ORDINANCE NO. 2030

AN ORDINANCE OF THE CITY OF MILWAUKIE ANNEXING MULTIPLE TRACTS OF LAND INTO THE CITY LIMITS OF THE CITY OF MILWAUKIE AND WITHDRAWING THEM FROM SEVERAL SERVICE DISTRICTS AS DESCRIBED BELOW. **(FILE #A-10-04).**

WITHDRAWAL OF THE FOLLOWING TRACTS OF LAND IDENTIFIED BELOW BY TAX MAP I.D. NUMBER AND STREET ADDRESS FROM THE TERRITORY OF CLACKAMAS COUNTY SERVICE DISTRICT FOR ENHANCED LAW ENFORCEMENT AND CLACKAMAS COUNTY SERVICE DISTRICT NO. 5 FOR STREET LIGHTS:

1. 1S2E30AA06200	5702 SE Westfork St
2. 1S2E30DA10200	5972 SE Hazel Pl
3. 1S2E30AD06200 & 6300	6005 SE Laurel St
4. 1S2E30DA02000 & 2200	6011 SE Hazel Pl
5. 1S2E30DD03300	10011 SE Wichita Ave
6. 1S2E30DA05000	5903 SE Hazel Pl
7. 1S2E30DA01200	9509 SE Wichita Ave
8. 1S2E30DA10700	5945 SE Hill St
9. 1S2E30DA10800	5940 SE Hill St
10. 1S2E30DB00100	5620 SE Firwood St
11. 1S2E30DC03200	10117 SE Stanley Ave
12. 1S2E30AC01000	9415 SE Stanley Ave
13. 1S2E30AD06600 & 6500	6020 SE Johnson Creek Blvd
14. 1S2E30DD04300	9917 SE Hollywood Ave
15. 1S2E30DA01900 & 2300	6030 SE Cedar St
16. 1S2E30AC01100	5707 SE Firwood St
17. 1S2E30DA01902	6040 SE Cedar St
18. 1S2E30DD08600 & 8500	10200 SE Hollywood Ave

WHEREAS, the territory proposed for annexation is contiguous to the City's boundary and is within the City's urban growth management area; and

WHEREAS, the requirements of the Oregon Revised Statutes for initiation of the annexation were met by providing written consent from a majority of electors and all owners of land in the territory proposed for annexation; and

WHEREAS, the territory proposed for annexation lies within the territory of Clackamas River Water, Clackamas County Service District No. 5 for Street Lights, and Clackamas County Service District for Enhanced Law Enforcement; and

WHEREAS, the annexation and withdrawals are not contested by any necessary party; and

WHEREAS, the annexation was processed through the City's Annexation Assistance Program established by Resolution 38-2010; and

WHEREAS, the annexation will promote the timely, orderly, and economic provision of public facilities and services; and

WHEREAS, Table 19.1104.1.E of the Milwaukie Municipal Code provides for the automatic application of City zoning and Comprehensive Plan land use designations; and

WHEREAS, the City conducted a public meeting and mailed notice of the public meeting as required by law; and

WHEREAS, the City prepared and made available an annexation report that addressed all applicable criteria, and, upon consideration of such report, the City Council favors annexation of the tracts of land and withdrawal from all applicable service districts based on findings and conclusions attached hereto as Exhibit A;

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The Findings in Support of Approval and attached as Exhibit A are hereby adopted.

Section 2. The tracts of land described and depicted in Exhibit B are hereby annexed to the City of Milwaukie.

Section 3. The tracts of land annexed by this ordinance and described in Section 2 are hereby withdrawn from Clackamas County Service District for Enhanced Law Enforcement and Clackamas County Service District No. 5 for Street Lights.

Section 4. The tracts of land annexed by this ordinance and described in Section 2 are hereby assigned the following Municipal Code zoning and Comprehensive Plan land use designations.

Tax Map ID	Address	Zoning	Land Use
1. 1S2E30AA06200	5702 SE Westfork Ave	R-7	Low Density
2. 1S2E30DA10200	5972 SE Hazel Pl	R-10	Low Density
3. 1S2E30AD06200 & 6300	6005 SE Laurel St	R-7	Low Density
4. 1S2E30DA02000 & 2200	6011 SE Hazel Pl	R-10	Low Density
5. 1S2E30DD03300	10011 SE Wichita Ave	R-10	Low Density
6. 1S2E30DA05000	5903 SE Hazel Pl	R-10	Low Density
7. 1S2E30DA01200	9509 SE Wichita Ave	R-10	Low Density
8. 1S2E30DA10700	5945 SE Hill St	R-10	Low Density
9. 1S2E30DA10800	5940 SE Hill St	R-10	Low Density
10. 1S2E30DB00100	5620 SE Firwood St	R-7	Low Density
11. 1S2E30DC03200	10117 SE Stanley Ave	R-10	Low Density
12. 1S2E30AC01000	9415 SE Stanley Ave	R-7	Low Density
13. 1S2E30AD06600 & 6500	6020 SE Johnson Creek Blvd	R-7	Low Density
14. 1S2E30DD04300	9917 SE Hollywood Ave	R-10	Low Density

15. 1S2E30DA01900 & 2300	6030 SE Cedar St	R-10	Low Density
16. 1S2E30AC01100	5707 SE Firwood St	R-7	Low Density
17. 1S2E30DA01902	6040 SE Cedar St	R-10	Low Density
18. 1S2E30DD08600 & 8500	10200 SE Hollywood Ave	R-10	Low Density

Section 5. The City shall immediately file a copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.030 and ORS 222.005 and 222.177. The annexation and withdrawals shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

Read the first time on 6/7/11, and moved to second reading by 5-0 vote of the City Council.

Read the second time and adopted by the City Council on 6/7/11

Signed by the Mayor on 6/7/11.

Jeremy Ferguson, Mayor

ATTEST:

Pat DuVal, City Recorder

APPROVED AS TO FORM:
Jordan Schrader Ramis PC

City Attorney

Document1 (Last revised 09/18/07)

EXHIBIT A

FINDINGS IN SUPPORT OF APPROVAL

Expedited Annexations in NE Sewer Extension Project Area
(Annexation Assistance Program Batch #2)
File# A-10-04

Based on the expedited annexation staff report for Annexation Assistance Program Batch #2, the Milwaukie City Council finds:

1. The Annexation Properties consist of 18 properties composed of 23 tax lots for a total area of 7.15 acres. They are identified below by tax map ID number and street address.

Tax Lot ID	Address
1S2E30AA06200	5702 SE Westfork St
1S2E30DA10200	5972 SE Hazel Pl
1S2E30AD06200 & 6300	6005 SE Laurel St
1S2E30DA02000 & 2200	6011 SE Hazel Pl
1S2E30DD03300	10011 SE Wichita Ave
1S2E30DA05000	5903 SE Hazel Pl
1S2E30DA01200	9509 SE Wichita Ave
1S2E30DA10700	5945 SE Hill St
1S2E30DA10800	5940 SE Hill St
1S2E30DB00100	5620 SE Firwood St
1S2E30DC03200	10117 SE Stanley Ave
1S2E30AC01000	9415 SE Stanley Ave
1S2E30AD06600 & 6500	6020 SE Johnson Creek Blvd
1S2E30DD04300	9917 SE Hollywood Ave
1S2E30DA01900 & 2300	6030 SE Cedar St
1S2E30AC01100	5707 SE Firwood St
1S2E30DA01902	6040 SE Cedar St
1S2E30DD08600 & 8500	10200 SE Hollywood Ave

2. The Annexation Properties are contiguous to the existing city limits through either their adjacency to private property within the city limits or recently annexed public right-of-way. They are within the City's Urban Growth Management Area (UGMA) and are located throughout the NE Sewer Extension (NESE) Project Area. The NESE Project Area is primarily developed with single-family residential uses with some commercial and industrial uses around the area's perimeter, particularly along King Rd and Johnson Creek Blvd.

3. The Annexation Properties seek annexation to the City to access City services, namely sewer service. Two of the Annexation Properties have already connected to City sewer through the emergency connection process.

4. The annexation petition was initiated by Consent of All Owners of Land between August 9, 2010, and April 1, 2011. It meets the requirements for initiation set forth in ORS 222.125, Metro Code Section 3.09.040, and Milwaukie Municipal Code (MMC) Subsection 19.1102.2.A.1.

5. The annexation petition was processed and public notice was provided in accordance with ORS Section 222.125, Metro Code Section 3.09.045, and MMC Section 19.1104.

6. The annexation petition is being processed as an expedited annexation at the request of the Annexation Properties' owners. It meets the expedited annexation procedural requirements set forth in MMC Section 19.1104.

