

**RESOLUTION NO. 1423**

**A RESOLUTION AUTHORIZING THE EXTENSION OF MUNICIPAL SEWER SERVICE TO 2542 SE 13TH AVENUE – TAX LOT 41E03 00200 – LOCATED OUTSIDE OF THE CANBY CITY LIMITS, PURSUANT TO THE URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CLACKAMAS COUNTY AND THE CITY OF CANBY.**

**WHEREAS**, a residence owned by Free on the Outside is located at 2542 SE 13th Avenue, Tax Lot 41E03 00200;

**WHEREAS**, the residence is located in unincorporated Clackamas County, Oregon, but is located immediately adjacent to Canby city limits and is within the Urban Growth Boundary of the City of Canby;

**WHEREAS**, Free on the Outside has indicated the current septic system a 267 S Walnut Street is no longer viable for usage because the system’s capacity has been reached and the distribution box is clogged;

**WHEREAS**, because the property is within 300 feet of a City of Canby sewer line, they must pursue a connection to the sewer line rather than pursue the installation of a new septic system;

**WHEREAS**, Free on the Outside understands and agrees that the condition of approval of the sewer disposal service connection to the City of Canby is annexation of the subject property to the City of Canby;

**WHEREAS**, the owner, Free on the Outside, agrees to annex the subject property into the city limits of the City of Canby within two (2) years;

**WHEREAS**, should the property be marketed for sale any time prior to the annexation, the property owner must disclose to all potential buyers the requirement to annex the property as provided herein;

**WHEREAS**, the Urban Growth Management Agreement states “The City shall not extend sewer or water to any unincorporated areas within the Urban Growth Management Boundary (UGMB) without annexation to the City, or unless mutually agreed to otherwise by the City and County”; and

**WHEREAS**, Free on the Outside acknowledges that City approval for the connection of the property to City of Canby Municipal Sanitary Sewer System is conditioned upon the property owner also acquiring Clackamas County approval.

**NOW, THEREFORE, BE IT RESOLVED BY** the City of Canby City Council

1. Subject to Clackamas County concurrence, the residence located at 2542 SE 13<sup>th</sup> Avenue, Tax lot 41E03 00200 is permitted to connect to the City of Canby sanitary sewer system. The owners must obtain the necessary approvals from Clackamas County, including permission for any necessary street openings to connect the sewer main on SE 13<sup>th</sup> Avenue.
2. Location of the connection and cleanouts to the City sewer shall be approved by the Canby Public Works Department.

3. The City's Sewer Connection and Annexation Agreement must be signed and recorded with Clackamas County before the sewer connection is made.

This Resolution will take effect January 22, 2025.

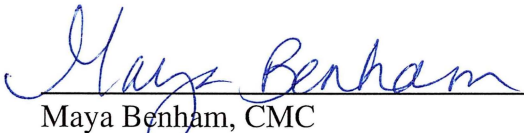
**ADOPTED** this 22<sup>nd</sup> day of January, 2025, by the Canby City Council.



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Brian Hodson  
Mayor

ATTEST:



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Maya Benham, CMC  
City Recorder