

RESOLUTION NO. 1198

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 32.1 ACRES DESCRIBED AS TAX LOTS 400, 500, 600, 700, and 800 SECTION 3, T4S, R1E, WM (ASSESSOR MAP 4 1E 03 LOCATED NORTH OF SE 13TH AVENUE, EAST OF SOUTH TEAKWOOD STREET, AND WEST OF THE LOGGING ROAD TRAIL IN CANBY; AUTHORIZING THE CITY RECORDER TO SEND A MEASURE 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 4, 2014 ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Daniel and Mary Stoller, Geraldine Marcum, Jerry and Cynthia Rice, Ralph Netter, and Hugh and Roberta Boyle, the owners of Tax Lots 400, 500, 600, 700, and 800, Section 3, T4S, R1E, WM (Assessor Map 4 1E O3), to annex 32.1 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 4, 2014 in order to appear on the ballot for the November 4, 2014 election; and

WHEREAS, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and a Measure Explanatory Statement 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 4, 2014 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 Measure Explanatory Statement 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.

3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 4, 2014 election.

This Resolution shall take effect on August 20, 2014.

ADOPTED this 20th day of August, 2014, by the Canby City Council.



Brian Hodson
Mayor

ATTEST:



Kimberly Scheafer, MMC
City Recorder

Notice of Measure Election

SEL 802

rev 1/14: ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

City

Notice

Date of Notice
August 20, 2014

Name of City or Cities
City of Canby

Date of Election
November 4, 2014

The following is the final ballot title of the measure to be submitted to the city's voters.

Final Ballot Title Notice of receipt of ballot title has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure

MEASURE APPROVING ANNEXATION OF 32.1 ACRES INTO CITY OF CANBY.

Question 20 words which plainly phrases the chief purpose of the measure

SHALL 32.1 ACRES LOCATED NORTH OF SE 13TH AVENUE AND EAST OF SOUTH TEAKWOOD STREET, BE ANNEXED INTO CANBY?

Summary 175 words which concisely and impartially summarizes the measure and its major effect

Annexation is the legal process to bring property into the Canby City limits. Daniel and Mary Stoller, Geraldine Marcum, Jerry and Cynthia Rice, Ralph Netter, and Hugh and Roberta Boyle, the owners of real property totaling 31.6 acres and 0.5 acres of SE 13th Avenue right-of-way, have filed an application with the City. The legal description is Tax Lots 400, 500, 600, 700, and 800, Section 3, T4S, R1E, WM (Assessor Map 4 1E O3). The tax lots are located north of SE 13th Avenue, east of South Teakwood Street, and west of the Logging Road Trail. This application has been approved by the City Planning Commission following hearings on June 9 and June 23, 2014, and approved by the Canby City Council at its meeting of July 16, 2014. The tax lots are currently zoned EFU (Exclusive Farm Use) by Clackamas County. Canby's Comprehensive Plan Map will designate the property for Low Density Residential (R-1) and Medium Density Residential (R 1.5) zoning upon annexation. Future development requires review and compliance with land use laws.

Explanatory Statement 500 words that impartially explains the measure and its effect, if required attach to this form

If the county is producing a voters' pamphlet an explanatory statement must be submitted for any measure referred by the city governing body and if required by local ordinance, for any initiative or referendum.

Measure Type	County producing voters' pamphlet	Local ordinance requiring submission	Explanatory statement required
<input checked="" type="checkbox"/> Referral	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Not applicable	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Initiative	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Referendum	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

Authorized City Official Not required to be notarized

→ By signing this document, I hereby state that I am authorized by the city to submit this Notice of Measure Election and I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Name
Kimberly Scheafer, MMC

Title
City Recorder

Work Phone
503-266-0733

Kimberly Scheafer
Signature

8-20-14
Date Signed

Measure Explanatory Statement for County Voters' Pamphlet

Important! Please read all instructions before completing this form. This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