7. The expedited annexation process provides for automatic application of City land use and zoning designations to the Annexation Properties based on their existing zoning designations in the County pursuant to MMC Table 19.1104.1.E. Table 1 below summarizes the Annexation Properties' automatic land use and zoning designations upon annexation.

Table 1: Automatic Zoning and Land Use Designations

Tax Map ID	Address	County Zoning	City-Equivalent	
			Zoning	Land Use
1. 1S2E30AA06200	5702 SE Westfork St	R7	R-7	Low Density
2. 1S2E30DA10200	5972 SE Hazel Pl	R10	R-10	Low Density
3. 1S2E30AD06200 & 6300	6005 SE Laurel St	R7	R-7	Low Density
4. 1S2E30DA02000 & 2200	6011 SE Hazel Pl	R10	R-10	Low Density
5. 1S2E30DD03300	10011 SE Wichita Ave	R10	R-10	Low Density
6. 1S2E30DA05000	5903 SE Hazel Pl	R10	R-10	Low Density
7. 1S2E30DA01200	9509 SE Wichita Ave	R10	R-10	Low Density
8. 1S2E30DA10700	5945 SE Hill St	R10	R-10	Low Density
9. 1S2E30DA10800	5940 SE Hill St	R10	R-10	Low Density
10. 1S2E30DB00100	5620 SE Firwood St	R7	R-7	Low Density
11. 1S2E30DC03200	10117 SE Stanley Ave	R10	R-10	Low Density
12. 1S2E30AC01000	9415 SE Stanley Ave	R7	R-7	Low Density
13. 1S2E30AD06600 & 6500	6020 SE Johnson Creek Blvd	R7	R-7	Low Density
14. 1S2E30DD04300	9917 SE Hollywood Ave	R10	R-10	Low Density
15. 1S2E30DA01900 & 2300	6030 SE Cedar St	R10	R-10	Low Density
16. 1S2E30AC01100	5707 SE Firwood St	R7	R-7	Low Density
17. 1S2E30DA01902	6040 SE Cedar St	R10	R-10	Low Density
18. 1S2E30DD08600 & 8500	10200 SE Hollywood Ave	R10	R-10	Low Density

8. The applicable City approval criteria for expedited annexations are contained in MMC 19.1502.3. They are listed below with findings in italics.

   A. The subject site must be located within the City's urban growth management area (UGMA);

   The Annexation Properties are within the City's UGMA.

   B. The subject site must be contiguous to the existing city limits;

   The Annexation Properties are contiguous to the existing city limits along their frontages.

   C. The requirements of Oregon Revised Statutes for initiation of the annexation process must be met;

   All property owners and at least one half of all registered voters residing at the Annexation Properties consented to the annexation by signing the annexation petition. Staff confirmed property ownership through Clackamas County Assessment and Taxation and voter registration through Clackamas County Elections Division. As submitted, the annexation petition meets the Oregon Revised Statutes requirements for initiation pursuant to the "Consent of All Owners of Land" initiation method.

   D. The proposal must be consistent with Milwaukie Comprehensive Plan Policies;

   Chapter 6 of the Comprehensive Plan contains the City's annexation policies. Applicable annexation policies include: (1) delivery of City services to annexing areas where the City has adequate services, and (2) requiring annexation in order to receive a City service. Annexation will make these properties eligible to connect to the City's new sewer system. As proposed, the annexation is consistent with Milwaukie Comprehensive Plan policies.

   E. The proposal must comply with the criteria of Metro code Sections 3.09.050 (d) and, if applicable, (e).

   The annexation proposal is consistent with applicable Metro Code sections for expedited annexations as described below.

9. Prior to approving an expedited annexation, the City must apply the provisions contained in Section 3.09.045 of the Metro Code. They are listed below with findings in italics.

   (1) Find that the change is consistent with expressly applicable provisions in:

(A) Any applicable urban service agreement adopted pursuant to ORS 195.205;

There are no applicable urban service agreements adopted pursuant to ORS 195 in the area of the proposed annexation. The City, however, has an UGMA agreement with Clackamas County that states that the City will take the lead in providing urban services in the area of the proposed annexation. Pursuant to this agreement, the City has recently constructed a new sewer system in this area. Annexation will make these properties eligible to connect to this system.

(B) Any applicable annexation plan adopted pursuant to ORS 195.205;

There are no applicable annexation plans adopted pursuant to ORS 195 in the area of the proposed annexation.

(C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;

There are no applicable cooperative planning agreements adopted pursuant to ORS 195 in the area of the proposed annexation.

(D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

Clackamas County completed a North Clackamas Urban Area Public Facilities Plan in 1989 in compliance with Goal 11 of the Land Conservation and Development Commission for coordination of adequate public facilities and services. The City subsequently adopted this plan as an ancillary Comprehensive Plan document. The plan contains four elements:

- *Sanitary Sewerage Services*
- *Storm Drainage*
- *Transportation Element*
- *Water Systems*

The proposed annexation is consistent with the four elements of this plan as follows:

<u>Sewer:</u> The City is the identified sewer service provider in the area of the proposed annexation and has recently completed construction of a public sewer system that can adequately serve the Annexation Properties.

<u>Storm Drainage:</u> The City will require on-site management of storm water runoff at the time of development and will regulate direct

storm water discharge to Johnson Creek.

<u>Transportation:</u> The City will require public street improvements along the Annexation Properties' frontages at the time of development.

<u>Water:</u> Clackamas River Water (CRW) is the identified water service provider in this plan. However, the City's more recent UGMA agreement with the County identifies the City as the lead urban service provider in the area of the proposed annexation. The City is in the process of developing a water service master plan for all of the territory within its UGMA and discussing possible service provision changes with CRW. In the meantime, CRW will continue to provide water service to the Annexation Properties, with one exception. See Finding 10 for more detail on the one Annexation Property not currently served by CRW.

(E) Any applicable comprehensive plan.

The proposed annexation is consistent with the Milwaukie Comprehensive Plan, which is more fully described on the previous page. The Clackamas County Comprehensive Plan contains no specific language regarding City annexations. It does, however, contain the City-County UGMA agreement, which identifies the area of the proposed annexation as being within the City's UGMA. The UGMA agreement requires that the City notify the County of proposed annexations, which the City has done. The agreement also calls for City assumption of jurisdiction of local streets that are adjacent to newly annexed areas. The City has already annexed and taken jurisdiction of the streets in the NESE Project Area.

(2) Consider whether the boundary change would:

(A) Promote the timely, orderly and economic provision of public facilities and services;

The City is the identified urban service provider in the area of the proposed annexation, and the proposed annexation will facilitate the timely, orderly, and economic provision of urban services to the Annexation Properties.

The City has recently completed a public sewer system in this area. Annexation will make these properties eligible to connect to this system.

The majority of properties in this area is currently served by CRW and will continue to be served by CRW until such time as the IGA between the City and CRW is amended or renegotiated.

(B) Affect the quality and quantity of urban services; and

Annexation of the Annexation Properties is not expected to affect the quality or quantity of urban services in this area given the surrounding level of urban development and the existing level of urban service provision in this area.

(C) Eliminate or avoid unnecessary duplication of facilities and services.

The site will be served by the Milwaukie Police Department upon annexation. In order to avoid duplication of law enforcement services, the site will be withdrawn from the Clackamas County Service District for Enhanced Law Enforcement.

The majority of properties in this area is currently served by CRW and will continue to be served by CRW until such time as the IGA between the City and CRW is amended or renegotiated.
In the meantime, the City does not intend to duplicate CRW's existing water supply system or withdraw private properties currently being served by CRW from the CRW district. See Finding 10 for more detail on the one Annexation Property not currently served by CRW.

10. The City is authorized by ORS Section 222.120 (5) to withdraw annexed territory from non-City service providers and districts upon annexation of the territory to the City. This allows for more unified and efficient delivery of urban services to newly annexed properties and is in keeping with the City's Comprehensive Plan policies relating to annexation.

Wastewater: The Annexation Properties are within the City's sewer service area pursuant to the 1990 City-County Urban Growth Management Agreement and will be served by the City's new sewer system once it is completed later this year. Two of the properties have already connected to the City sewer through the emergency connection process.

Water: One Annexation Property, namely 10117 SE Stanley Ave (Tax Map ID 1S2E30DC03200), is not in the Clackamas River Water (CRW) district. It is currently served by City water. The City has an 8-inch water main in Stanley Ave that can adequately continue to serve this property. The remaining 17 properties are within the CRW district and currently served by CRW. Pursuant to the City's IGA with CRW, none of these properties are to be withdrawn from the district at this time. They are to remain in the CRW district and continue to be served by CRW until such time as the City's IGA with CRW is amended or renegotiated.

