RESOLUTION NO. 9-1986

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, INITIATING AN ANNEXATION OF TERRITORY TO THE CITY OF MILWAUKIE. (AN-86-03)

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of the territory that lies in the Clackamas Fire District #1 would, by operation of ORS 199.510(1), be automatically withdrawn from that district immediately upon consummation of the annexation.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 17 June 1986.

Ronald D. Kinsella, Mayor

ATTEST:

Roy Freemantle, Acting Finance Director

Approved As To Form:

Greg Eades, City Attorney

June 17, 1986
EXHIBIT A

ANNEXATION NO. AN-86-03

A part of the J.D. Garrett D.L.C. in Section 31 and 32, T.1S, R.2E, W.M. in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the Southwest corner of VERT ADDITION, a duly recorded subdivision in Clackamas County, Oregon;

Thence East along the South boundary of said VERT ADDITION and its easterly extension 745.09 feet to the westerly right-of-way line of S.E. Linwood Avenue;

Thence South along the West line of S.E. Linwood Avenue 457.90 feet, more or less, to a point that bears South, 1183.90 feet from the Northeast corner of said J.D. Garrett D.L.C.;

Thence South 89°50' West, 208.55 feet to the Southwest corner of a parcel of land described in Deed Reference 85-17815, Deed Records;

Thence South 0°37' West, 273.95 feet to the Southeast corner of a parcel of land described in Deed Reference 74-12593, Deed Records;

Thence North 89°28' West, 150 feet to the Southwest corner of said parcel of land and the East right-of-way line of S.E. 60th Avenue;

Thence North along the East right-of-way of S.E. 60th Ave. (AKA Wichita Ave.), 243.95 feet to a point that is 357.12 feet West and 1213.90 feet South of a stone located at the Northeast corner of the J.D. Garrett D.L.C., said point is also on the easterly extension of the North line of SUNDIAL COURT, a duly recorded subdivision in Clackamas County, Oregon;

Thence North 89°25'20" West along the easterly extension of the North line of said SUNDIAL COURT and the North line of SUNDIAL COURT, 387.12 feet, more or less, to the Northwest corner of said SUNDIAL COURT;

Thence South 0°36'20" West along the westerly line of said SUNDIAL COURT, 42.37 feet to the Northeast corner of PAR ESTATES, a duly recorded subdivision in Clackamas County, Oregon;

Thence West along the North line of said PAR ESTATES 189.20 feet to the Northwest corner of Lot 8 of said PAR ESTATES;

Thence South along the West line of said Lot 8, 70.00 feet to the Northeast corner of Lot 10 in said PAR ESTATES;

Thence West along the North line of said Lot 10 and its westerly extension, 105.00 feet to the easterly right-of-way line of S.E. Stanley Avenue;

Thence North along the easterly right-of-way line of S.E. Stanley Avenue 322.4 feet, more or less, to the Southwest corner of a tract of land described in Book 641, page 700, said point being West, 1044.24 feet and South, 994.65 feet from the Northeast corner of the J.D. Garrett D.L.C.;

Thence East along the South line of said parcel of land, 300 feet, more or less, to the Southeast corner of said parcel of land;

Thence North along the East line of said parcel of land and its projection, 241.25 feet to the Northeast corner of a parcel of land described in Book 469, Page 624, Deed Records;

Thence West along the North line of said parcel of land, 300 feet, more or less, to the East line of Stanley Ave., said point being West, 1044.24 feet and South 753.4 feet from the Northeast corner of the J.D. Garrett D.L.C.;

Thence North along the East line of Stanley Ave., 145.2 feet to the North line of a parcel of land described in Book 471, Page 308, Deed Records;

Thence East along said North line of said parcel of land, 300 feet, more or less, to a point on the West boundary of VERT ADDITION, a duly recorded subdivision;

Thence South 0°37' West along the West line of said VERT ADDITION, 117.8 feet to the Southwest corner of said VERT ADDITION and the point of beginning.

CITY OF MILWAUKIE

PLANNING DEPARTMENT
in the City Hall • phone 659-5171

June 17, 1986
EXHIBIT B

ANNEXATION FILE NO. AN-86-03

This annexation was approved by the City Council of the City of Milwaukie on June 17, 1986, based on the following findings:

1. The provisions of an island annexation, allowable under ORS 199.490(5a), have been met.

2. The territory contains 11.4 acres, 25 single-family residences, 4 duplexes, an estimated population of 90, and an assessed value of $1,830.150.

3. The City of Milwaukie currently provides sewer services and many of the water service functions.

4. Wichita Water District is the provider of water to this area but is in the process of dissolving. Its dissolution plans involve the City of Milwaukie assuming all service provision responsibility.

5. The City of Milwaukie can immediately and efficiently serve this area with all urban services including water, sewer, police, fire, and road maintenance.

6. The annexation is compatible with the Comprehensive Plan in that it allows for the logical extension of services without added costs, and for more efficient delivery of services.

7. The City's Dual Interest Area Agreement with Clackamas County is complied with in that the land use and zoning designations will remain the same, Low Density Residential R-7.

8. The City's Urban Services Policy has been satisfied by the following:

   a. Milwaukie acknowledges its role as primary provider of urban services in this area by currently serving sewer and most water functions.

   b. Milwaukie has planned for the future facilities in this area as reflected in its own Facilities Plan for the surrounding City 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 residents of the needs, benefits and costs of the City delivering services to them.