

ORDINANCE NUMBER 1039

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTY IN THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FROM 3-R-1 ZONE TO 3-R-2 SPECIAL ZONE; AMENDING ORDINANCE NUMBER 481, AS AMENDED, AND DECLARING AN EMERGENCY.

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 Section 9 of Ordinance No. 481, as amended, that Ordinance No. 481, as amended, be further amended so as to provide that the tracts of land hereinafter described, be removed from that area of the City zoned as 3-R-1 by said Ordinance and that said tracts of land be transferred and included within the area of the said City zoned as 3-R-2 SPECIAL zone by said Ordinance No. 481, as amended, be and the same is hereby approved and adopted by the City Council.

SECTION 2. That Ordinance No. 481, as amended, of the City of Milwaukie, Oregon, be and it is hereby further amended so as to remove the area of the City therein described and zoned 3-R-1 the following tracts of land described as follows:

TAX LOT 210-2 of the LOT WHITCOMB D.L.C. described as follows:

Beginning in the southwesterly boundary of Lake Road at the most northerly corner of Block 1, HOESLY'S LAKESIDE ADDITION, a plat recorded in Book 17, on Page 1, Record of Templates for Clackamas County, Oregon; from said beginning point thence; following the northwesterly boundary of Block 1, south 31°30' West 411.07 feet to a 3/4 inch pipe; thence north 59°02'35" West 268.55 feet to a 1/2 inch iron pipe, the true point of beginning of the tract herein conveyed; from said true point of beginning thence continuing north 59°02'35" West 154.52 feet to a 3/4 inch iron pipe; thence South 35°52'25" West 154.98 feet to a 1/2 inch iron pipe; thence continuing South 35°52'25" West 15.00 feet, more or less, to low water on the right bank of Kellogg Lake; thence Southeasterly, following low water line of the right bank of Kellogg Lake to a point that is South 30°57'25" West from the hereinbefore mentioned true point of beginning; thence North 30°57'25" East 90.00 feet, more or less, to a 3/4 inch iron pipe, thence, continuing North 30°57'25" East 293.72 feet to the true point of beginning; EXCEPTING THEREFROM, Part of the Lot Whitcomb D.L.C. T.1 S., R.1 E., of the W.M. in the County of Clackamas and State of Oregon, more particularly described as:

beginning at a point which bears S. 31°30' W., 411.07 feet distant, and N. 59°02'35" W., 268.55 feet distant and S. 30°57'25" W., 208.43 feet distant from the most northerly corner of Block 1, HOESLY'S LAKESIDE ADDITION; thence S. 30°57'25" W., 86 feet, more or less, to low water line of Kellogg Lake; thence northwesterly along said low water line 14 feet, more or less, to a point S. 39°53' W., from the place of beginning; thence N. 39°53' E., 80 feet, more or less, to the place of beginning.

PARCEL II.

Part of the Lot Whitcomb D.L.C., T.1 S., R.1 E., W.M., in the County of Clackamas and State of Oregon, described as:

Beginning at an iron pipe at the most easterly corner of a tract of land previously conveyed to D.R. Calhoun and Gertrude Calhoun, husband and wife, by deed recorded in Book 425, page 447, Clackamas County Deed Records, said pipe being S 31° 30' W., 411.07 feet distant, and N. 59°02'35" W., 268.55 feet distant from the most northerly corner of Block 1, HOESLY'S LAKE SIDE ADDITION; thence, from said beginning point S. 30°57'25" West., along the Southeasterly line of said Calhoun tract, 208.43 feet to a point; thence N. 39°53' 88.83 feet to an iron pipe; thence S. 56°03' E., 6.0 feet to an iron pipe marking the southerly end of the center line of a 12.0 foot private roadway; thence N. 33°57' E., along the center of said roadway, 120.85 feet to an iron pipe at the southerly end of the center line of a previously established 12.0 foot private roadway; thence N. 59°02'35" W., leaving said road 26.05 feet to the place of beginning.

SECTION 3. That said Ordinance No. 481, as amended, be and it is hereby further amended so as to include within the 3-R-2 SPECIAL zone established by said Ordinance Number 481, as amended, the tracts of land set forth and described in Section 2 of this Ordinance.

SECTION 4. That the City Manager be, and he hereby is, directed to make appropriate changes on the zoning map of the City of Milwaukie, Oregon, as will reflect thereon the zoning accomplished by this ordinance.

SECTION 5. Inasmuch as this ordinance is immediately necessary for the preservation of the public health, peace and safety of the City of Milwaukie and the inhabitants thereof in this, that the result of the enactment of this ordinance will be to accomplish City development and preserve the public credit, therefore an emergency is hereby adjudged and declared to exist and this ordinance shall take effect from and after its passage by the Council and signing by the Mayor.

Read the first time this 14th day of September, 1964

Read the second time and passed by the unanimous vote of all of the Council

this 14th day of September, 1964

Signed by the Mayor this 15th day of September, 1964

Joseph M. Bernard, Jr.
Mayor

ATTEST:

R. E. Osborne
Recorder.