Storm: The Annexation Properties are not connected to a public storm water system. Treatment and management of on-site storm water will be required when

new development occurs. Most of the streets in this area are also not connected to a public storm water system. In the fall of 2010, storm water swales were installed as a part of the NESE project at key locations to reduce ponding.

Fire: The Annexation Properties are currently served by Clackamas County Fire District No. 1 and will continue to be served by this fire district upon annexation since the entire City and surrounding area is within this district.

Police: The Annexation Properties are currently served by the Clackamas County Sheriff's Department and are within the Clackamas County Service District for Enhanced Law Enforcement, which provides additional police protection to the area. The City has its own police department, and this department can adequately serve the Annexation Properties. In order to avoid duplication of services, the properties should be withdrawn from Clackamas County Service District for Enhanced Law Enforcement upon annexation.

Street Lights: The Annexation Properties are currently within Clackamas County Service District No. 5 for Street Lights (the "District").[1] The City recently took jurisdiction of the streets in the NESE Project Area but not the lights since none of the properties were in the city at this time. This, however, is expected to change as this and other annexations occur in this area. In anticipation of these changes, City and District staff are working on an IGA that would: (1) transfer the street lights in this area to the City, and (2) transfer the street light payments that will continue to be collected in this area by the District to the City.

It has been the City's practice to remove properties from the District upon annexation, as the City provides street lighting for properties within the city as part of its package of city services. Staff believes that it is timely and appropriate to remove the Annexation Properties from the District at this time. Even though the street lights in this area are currently operated by the District, the District supports the City's removal of the Annexation Properties from the District with the understanding that a future IGA will resolve the transference of the street lights and payments in this area to the City.

Other Services: Planning, Building, Engineering, Code Enforcement, and other municipal services are available through the City and will be available to serve these properties upon annexation. The Annexation Properties will continue to receive services and remain within the boundaries of certain regional and county service providers, such as Tri-Met, North Clackamas School District, Vector Control District, etc.

[1] Not all streets in this area have street lights and only those properties on streets with lights are billed by the County for this service. Seven of the 18 Annexation Properties are currently billed by the District for street lighting.

EXHIBIT B(1)

ANNEXATION TO THE CITY OF MILWAUKIE
Properties in the NE Sewer Extension Project Area
File #A-10-04

LEGAL DESCRIPTIONS

PARCEL 1 (1-2E-30AA-6200)

A parcel of land in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, being part of Lot 14, Block 28, DARLINGTON PLAT 4, a duly recorded subdivision in Clackamas County, Oregon, and more particularly described as follows:

BEGINNING at Northwest corner of said Lot 14;

Thence Southeasterly along the Southerly right-of-way line of SE West Fork Street (Howard Street), 60 feet;

Thence Southwesterly to a point on the Southerly line of said Lot 14, which bears South 79º 21' 30" East along said Southerly line, 56 feet from the Southwest corner of said Lot 14;

Thence North 79º 21' 30" West, 56 feet to said Southwest corner of said Lot 14;

Thence North along the West line of said Lot 14, 171.27 feet to an exterior angle corner in the West line of said Lot 14:

Thence North 36º 52' East along the Westerly line of said Lot 14, 25 feet, more or less, to the point of beginning.

PARCEL 2 (1-2E-30AC-1000 and 1100)

A parcel of land in the Hector Campbell DLC in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at the Northeast of Tract 3, LOGUS TRACTS, a duly recorded subdivision in Clackamas County, Oregon, which is also the Southeast corner of Tract 2 of said LOGUS TRACTS;

Thence North along the East line of said Tract 2, 104.00 feet;

Thence East, 130.00 feet to the True Point of Beginning;

Thence continuing East, 130.00 feet to the West right-of-way line of SE Stanley Avenue;

Thence South along the West right-of-way line of SE Stanley Avenue, 104.00 feet;

Thence West, 130.00 feet;

Thence North parallel with the West right-of-way line of SE Stanley Avenue, 104.00 feet to the point of beginning.

EXCEPT THEREFROM the South 10 feet conveyed to Clackamas County for road purposes in Book 116, Page 315, Clackamas County Deed Records.

PARCEL 3 (1-2E-30AD-6200, 6300, 6500 and 6600)

A parcel of land in the Hector Campbell DLC in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at a 2-inch iron pipe in the center line of SE Laurel Street on the East line of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon;

Thence North 89º 43' East on an extension of the center line of said SE Laurel Street, 24.9 feet to an iron pipe at the Northwest corner of Block 9, HOLLYWOOD PARK ANNEX, a duly recorded subdivision in Clackamas County, Oregon;

Thence North 57º 58' 38" East, 123.56 feet;

Thence North 89º 43' East parallel with and 65 feet Northerly from the North line of said HOLLYWOOD PARK ANNEX and extension of said SE Laurel Street, 89.24 feet to the most Easterly Southeast corner of a tract of land conveyed to the Public by Book 493, Page 165, recorded as Recorder's Fee No. 55-3925, Clackamas County Deed Records, and the TRUE POINT OF BEGINNING of the tract herein described;

Thence North 0º 58' West along the Easterly line of said tract conveyed to the Public, 60 feet;

Thence along the Northerly line of said tract conveyed to the Public South 89º 43' West, 60 feet;

Thence continuing along the line of said tract conveyed to the Public South 0º 58' East, 20 feet;

Thence along the Northerly line of said tract conveyed to the Public South 89º 43' West, 40.17 feet;

Thence along the Northwesterly line of said tract conveyed to the Public South 57º 58' 38" West, 139.68 feet, more or less, to a point on the Easterly line of the afore

mentioned HOLLYWOOD PARK that is 32.22 feet North of the iron pipe in the center of SE Laurel Street;

Thence Northerly along the Easterly line of said HOLLYWOOD PARK, 165.78 feet, more or less, to the Northeast corner thereof and the center of Johnson Creek;

Thence Easterly along the center of Johnson Creek, 10 feet, more or less, to the Southwest corner of Lot 6, ALDERHURST, a duly recorded subdivision in Clackamas County, Oregon;

Thence Northerly along the Westerly line of said Lot 6 and the Westerly line of Lot 5 of said ALDERHURST, 450.60 feet to the Northwest corner of said Lot 5;

Thence South 65º 40' East along the Northerly line of said Lot 5 and the Northerly line of said ALDERHURST, 163.34 feet to a point on the Northerly extension of the Easterly line of Lot 4 of said ALDERHURST;

Thence South 24º 20' West along the Northerly extension of the Easterly line of said Lot 4 and the Easterly line of said Lot 4, 230.00 feet to the Southeast corner of said Lot 4 and a point on the Northerly line of the aforementioned Lot 6;

Thence Southeasterly along the Northerly line of said Lot 6, 50.00 feet to the Southwest corner of Lot 3 of said ALDERHURST and a point that is 50.00 feet from the Northeast corner of said Lot 6;

Thence Southwesterly parallel with the Easterly line of said Lot 6 and 50.00 feet distant therefrom, 176.00 feet, more or less, to the Southerly line of said Lot 6 and the center of Johnson Creek;

Thence Easterly along the center line of Johnson Creek, 254 feet, more or less, to the Northwest corner of a tract of land conveyed to Ellen E Anderson by Deed Volume 226, Page 448, Clackamas county Deed Records;

Thence Southerly along the West line of said Anderson tract, 176 feet, more or less, to a point which is 65 feet North of the North line of the afore mentioned plat of HOLLYWOOD PARK ANNEX and the Northeast corner of a tract of land conveyed to Peter J. Heinrichs, et ux, by Deed Book 491, Page 179, Clackamas County Deed Records;

Thence South 89º 43' West along the North line of said Heinrichs' tract, 62 feet, more or less, to the point of beginning.

TOGETHER WITH that portion of vacated unnamed public road extending off SE Laurel Street and SE Hollywood Avenue, which inured thereto by virtue of Order No. 93-413, as recorded May 20, 1993 in Recorder's Fee No. 93-33893.

EXCEPTING THEREFROM that portion that lies South of the Easterly extension of the North line of SE Laurel Street and West of the Northerly extension of the East line of SE Hollywood Avenue.

