

**RESOLUTION NO. 1363**

**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE  
DOCUMENTS TO RELINQUISH REAL PROPERTY TO THE  
OREGON DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, on February 26, 2020, the City of Canby purchased a tract of land recorded as Fee Number 2020-032499 Clackamas County Deed Records, from the ZZZ Company, LLC, in accordance with the requirements in ORS 35.510;

**WHEREAS**, the track of land was required for construction of a section of sidewalk adjacent to the ODOT right-of-way for Pacific Highway 99E, and said section of sidewalk was installed in 2021;

**WHEREAS**, the property totals 437 square feet and is located within the ODOT right-of-way and has ODOT sidewalk on each side; and

**WHEREAS**, the ODOT Maintenance District 2B Manager has agreed to accept this tract of land and the accompanying maintenance requirements.


**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CANBY CITY COUNCIL**, that the City Council authorizes the City Administrator to execute documents to relinquish the property secured under Fee Number 2020-032499 to the Oregon Department of Transportation at no cost.

This resolution will take effect on March 16, 2022.

**ADOPTED** this 16<sup>th</sup> day of March 2022, by the Canby City Council.

  
\_\_\_\_\_  
Brian Hodson  
Mayor

ATTEST

  
\_\_\_\_\_  
Melissa Bisset, CMC  
City Recorder

**EXHIBIT A**  
**Legal Description**

**Parcel 1 – Fee**

A parcel of land lying in the Philander Lee DLC No. 56, Township 3 South, Range 1 East, W.M., Clackamas County, Oregon and being a portion of that property described in that Statutory Warranty Deeds to WSCO Petroleum corp., an Oregon corporation, recorded December 31, 2003, as Recorder's Fee No. 2003-167020 and to ZZZ Company LLC, an Oregon limited liability company, recorded December 31, 2003, as Recorder's Fee No. 2003-167021, Film Records of Clackamas County; the said parcel being that portion of said property included in a strip of land variable in width, lying on the Northwesterly side of the center line of the relocated Pacific Highway East, which center line is described as follows:

Beginning at Engineer's center line Station "L2" 523+47.60, said station being 429.60 feet North and 1,312.49 feet West of the South quarter corner of Section 33, Township 3 South, Range 1 East, Willamette Meridian; thence South 64°52' West 20.97 feet; thence on a spiral curve left (the long chord of which bears South 65°08'45" West 199.96 feet) 200.00 feet; thence on a 1432.39 foot radius curve left (the long chord of which bears South 57°48'30" West 233.28 feet) 233.54 feet; thence on a spiral curve left (the long chord of which bears South 47°48'13" West 399.65 feet) 400.00 feet; thence South 45°08'15" West 295.53 feet to Engineer's center line Station "L2" 534+97.64

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Northwesterly Side of Center Line
523+74.62		523+97.00	46.53 in a straight line to 63.41
523+97.00		524+07.00	70.00

