

RESOLUTION NUMBER 52-1977

A RESOLUTION APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE.

WHEREAS, a request has been made for annexation of the territory described as follows:

In the County of Clackamas and State of Oregon.

Beginning at a point on the east line of the 30 foot right of way 1044.24 feet West and 2316.30 feet South of the northeast corner of the J. D. Garrett D.L.C. in Sections 31 and 32, T. 1 S., R. 2 E., of the W. M., and Sections 5 and 6, in T. 2 S., R. 2 E., of the W. M., and running thence East parallel with the north line of said claim 328.56 feet; thence South parallel with the east line of said 30 foot right of way, 264.54 feet; thence West parallel with the north line of said claim, 328.56 feet to a point in the east line of said 30 foot right of way; thence North along the east line of said 30 foot right of way, 264.54 feet to the place of beginning.

and,

WHEREAS, the annexation of the territory to the City has been initiated by landowner's statement of consent, in accordance with ORS 222.170, and would therefore constitute a so-called "tri majority" annexation under ORS 222.170 and a "minor boundary change" under the boundary commission law, ORS 199.410 to 199.510; and,

WHEREAS, the part of the territory that lies in Clackamas County Service District No. 1 and the Clackamas County Rural Fire Protection District No. 1 would, by operation of ORS 199.510 (2), be automatically withdrawn from that district immediately upon consummation of the annexation; and,

WHEREAS, the part of the territory that lies in the Wildcat Water District, the Council intends, in the event the annexation is consummated, to withdraw from that district by authority of ORS 199.510

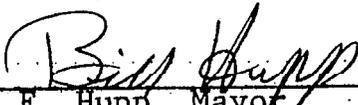
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Milwaukie, a municipal corporation of the State of Oregon, at a continuation of a regular session held on the 24th day of October, 1977, that:

Section 1. The Council hereby approves the proposed annexation and requests the Boundary Commission to approve it and effect it as soon as possible.

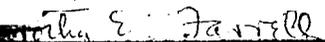
Section 2. The City Recorder is hereby directed to file certified copies of the statements of consent and of this Resolution with the Portland Metropolitan Area Local Government Boundary Commission at once.

Be it so resolved.

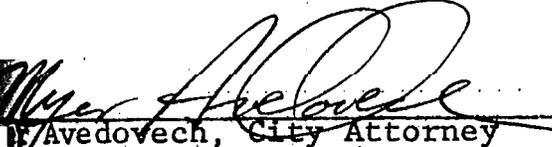
Introduced and adopted by the City Council on the 24th of October, 1977, at a continuation of a regular session of City Council.

  
Bill E. Hupp, Mayor

RST:

  
Dorothy E. Farrell, Recorder

Approved as to form:

  
Meyer Avedovech, City Attorney