PARCEL 4 (1-2E-30DA-1200, 1900, 1902, and 2300)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at the southeasterly corner of that certain tract of land described in the deed from T.S. Mullen and wife to School District 119, recorded in Book 109, Page 128, Clackamas County Deed Records;

Thence running northerly along the westerly right-of-way line of SE Wichita Avenue (aka SE 60th Avenue), 2254 feet to the TRUE POINT OF BEGINNING of the tract of land herein described;

Thence Westerly along the North line of said tract, 300 feet;

Thence South parallel with the West right-of-way line of said SE Wichita Avenue, 100 feet to a point on the North line of Parcel I of a tract of land conveyed to Harry W. Schantin, et ux, in Book 667, Page 664, Clackamas County Deed Records;

Thence Westerly along the Northerly line of said Parcel I of said Schantin tract and the Northerly line of Parcel II of said Schantin tract, 145 feet, more or less, to the Easterly line of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon;

Thence Southerly along said Easterly boundary of HOLLYWOOD PARK, 20.00 feet to the Northwest corner of that tract of land conveyed to Robert Wiechmann in Instrument No. 72-22847, Clackamas County Deed Records;

Thence Easterly along the North line of said Wiechmann tract, 105.00 feet to the Northeast corner thereof and a point in the Westerly line of Parcel I of said Schantin tract;

Thence Southerly along the Westerly line of said Parcel I, 105.00 feet to the Northwest corner of that tract of land conveyed to Dean McEachran, et ux, in Instrument No. 72-7887, Clackamas County Deed Records;

Thence Easterly along the Northerly line of said McEachran tract and the Northerly line of the Harold D. Baumgardner, et ux, tract as described in Book 484, Page 327, Clackamas County Deed Records, 160.00 feet to the Northeast corner of said Baumgardner tract and the most Northerly and Easterly Southeast corner of said Parcel I of said Schantin tract;

Thence Northerly along the Easterly line of said Schantin tract, 125 feet to the Northeast corner thereof, said point also being the Northwest corner of tract of land conveyed to Walter Bohlman, et ux, in Book 456, Page 377, Clackamas County Deed Records;

Thence Easterly along the North line of said Bohlman tract, 180 feet to the Westerly right-of-way line of said SE Wichita Avenue;

Thence North along the Westerly right-of-way line of SE Wichita Avenue, 100 feet to the point of beginning.

PARCEL 5 (1-2E-30DA-2000 and 2200)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at a point on the easterly line of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon, that is 563 feet southerly from the northeasterly corner of said plat when measured on the easterly line thereof;

Thence southerly following the easterly line of said plat, 100 feet to the southwest corner of the tract of land conveyed to Austin Banks, et ux, by deed recorded December 27, 1945, in book 357, Page 445, Clackamas County Deed Records;

Thence continuing southerly following the easterly line of said plat a distance of 250 feet to the southwest corner of that certain tract conveyed to Gulde Investment Company, by deed recorded October 2, 1959, in Book 561, Page 810, Clackamas County Deed Records;

Thence East along the South line of said Gulde Investment Company tract and the North right-of-way line of SE Hazel Place, 55 feet to the Southeast corner of said Gulde Investment Company tract, and the TRUE POINT OF BEGINNING of the tract herein described;

Thence North along the East line of said Gulde Investment Company tract and the Northerly extension thereof, 120 feet;

Thence East parallel with the South line of the aforesaid Banks tract, 50 feet, more or less, to the east line of that certain tract of land conveyed to E.W. Andrews, et ux, by deed recorded February 25, 1952 in Book 453, Page 619, Deed Records;

Thence South along the East line of said Andrews tract, 120 feet to the Southeast corner thereof and a point on the North right-of-way line of SE Hazel Place;

Thence West along the South line of said Andrews tract and the North right-of-way line of SE Hazel Place, 50 feet, more or less, to the point of beginning.

PARCEL 6 (1-2E-30DA-5000)

A parcel of land in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, being the West three-quarters of Lot 7, Block 4, HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon.

PARCEL 7 (1-2E-30DA-10200)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at the Southeasterly corner of that certain tract of land described in the deed from T.S. Mullen and wife to School District 119, recorded in Book 109, Page 128, Clackamas County Deed Records;

Thence Northerly along the Westerly right-of-way line of SE Wichita Avenue (aka SE 60th Avenue), 1774.0 feet;

Thence continuing Northerly along the Westerly right-of-way line of SE Wichita Avenue, 96 feet to the Southerly right-of-way line of SE Hazel Place;

Thence West along the Southerly right-of-way line of SE Hazel Place, 231 feet to the Northeast corner of a tract of land conveyed to Vincent T. Hart by deed recorded January 19, 1949 in Book 415, Page 740, Clackamas County Deed Records, and the TRUE POINT OF BEGINNING of the tract of land herein described;

Thence Southerly parallel with the Westerly right-of-way line of SE Wichita Avenue, 96 feet;

Thence Easterly along a line which if extended westerly would intersect the easterly line of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon, at a point which is 1043 feet southerly from the northeasterly corner of said HOLLYWOOD PARK when measured on the easterly line thereof, a distance of 106 feet;

Thence Northerly parallel with the Westerly line of said SE Wichita Avenue, 96 feet to a point on the Southerly right-of-way line of SE Hazel Place;

Thence Westerly along the Southerly right-of-way line of SE Hazel Place, 106 feet to the point of beginning.

PARCEL 8 (1-2E-30DA-10700 and 10800)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more

particularly described as follows:

BEGINNING at a point on the West right-of-way line of SE Wichita Avenue (aka SE 60th Avenue), 1288 feet north of the Southeast corner of that tract described in a deed from T.S. Mullen and wife to School District No. 119, recorded in Book 109, Page 128, Clackamas County Deed Records;

Thence West, 200 feet to the TRUE POINT OF BEGINNING of the tract herein described;

Thence continuing West, 100 feet;

Thence North parallel with the West right-of-way line of SE Wichita Avenue, 150 feet to a point on the South line of tract of land conveyed to Robert W Hensey and Darlene M Hensey, husband and wife by deed recorded April 15, 1964 in Book 638, Page 656, Clackamas County Deed Records;

Thence West along said South line of the Hensey tract, 6 feet to the Southwest Corner thereof;

Thence North along the West line of said Hensey tract, 96 feet to the Northwest corner thereof;

Thence East along the North line of said Hensey tract, 186 feet the Northeast corner thereof and the Northwest corner of a tract of land described in a deed recorded May 24, 1960 in Book 571, Page 625, Clackamas County Deed Records;

Thence South along the east line of said Hensey tract and its Southerly projection, 96 feet, more or less, to a point on the North right-of-way line of SE Hill Street, conveyed to the Public in a deed recorded June 1, 1967 in Book 691, Page 168, Clackamas County Deed Records;

Thence West along the North right-of-way line of said SE Hill Street, 100 feet to the Northwest corner of said Hill Street;

Thence South along the West end of said SE Hill Street, 50 feet to the Southwest corner of said SE Hill Street;

Thence East along the South right-of-way line of said SE Hill Street, 20 feet;

Thence South, 100 feet to the point of beginning.

PARCEL 9 (1-2E-30DB-100)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at the Northeast corner of Tract 3, LOGUS TRACTS, a duly recorded subdivision in Clackamas County, Oregon;

Thence North 89º 30' East on a projection of the North line of said Tract 3, 82 feet;

Thence South 0º 46' East, 230.85 feet, more or less, to the South line of a tract of land described in Book 379, Page 576, Clackamas County Deed Records;

Thence South 89º 30' West, 82 feet, more or less, to the East boundary of the George Wills Donation Land Claim;

Thence North 0º 46' West tracing the East boundary of the George Wills Donation Land Claim 230.85 feet to the point of beginning;

EXCEPT the rights of the Public, governmental bodies, and public utilities in and to that portion of the herein described property lying within the limits of SE Firwood Street.

PARCEL 10 (1-2E-30DC-3200)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at a point that is 136.1 feet East of the Northeast corner of Tract 40 of GIBSON'S SUBDIVISION OF TRACTS NUMBERED 10, 11, 12, 13 AND THE WEST 480 FT OF TRACTS NUMBERED 1 AND 2 OF THE LOGUS TRACTS, a duly recorded subdivision in Clackamas County, Oregon;

Thence East, 100.00 feet to the Westerly right-of-way line of SE Stanley Avenue;

Thence South along the Westerly right-of-way line of SE Stanley Avenue, 85.00 feet;

Thence West, 100.00 feet;

Thence North parallel with the Westerly right-of-way line of SE Stanley Avenue, 85.00 feet to the place of beginning.

EXCEPT that portion within that road deeded to the public in Book 184, Page 512, Clackamas County Deed Records.

