

ORDINANCE NUMBER 1426

AN ORDINANCE AMENDING ORDINANCE 819, PROVIDING FOR THE DIVISION AND SHARING OF THE EXPENSE OF GRADING, ROCKING AND SURFACING EXISTING STREETS.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. That Ordinance No. 819 be amended as follows:

"Section 1. That from and after the effective date of this ordinance, the expense of the grading, rocking and surfacing the existing streets to city specifications shall may be borne by the city and the owners of the real property specially benefited, in the following proportions, to wit:

One-fourth by the city of Milwaukie;  
Three-fourths by the owners of real property specially benefited."

Read the first time this 2nd day of July, 1979, and moved to second reading by majority vote of the City Council.

Read the second time and adopted this 16th day of July, 1979.

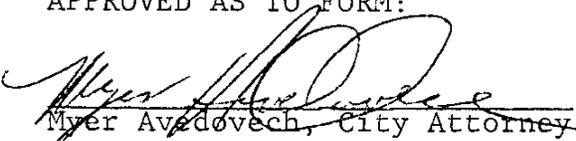
Signed by the Mayor this 16th day of July, 1979.

  
ALLEN MANUEL, Mayor

ATTEST:

  
Dorothy E. Farrell, Recorder

APPROVED AS TO FORM:

  
Myer Avedovech, City Attorney

ORDINANCE NUMBER 1425

AN ORDINANCE PROVIDING FOR REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM CLACKAMAS COUNTY I-2 ZONE TO CITY OF MILWAUKIE M-L ZONE, AND AMENDING ORDINANCE NUMBER 1316 AS AMENDED.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. That the written report of the City Planning Commission of the City of Milwaukie, Oregon, embodying its final recommendation after proceedings initiated by it pursuant to Article 9 of Ordinance Number 1316 so as to provide that the tract of land hereinafter described be removed from Clackamas County I-2 zoning, and that said tract of land be transferred and included within the area of the City zoned M-L by said ordinance Number 1316, as amended, be and the same is hereby approved and adopted by the City Council.

Section 2. That Ordinance Number 1316, as amended of the City of Milwaukie, Oregon, and the zoning map adopted thereunder, be and it is hereby further amended so as to be removed from the Clackamas County zone, the tract of land described as follows:

The following described property in Section 6, T. 2 S., R. 2 E., of the W. M.

Beginning at the south line of the John D. Garrett D.L.C. No. 38-61, 1323.80 ft. west of the southeast corner of said claim; thence North 64°53' East on the center line of Foster County Road 74.7 feet to the true place of beginning of the tract of land to be described; thence continuing on said course of North 64°53' East and on the center line of the Foster County Road, a distance of 223.50 feet; thence North tracing the east line of the William A. McCollum tract, a distance of 602 feet to an iron pipe; thence West a distance of 12 feet to an iron pipe; thence North 32°0' West a distance of 73 feet to the center of Minthorn Spring Creek; thence in a southwesterly direction following the center line of said Minthorn Spring Creek to a point in the west line of the said William A. McCollum tract and a northerly extension of the east line of the B. C. Stuessi property recorded in Book 279, page 447, Deed Records; thence South tracing the line between the Stuessi property and the McCollum property a distance of 737.7 feet to a point in the center line of the Foster County Road and the place of beginning.

EXCEPTING THEREFROM the following described property awarded to the State of Oregon by Decree dated March 12, 1968, in Suit No. 66679:

A parcel of land lying in the John D. Garrett D.L.C. No. 61, T. 2 S., R. 2 E., of the W. M., and being a portion of that property described in that deed to William Gerald Lymp and Barbara Lymp, recorded in Book 392, page 518, Deed Records; the said parcel being that portion of said property included in a strip of land 50 feet in width, lying on the northerly side of the center line of Omark Road as said Omark Road has been relocated, which center line is described as follows:

Beginning at Engineer's center line Station "OH" 114+84.69, said Station being 196.57 feet north and 1795.70 feet east of the northwest corner of the Elisha Kellogg D.L.C. No. 54, T. 2 S., R. 2 E., of the W. M.; thence South 88°37'55" East, 377.66 feet; thence on a 67 foot radius curve right (the long chord of which bears South 54°15'55" East) 80.37 feet; thence South 19°53'55" East, 79.18 feet to Engineer's center line Station "OH" 120+21.90.

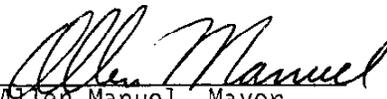
ALSO that portion of said property lying southerly of said center line.

Section 3. That said Ordinance Number 1316, as amended, be and it is hereby further amended so as to include within the M-L zone established by said Ordinance Number 1316, as amended, and the zoning map adopted thereunder, the tract of land set forth and described in Section 2 of this Ordinance.

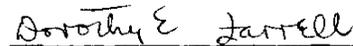
Read the first time this 4th day of June, 1979, and moved to second reading by majority vote of the City Council.

Read the second time and adopted by the City Council this 18th day of June, 1979.

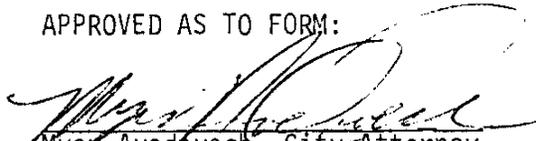
Signed by the Mayor this 18th day of June, 1979.

  
Allen Manuel, Mayor

ATTEST:

  
Dorothy Farrell, Recorder

APPROVED AS TO FORM:

  
Myer Avedovech, City Attorney