE TRANSFER OF PUBLIC PROPERTY, APPROXIMATELY 6.1 ACRES OF INDUSTRIAL LAND LOCATED IN THE CANBY PIONEER INDUSTRIAL PARK FROM CITY OWNERSHIP TO THE CANBY URBAN RENEWAL AGENCY (URA).**

**WHEREAS**, the Canby City Council purchased approximately 6.1 acres of real property in fee simple title in the name of the City of Canby in July of 2006. The property is located just off S. Sequoia Parkway in the Canby Pioneer Industrial Park. The legal description of the property is Tax lot #31E34-01707, also known as "Lot 5, Burden, in the City of Canby, Clackamas County Oregon". The property was purchased using cash funds from the URA (80%) and the City (20%) for the purpose of constructing a new police facility on the property; and

**WHEREAS**, City Council determined in 2010 that the new police facility should be constructed at a different location and abandoned the Industrial Park property as a future site for the police facility; and

**WHEREAS**, the City Council believes it is in the best interests of the citizens of Canby to transfer the ownership of its fee simple interest in the property to the Canby URA, so that the URA may offer the property for sale to the public and use all proceeds toward the payment of the construction costs of the new police facility; and

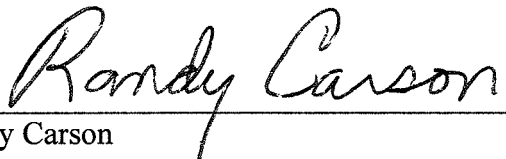
**WHEREAS**, in accordance with ORS 271.510 and ORS 221.725, the City finds it necessary and convenient to transfer the property to the Canby URA

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

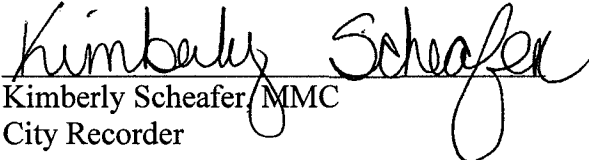
The Canby City Council authorizes the transfer of the City's fee simple interest in the real property described as Tax lot #31E34-01707, also known as "Lot 5, Burden, in the City of Canby, Clackamas County, Oregon" to the Canby URA and the City Attorney and City Administrator are hereby authorized to take any and all actions necessary to transfer the property from the City of Canby to the Canby Urban Renewal Agency.

This resolution will take effect on March 21, 2012.

ADOPTED this 21st day of March, 2012 by the City of Canby City Council.

  
\_\_\_\_\_  
Randy Carson  
Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder

3P

**STATUTORY SPECIAL WARRANTY DEED**

After Recording Return to and  
Tax Statements to be sent to:  
Urban Renewal Agency of City of Canby, Oregon  
Attn: Agency Director  
P.O. Box 930  
Canby, OR 97013

*Sue Ryan*

Clackamas County Official Records  
Sherry Hall, County Clerk

2012-017179



\$57.00

03/22/2012 03:16:19 PM

D-D Cnt=1 Stn=1 JANISKEL  
\$15.00 \$10.00 \$16.00 \$16.00

**STATUTORY SPECIAL WARRANTY DEED**

KNOW ALL PEOPLE, that the CITY OF CANBY, OREGON a municipal corporation of the State of Oregon (which, together with any successor public agency designated by or pursuant to law, is herein called the "City"), conveys and specially warrants to the URBAN RENEWAL AGENCY OF THE CITY OF CANBY, OREGON (the "Agency"), and unto its successors and assigns, all the following described real property, with the tenements, hereditaments and appurtenances (herein called the "Property"), situated in the County of Clackamas and State of Oregon:

Lot 5, BURDEN, in the City of Canby, Clackamas County, Oregon

free of liens or encumbrances created or suffered by City except as set forth on the attached Exhibit A.

The Agency has given other value as consideration for this conveyance.

The conveyance is subject to the exceptions of record as stated in Exhibit A attached hereto.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE

ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the City of Canby, Oregon, a municipal corporation of the State of Oregon, has caused this Deed to be executed this 22 day of March, 2012.

CITY OF CANBY, OREGON

By: Greg Ellis  
Its: City Administrator

STATE OF OREGON                    )  
  ) ss.  
COUNTY OF CLACKAMAS        )

This instrument was acknowledged before me on March 22, 2012, by Greg Ellis, City Administrator of the CITY OF CANBY, OREGON.



Kim D. Scheaffer  
Notary Public for  
My commission expires: 12-2-14

ACCEPTED BY URBAN RENEWAL AGENCY  
CITY OF CANBY, OREGON

Richard Ares  
Richard Ares, Chair  
Urban Renewal Agency, City of Canby, Oregon  
March 21, 2012

2

EXHIBIT A  
EXCEPTIONS TO TITLE