PARCEL 11 (1-2E-30DD-3300)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at a point on the Westerly right-of-way line of SE Wichita Avenue which is 877 feet North of the Southeast corner of a tract of land conveyed to School District No. 119 in Book 109, Page 128, Clackamas County Deed Records;

Thence continuing Northerly along the Westerly right-of-way line of said SE Wichita Avenue, 167 feet;

Thence West, 449.60 feet, more or less, to the Southeast corner of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon;

Thence South on the projection of the Easterly line of said HOLLYWOOD PARK, 167 feet;

Thence East, 447 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM the westerly 143.5 feet.

PARCEL 12 (1-2E-30DD-4300)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

BEGINNING at the initial point of HOLLYWOOD PARK, a duly recorded subdivision in Clackamas County, Oregon, which is also the Southwest corner of Block 8 of said HOLLYWOOD PARK and a point on the Easterly right-of-way line of SE Stanley Avenue;

Thence East along the south line of said Block 8, 231.25 feet;

Thence South parallel with the Easterly right-of-way line of said SE Stanley Avenue, 62.50 feet to the TRUE POINT OF BEGINNING of the tract herein described;

Thence continuing South parallel with the Easterly right-of-way line of said Stanley Avenue 75 feet;

Thence East parallel with the South line of said Block 8, 231.25 feet, more or less, to a point which is 12.5 feet West from the Southerly projection of the East line of said HOLLYWOOD PARK;

Thence North parallel with said projected line 75 feet;

Thence West parallel with the South line of said Block 8, 231.25 feet, more or less, to the place of beginning.

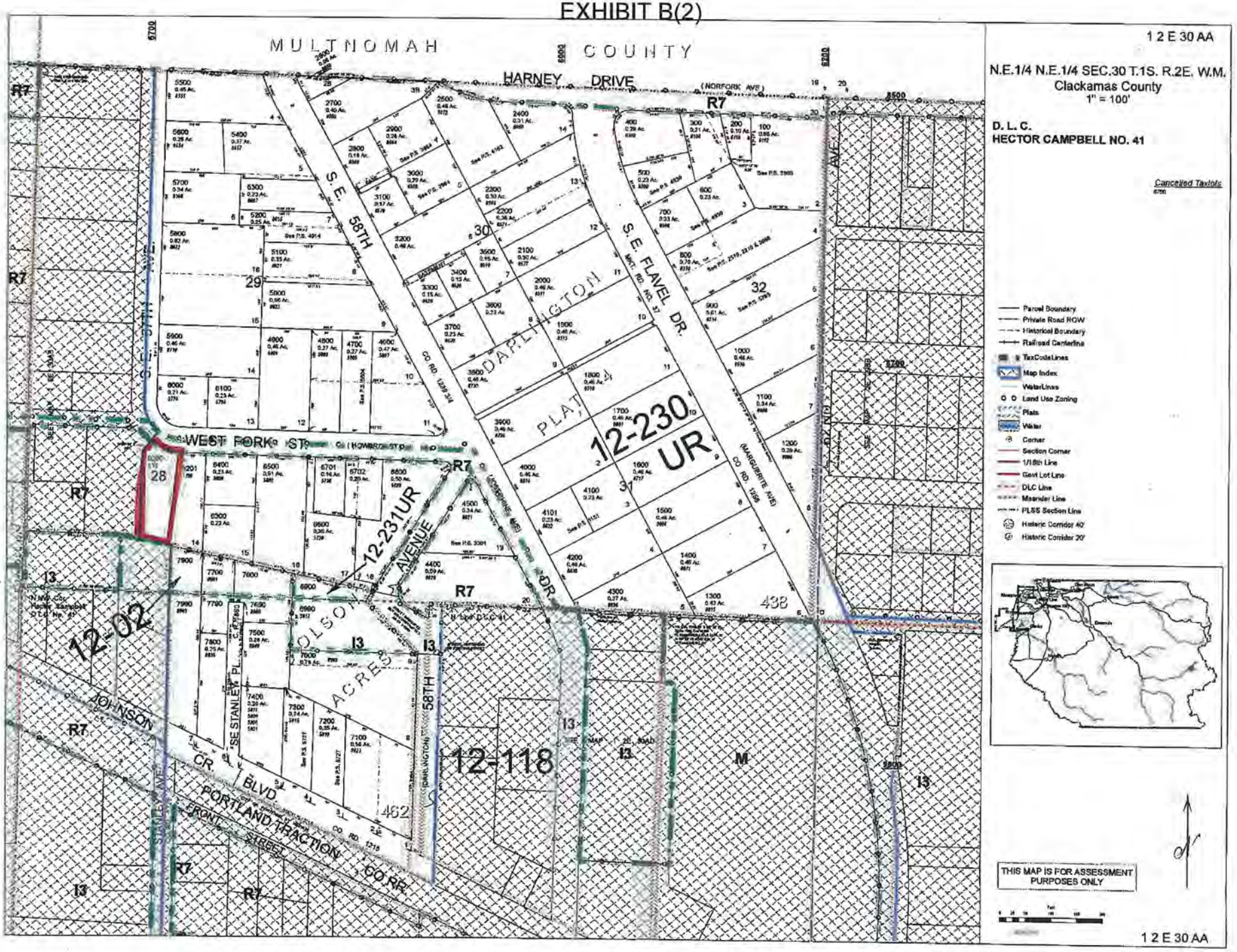
PARCEL 13 (1-2E-30DD-8500 and 8600)

A parcel of land in the Hector Campbell DLC, in Section 30, Township 1 South, Range 2 East, of the Willamette Meridian, Clackamas County, Oregon, being more particularly described as follows:

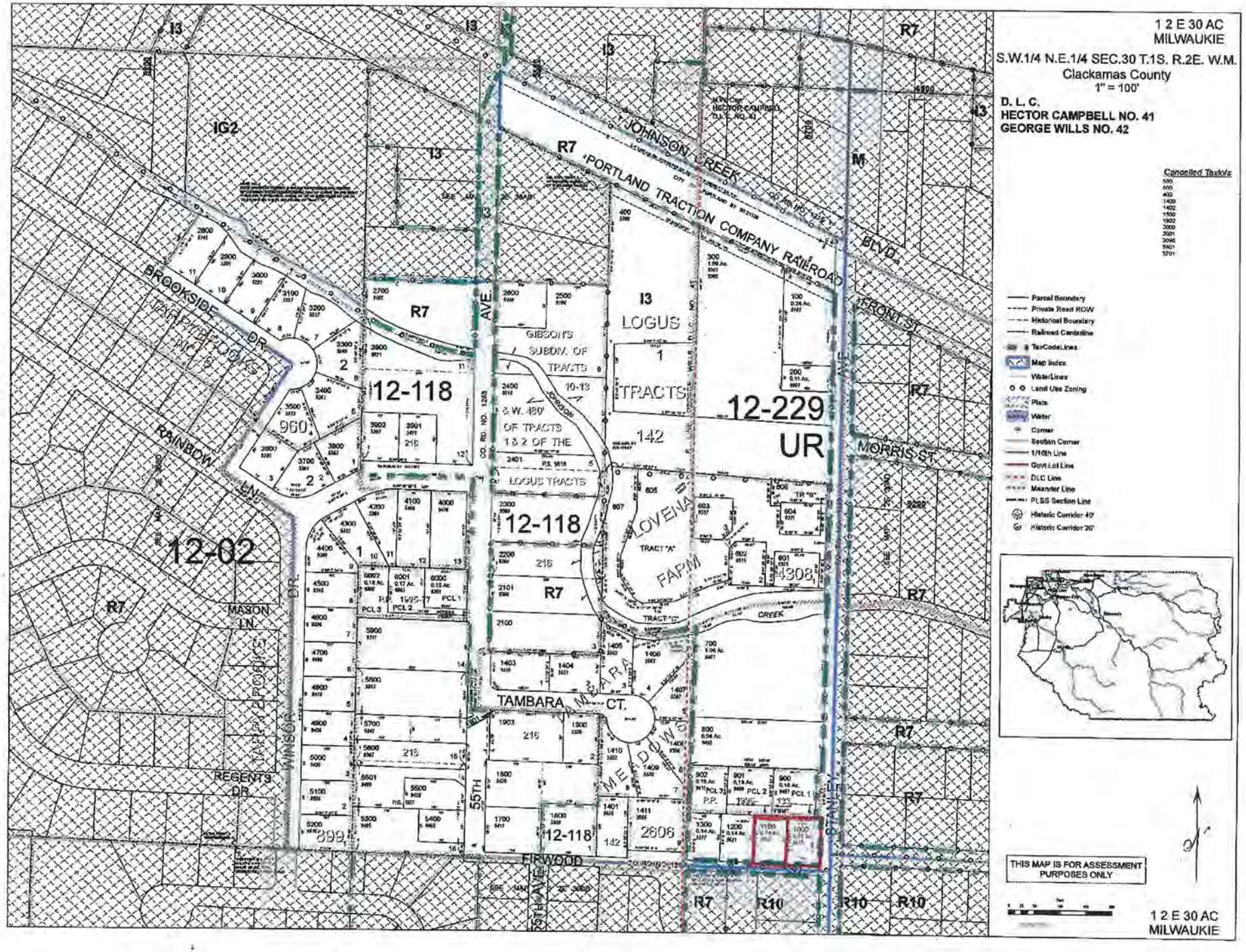
The North 60.00 feet of Lot 6, Block 12, and the South 3.00 feet of Lot 7, Block 12, HOLLYWOOD PARK ANNEX NO. 2, a duly recorded subdivision in Clackamas County.