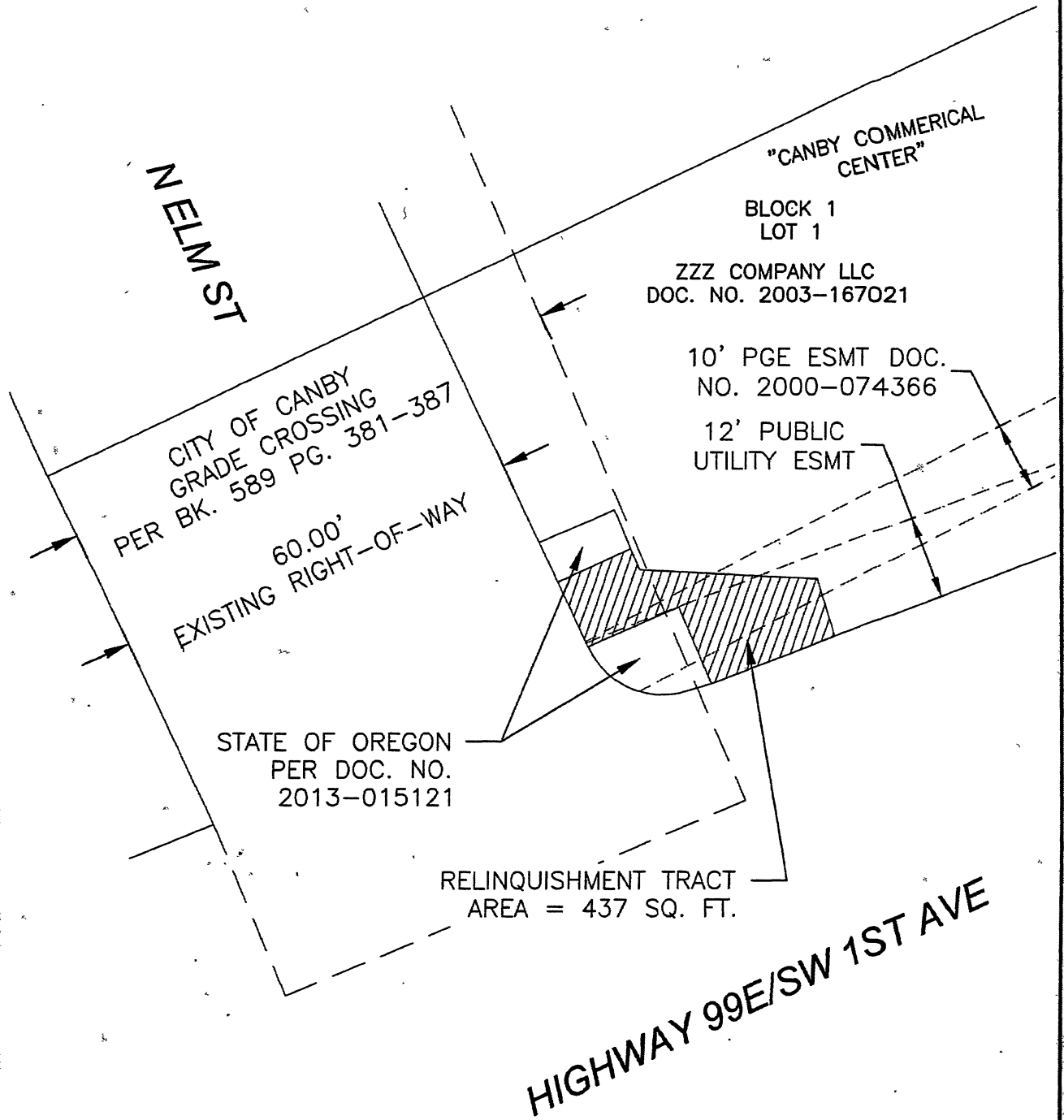
Bearings are based on County Survey No. 2010-45, filed March 3, 2010, Clackamas County, Oregon.

EXCEPT that portion which lies in that fee parcel deeded to the State of Oregon in Document No. 2013-015121.

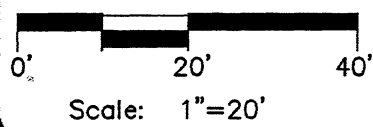
Contains in all 437 square feet more or less, outside the existing right of way.

See Exhibit Map attached hereto.

# EXHIBIT B



A:\Canby\1009\1009-HWY99E and SE 1ST RELINQUISHMENT\1009-Relinquishment Tract.dwg, 1/19/2022 1:53:06 PM, DWG To PDF.pc3



**RELINQUISHMENT TRACT**  
HWY 99E & SW 1ST AVE  
CITY OF CANBY, CLACKAMAS COUNTY, OREGON

**CURRAN-McLEOD, INC.**  
CONSULTING ENGINEERS  
6655 S.W. HAMPTON ST., SUITE 210  
PORTLAND, OREGON 97223  
PHONE (503) 684-3478

