

RESOLUTION NO. 33-1985

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, INITIATING AN ANNEXATION OF TERRITORY TO THE CITY OF MILWAUKIE. (A-85-05)

WHEREAS, the City's Urban Services Policy mandates the creation of a rational urban services boundary to provide for efficient delivery of services; and

WHEREAS, annexation of the territory described in Exhibit A creates a rational urban service boundary; and

WHEREAS, annexation to the City of the territory so bounded would constitute a "minor boundary change" under the Boundary Commission law ORS 199.410 to 199.519, and a so-called "Island Annexation" under ORS 222.750; and

WHEREAS, by authority of ORS 199.490(5) (a) and 222.750 the City Council of the City may initiate the annexation; and

WHEREAS, the part of the territory that lies in the Clackamas Fire District #1 would, by operation of ORS 199.510(1), be automatically withdrawn from that district immediately upon consummation of the annexation.

NOW, THEREFORE, BE IT RESOLVED by Council of the City of Milwaukie that the Council, initiating annexation of the property described on Exhibit A (attached), adopts the findings listed on Exhibit B (attached) and requests the Boundary Commission to approve it and effect it as soon as possible.

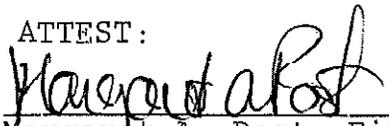
BE IT FURTHER RESOLVED that the City Recorder is directed to file certified copies of the statement of consent and of this Resolution with Portland Metropolitan Area Local Government Boundary Commission at once.

Introduced and adopted by the City Council on DECEMBER 17, 1985.

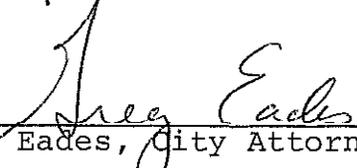


Ronald D. Kinsella, Mayor

ATTEST:



Margaret A. Post, Finance Director



Greg Eades, City Attorney

ANNEXATION OF:
TOWNSHIP 1 SOUTH, RANGE 2 EAST, SECTION 31DA
Tax Lots 900 & 1000

A portion of the J.D. Garrett DLC No.38, in Section 31, Township 1 South, Range 2 East, Willamette Meridian; more particularly described as follows:

Beginning at a point on the east line of the S.E. Stanley Avenue right-of-way 1039.24 feet West and 2580.84 feet South of the northeast corner of said J.D. Garrett DLC; thence East, 328.56 feet; thence South parallel with the east line of said Stanley Avenue, 201.08 feet; thence West, 328.56 feet to the east line of said Stanley Avenue; thence North along the east right-of-way line of said Stanley Avenue, 201.08 feet to the point of beginning.

ANNEXATIONS OF PORTIONS OF:
1S, 2E, 31AD and 1S, 2E, 31DA
generally described as:
East Side of Stanley Avenue,
North and South of Lloyd Street

Part of the J.D. Garrett D.L.C. in Section 31, Township 1 South, Range 2 East, of the Willamette Meridian; more particularly described as follows:

Beginning at the southwest corner of DANA ADDITION, a duly recorded subdivision in Clackamas County, Oregon; thence West, 130.0 feet to the east right-of-way line of S.E. Stanley Avenue; thence North along the east right-of-way line of S.E. Stanley Avenue. 694.50 feet to the south line of PAR ESTATES, a duly recorded subdivision in Clackamas County, Oregon; thence East along the south line of said PAR ESTATES, 145.0 feet; thence South parallel to said Stanley Avenue, 100 feet; thence East, 150 feet to a point on the west line of Lot 3, Block 1, LLOYD'S ADDITION No.2, a duly recorded subdivision in Clackamas County, Oregon; thence South along the west line of said Lot 3, 20.0 feet to an angle point; thence West along the boundary of said Lot 3, 18.4 feet to another angle point; thence South along the west line of said LLOYD'S ADDITION No.2, 309.38 feet to the southwest corner of said LLOYD'S ADDITION No.2 and the north line of the previously mentioned DANA ADDITION; thence West along the north line of said DANA ADDITION, 146.97 feet to the northwest corner of said DANA ADDITION; thence South along the west line of said DANA ADDITION, 264.57 feet to the point of beginning.

ANNEXATION
TOWNSHIP 1S, RANGE 2E, SECTION 31AD
TAX LOTS 11500,11600,11700,11800

A portion of the J.D. Garrett DLC No.38, in Section 31, Township 1 South, Range 2 East, Willamette Meridian; more particularly described as follows:

Beginning at the northeast corner of Lot 3, Block 3, LLOYD'S ADDITION No.2, a duly recorded subdivision in Clackamas County, Oregon; thence West along the north line of said LLOYD'S ADDITION No.2, 346.77 feet to the most northerly northwest corner of Lot 3, Block 1, of said LLOYD'S ADDITION No.2; thence North, 243.96 feet, to the southwest corner of SUNDIAL COURT, a duly recorded subdivision in Clackamas County, Oregon; thence East along the south line of said SUNDIAL COURT subdivision, 357.12 feet to the west right-of-way line of SE 60th Avenue; thence South along the west right-of-way line of SE 60th Avenue, 121.975 feet; thence East, 209.4875 feet; thence South, 243.95 feet; thence West, 219.56 feet, to the west right-of-way line of SE 60th Avenue; thence North along the west right-of-way line of SE 60th Avenue 120.0 feet, more or less, to the point of beginning.

Exhibit B

Annexation File #A-85-05

This annexation was approved by the City Council of the City of Milwaukie on December 17, 1985, based on the following findings:

1. ORS 199.490 (5a) and ORS 222.750 allows a city, by resolution, to annex any territory that is an island within its jurisdictional boundaries. An island is defined as territory not within a city surrounded by the corporate boundaries of the city and a stream.
2. The territory contains 9.55 acres, 18 single-family residences, and a population of approximately 45.
3. The City of Milwaukie currently provides sewer services to the area and most of the water service functions.
4. The City of Milwaukie can immediately and efficiently serve this area with all urban services including water, sewer, police, fire and road maintenance.
5. The annexation is compatible with the Comprehensive Plan in that it allows for the logical extension of services without added cost and for more efficient delivery of service.
6. The City of Milwaukie and Wichita Water District are currently renegotiating an Intergovernmental Agreement that will address the eventual assumption of all water service functions by the City.
7. Milwaukie's Urban Services Policy is complied with by the following:
 - a. Milwaukie acknowledges its role as principal provider of urban services in this area by currently serving sewer and most water needs.
 - b. Milwaukie has a Future Facilities Plan for this area.
 - c. Milwaukie can readily and efficiently deliver all urban services without increased costs to the City.
 - d. The City initiated a public information process informing the residents of the need, benefits, and costs of the City delivering urban services to them.
8. The City's Dual Interest Agreement with Clackamas County is satisfied in that the Land Use and Zoning Designations will remain the same - Low Density/R-7 Residential - at this time.