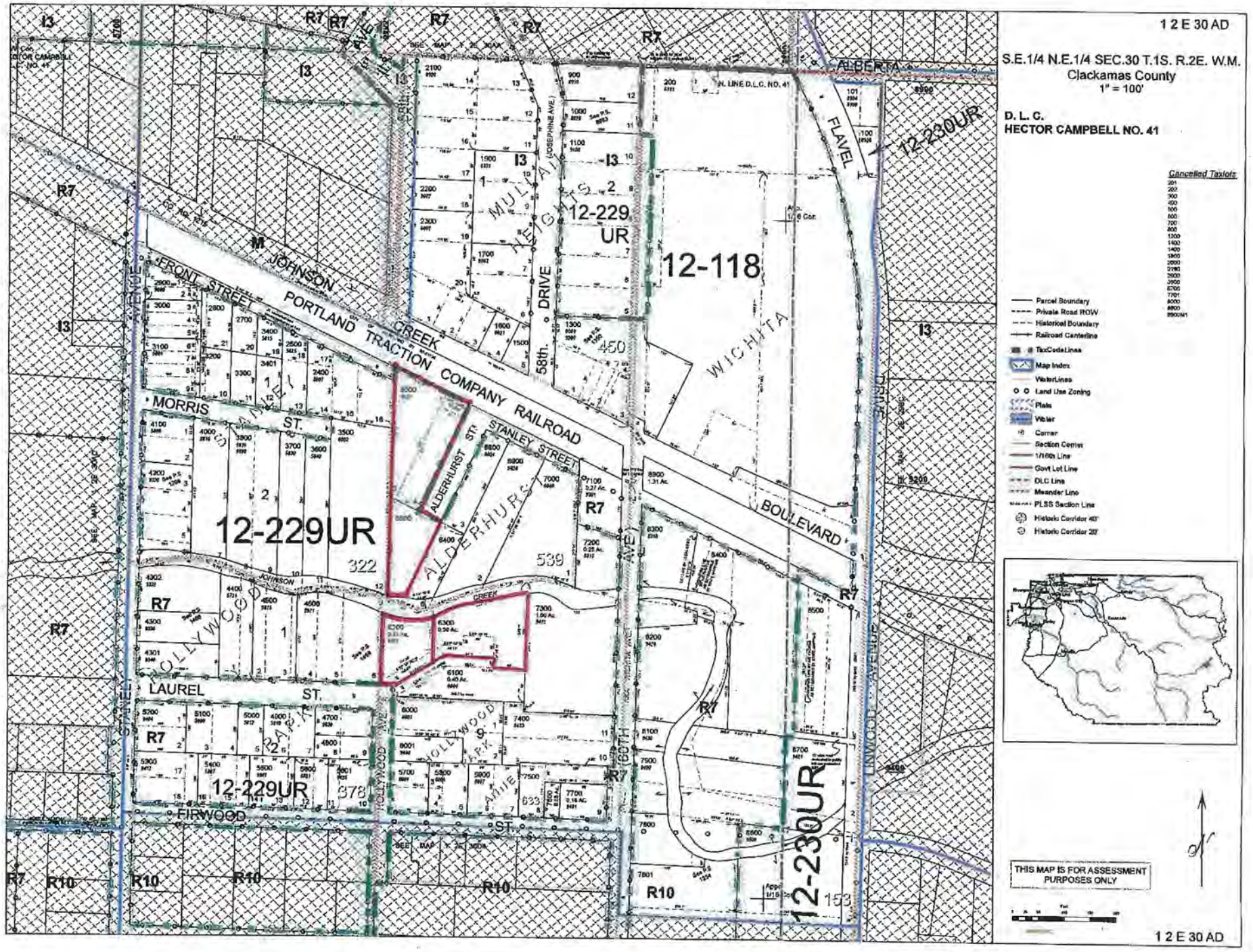
EXCEPTING THEREFROM that portion described in a Deed to Clackamas County recorded August 21, 1953, in Book 472, Page 660, Clackamas County Deed Records.

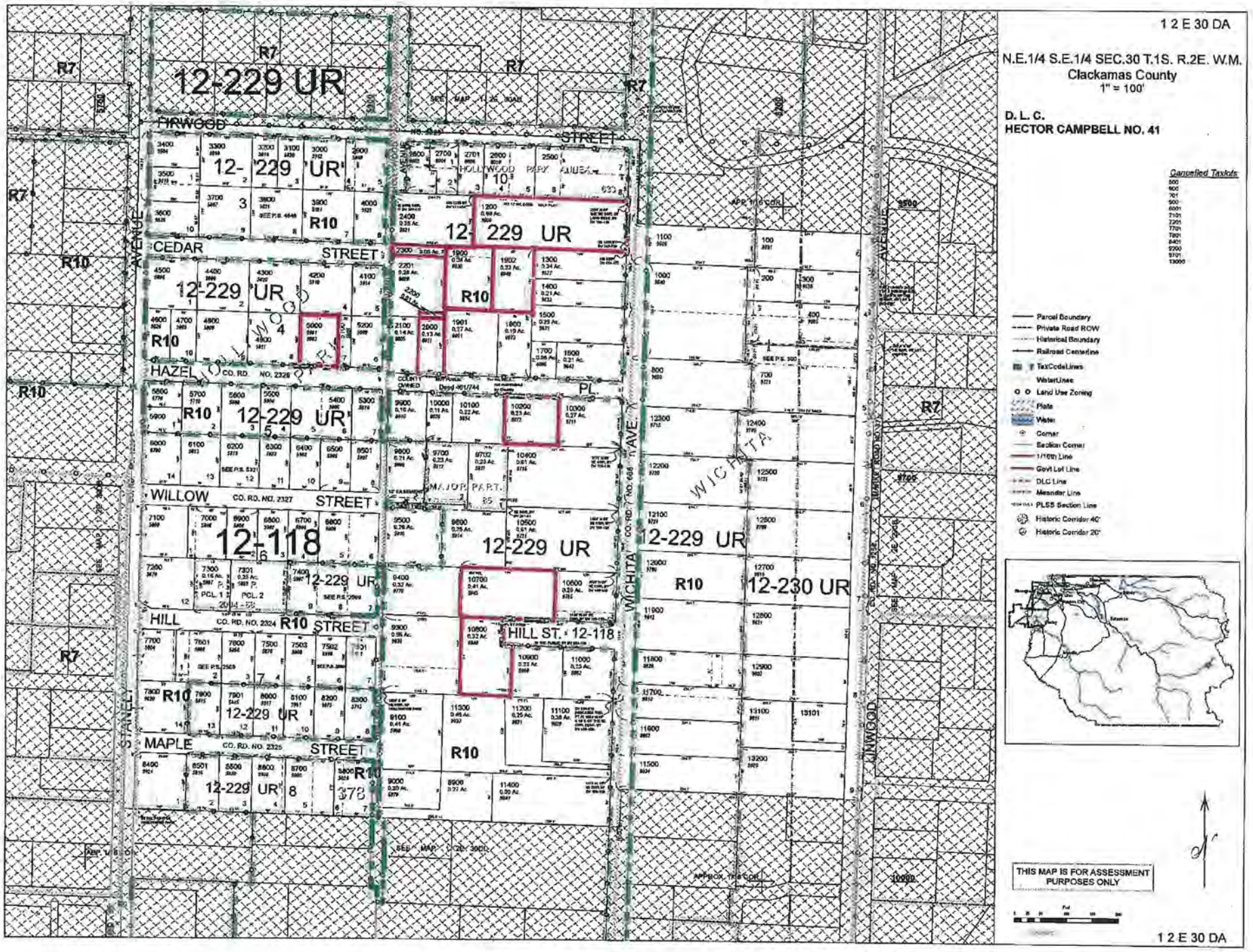
EXHIBIT B(2)