Filing Information

Election: Primary 20____ General 20_14_ Special_____ Measure # ____-____

Ballot Title Caption

MEASURE APPROVING ANNEXATION OF 32.1 ACRES INTO CITY OF CANBY

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

Joseph Lindsay, City Attorney

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

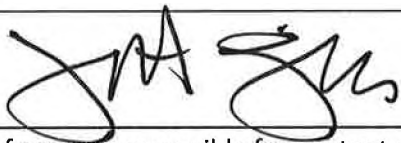
City of Canby

CONTACT INFORMATION

Phone: Cell: _____ Work: (503) 266-0754 Home: _____

E-Mail: lindsayj@ci.canby.or.us

SIGNATURE



Signature of person responsible for content of 'Explanatory Statement'

8/20/14

Date

MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

For Office Use only:

County: _____

Signed? Yes No

'Measure Explanatory Statement' attached?

Yes No

Intake Staff Initials:

Word Count (500 max):

Digital copy? Yes No

Review Staff Initials:

Measure Explanatory Statement

(Measure Approving Annexation of 32.1 Acres in the City of Canby)

This measure would approve the annexation of 32.1 acres into the city limits of the City of Canby. Annexation is the legal process to bring property into the Canby City limits. The City, following its Charter, has put the matter before the voters for approval.

Daniel and Mary Stoller, Geraldine Marcum, Jerry and Cynthia Rice, Ralph Netter, and Hugh and Roberta Boyle, the owners of real property totaling 31.6 acres and 0.5 acres of SE 13th Avenue right-of-way, have filed an application with the City asking to be brought into the City limits. The legal description is Tax Lots 400, 500, 600, 700, and 800, Section 3, T4S, R1E, WM (Assessor Map 4 1E O3). The tax lots are located north of SE 13th Avenue, east of South Teakwood Street, and west of the Logging Road Trail. It is generally located in the eastern part of the City and adjacent to lots already in the City limits.

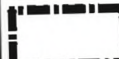

This application has been approved by the City Planning Commission following hearings on June 9 and June 23, 2014, and approved by the Canby City Council at its meeting of July 16, 2014. The tax lots are currently zoned EFU (Exclusive Farm Use) by Clackamas County. If annexation into the City is approved by voters, Canby's Comprehensive Plan Map will designate the property for Low Density Residential (R-1) and Medium Density Residential (R 1.5) zoning upon annexation.

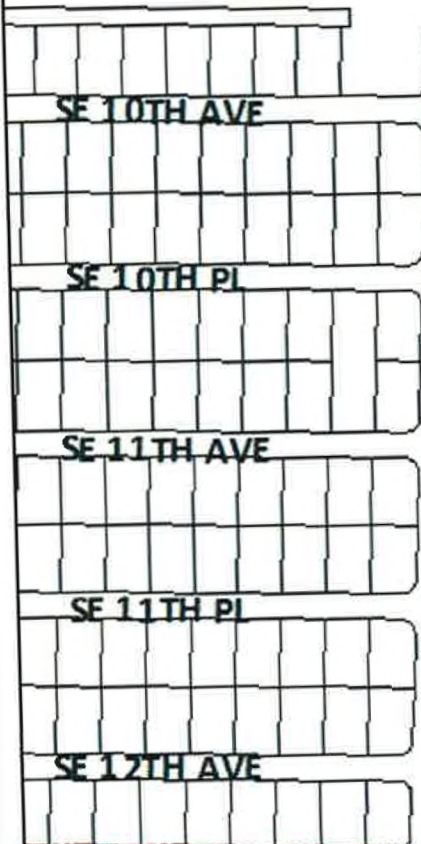
The currently proposed Development Concept Plan would allow development of nearly 127 single family residences. That plan also proposes a dedication of 1.215 acres for a park to the City. However, annexation alone doesn't set the future uses of what is specifically built on the property. Any future development requires City review and must comply with land use laws.

Word Count: 293

CITY OF CANBY 32.1 ACRE ANNEXATION

Proposed
Annexation

-  City Limits
-  Urban Growth Boundary



S SEQUOIA PKWY



SE 13TH AVE