1 2 E 30 AA
N.E.1/4 N.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
HECTOR CAMPBELL NO. 41
Cancelled Taxlots
MULTNOMAH COUNTY
HARNEY DRIVE
(NORFORK AVE)
S.E. 58TH
S.E. FLAVEL DR.
DARLINGTON PLAT
WEST FORK ST.
12-230 UR
12-231UR
12-02
12-118
OLSON ACRES
AVENUE
JOHNSON CR. BLVD.
PORTLAND TRACTION CO RR
FRONT STREET
SE STANLEY PL.
CO. RD. 1215
CO. RD. 1239 3/4
(MARGUERITE AVE)
CO. RD. 1255
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
Map Index
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
1 2 E 30 AA


1 2 E 30 AC
MILWAUKIE
S.W.1/4 N.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
HECTOR CAMPBELL NO. 41
GEORGE WILLS NO. 42
Cancelled Taxlots
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
Map Index
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
1 2 E 30 AC
MILWAUKIE
JOHNSON CREEK
PORTLAND TRACTION COMPANY RAILROAD
BLVD.
FRONT ST.
MORRIS ST.
BROOKSIDE DR.
RAINBOW LN.
MASON LN.
REGENTS DR.
WINSOR DR.
55TH AVE.
TAMBARA CT.
FIRWOOD
STANLEY
12-02
12-118
12-229
UR
LOGUS TRACTS
GIBSON'S SUBDIV. OF TRACTS
& W. 480' OF TRACTS 1 & 2 OF THE LOGUS TRACTS
LOVENA FARM
TRACT "A"
TRACT "C"
CREEK
MEADOWS
I3
IG2
R7
R10
M


1 2 E 30 AD
S.E.1/4 N.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
HECTOR CAMPBELL NO. 41
Cancelled Taxlots
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
Map Index
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
12-118
12-229 UR
12-229UR
12-230UR
12-230UR
12-229UR
PORTLAND TRACTION COMPANY RAILROAD
JOHNSON CREEK
FRONT STREET
MORRIS ST.
STANLEY STREET
ALDERHURST ST.
LAUREL ST.
FIRWOOD ST.
HOLLYWOOD AVE.
60TH AVE.
58th. DRIVE
LINWOOD AVENUE
FLAVEL DRIVE
ALBERTA
WICHITA
BOULEVARD
MULLAN HEIGHTS
HOLLYWOOD PARK
ALDERHURST
R7
R10
I3
M
322
539
378
450
153


1 2 E 30 DA
N.E.1/4 S.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
HECTOR CAMPBELL NO. 41
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Parcel Boundary
Private Road ROW
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Railroad Centerline
TaxCodeLines
WaterLines
Land Use Zoning
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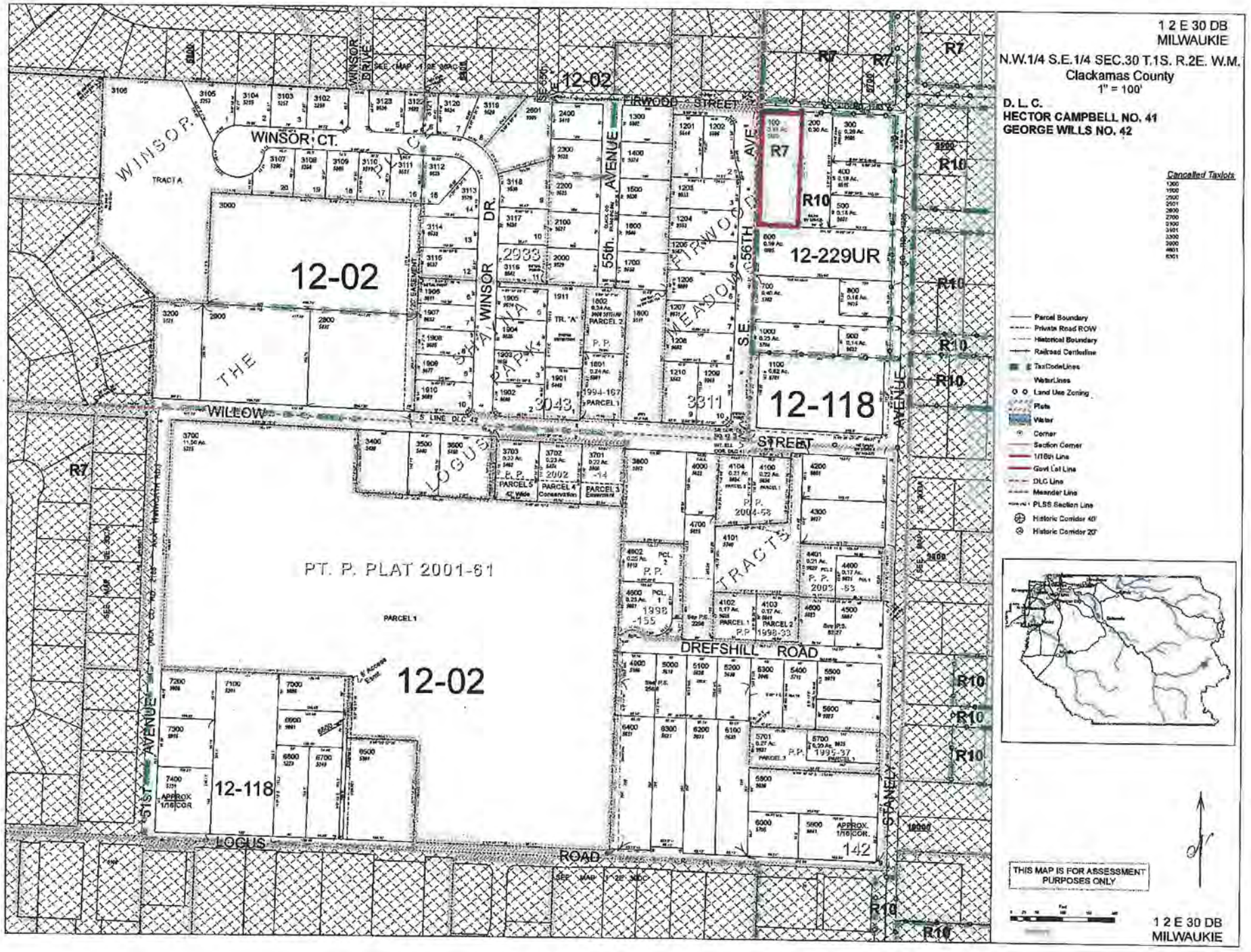
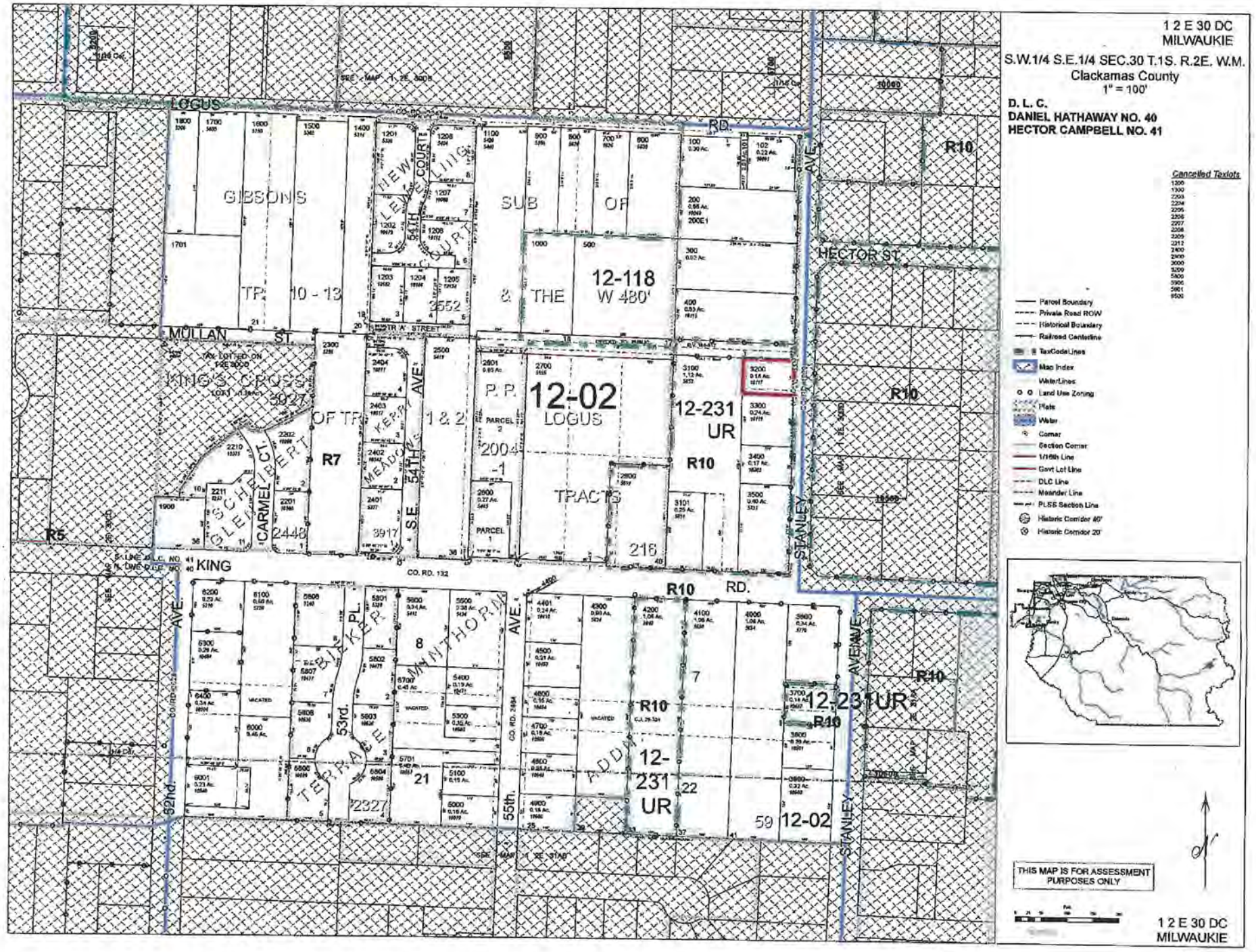
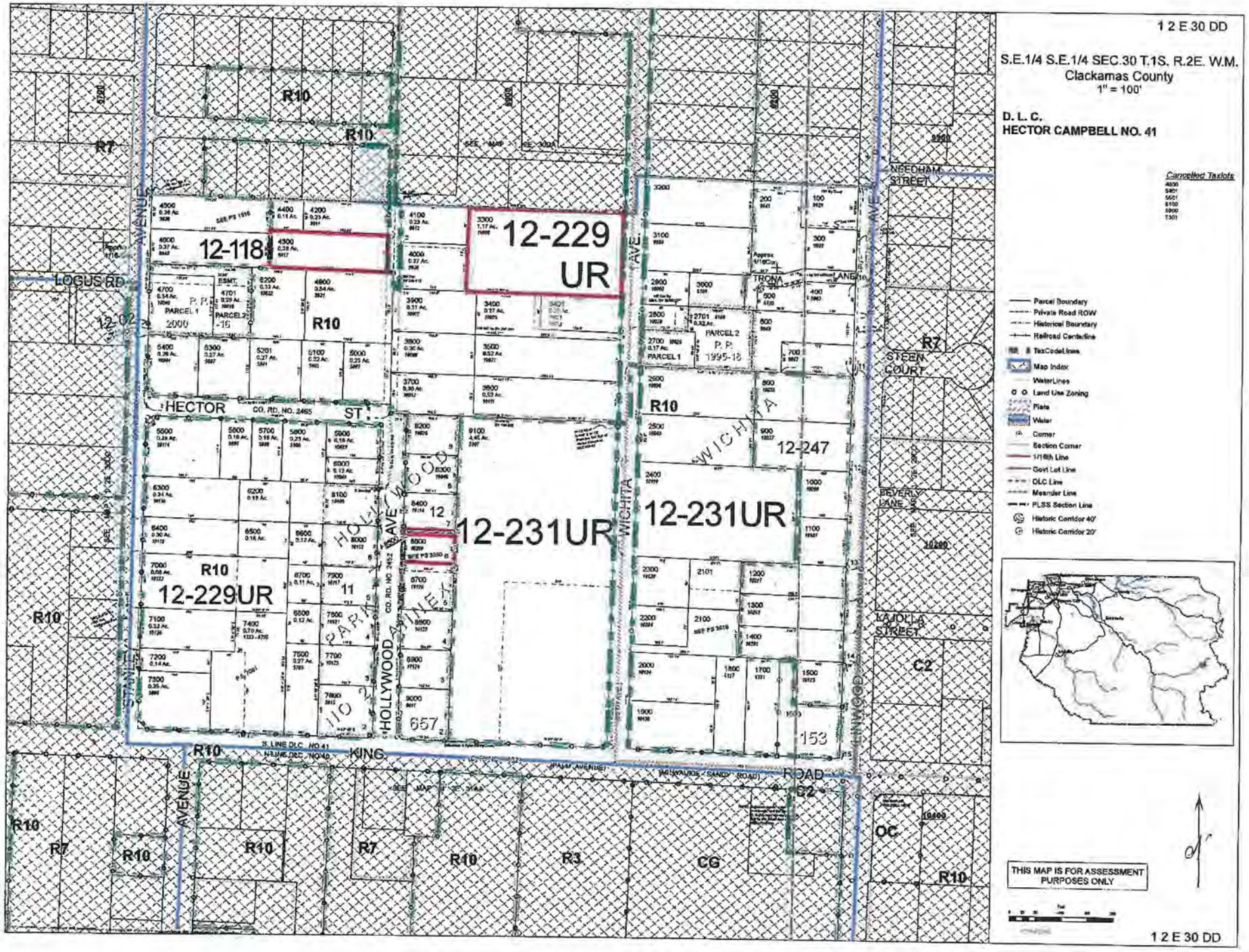
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
12-229 UR
12-118
12-230 UR
FIRWOOD STREET
CEDAR STREET
HAZEL
WILLOW STREET
HILL STREET
MAPLE STREET
HILL ST. 12-118
WICHITA AVE.
STANLEY AVENUE
LINWOOD AVENUE
R7
R10
1 2 E 30 DA


1 2 E 30 DB
MILWAUKIE
N.W.1/4 S.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
HECTOR CAMPBELL NO. 41
GEORGE WILLS NO. 42
Cancelled Taxlots
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
12-02
12-229UR
12-118
PT. P. PLAT 2001-61
WINSOR CT.
WINSOR DR.
WILLOW STREET
LOCUS ROAD
DREFSHILL ROAD
FIRWOOD STREET
55th AVENUE
56TH AVENUE
51ST AVENUE
STANLEY AVENUE
R7
R10


1 2 E 30 DC
MILWAUKIE
S.W.1/4 S.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
1" = 100'
D. L. C.
DANIEL HATHAWAY NO. 40
HECTOR CAMPBELL NO. 41
Cancelled Taxlots
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
Map Index
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
Meander Line
PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
1 2 E 30 DC
MILWAUKIE
LOGUS RD.
HECTOR ST.
MULLAN ST.
KING RD.
STANLEY AVE.
KING AVE.
GIBSONS
SUB OF
& THE
12-118
W 480'
12-02
LOGUS
TRACTS
12-231
UR
12-231UR
12-231
UR
12-02
R10
R7
R5
CO. RD. 132
CO. RD. 2484
54TH COURT
S.E. 54TH AVE.
CARMEL CT.
KERRY MEADOWS
BICKER
MINTHORN
TERRACE
ADDA
52nd.
53rd.
55th.
PL.
VACATED


1 2 E 30 DD
S.E.1/4 S.E.1/4 SEC.30 T.1S. R.2E. W.M.
Clackamas County
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HECTOR CAMPBELL NO. 41
Cancelled Taxlots
Parcel Boundary
Private Road ROW
Historical Boundary
Railroad Centerline
TaxCodeLines
Map Index
WaterLines
Land Use Zoning
Plats
Water
Corner
Section Corner
1/16th Line
Govt Lot Line
DLC Line
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PLSS Section Line
Historic Corridor 40'
Historic Corridor 20'
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
12-118
12-229 UR
12-229UR
12-231UR
12-231UR
12-247
R10
R7
R3
CG
OC
C2
LOGUS RD
HECTOR ST
CO. RD. NO. 2465
STANLEY AVENUE
HOLLYWOOD AVE
WICHITA AVE
LINWOOD AVE
KING ROAD
NEEDHAM STREET
STEEN COURT
BEVERLY LANE
LAJOLLA STREET
TRONA LANE
PARCEL 1
PARCEL 2
P.P. 2000
P.P. 1995-18
PARK ADDITION
657
153
12-02
1 2 E 30 DD