

AN ORDINANCE PROVIDING FOR PROCEDURE WITHOUT ELECTION TO ANNEX CERTAIN TERRITORIES CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, FIXING A DAY FOR PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON ON THE QUESTION OF SUCH ANNEXATION, AND DIRECTING PUBLICATION OF NOTICE OF SUCH HEARING.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. The consents in writing of William F. Warner and Phyllis G. Warner, husband and wife, Joyce Gruber and Jack Gruber, husband and wife, Woodstock Properties (Frank B. Dieringer, President), Peter Gugenbickler and Elice Gugenbickler, husband and wife, Louise C. Lavagetto, Southern Pacific Company.

to the annexation of the following described territories to the City of Milwaukie, Oregon, which is contiguous to the present boundaries of the City of Milwaukie, Oregon, and of which they are the sole owners of record respectively of the tracts comprising said territories set forth in their said respective consents in writing, said territory being situated in the County of Clackamas and the State of Oregon, and more particularly described as follows to wit:

The south 60 feet of Lot 13, Rockwood Acres

Lots 5,6,7,8,9,10,11,41,42,43 and 44, Block 17, Minthorn Addition to the City of Portland, Oregon

Part of the Lot Whitcomb and wife D.L. C. No's 38 and 41 in T. 1 S., R. 1 E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as follows, to-wit:

Beginning at the Northeast corner of the Lottie Chase Smith tract described in deed recorded in Book 120, page 430, Deed Records, which point is South $30^{\circ}40'$ West 37.70 feet from an iron pipe at the southwest corner of the William Meek D.L.C. in T. 1 S., R. 1 E. of the W.M.; thence North $69^{\circ}30'$ East along the northerly boundary of that tract described in Book 330, page 218, Deed Records, 163.50 feet to the most northerly corner of that tract conveyed to Celeste Barbaris and Lena Barbaris, Husband and wife, by deed recorded in Book 487, page 463, Deed Records; thence South $19^{\circ}36'$ East along the easterly line of said Barbaris tract 133 feet to an iron pipe and the true point of beginning of the tract herein described; from said true point of beginning, thence continuing South $19^{\circ}36'$ East along the easterly line of said Barbaris tract 133 feet to an iron pipe; thence North $69^{\circ}30'$ East 142.40 feet to an iron pipe on the easterly boundary of the Louise C. Lavagetto Tract described in Deed book 487, page 464, Deed Records; thence North $19^{\circ}36'$ West along the easterly boundary of said Lavagetto tract 133 feet to an iron pipe; thence South $69^{\circ}30'$ West 142.40 feet to the true point of beginning.

A part of the Lot Whitcomb D.L.C. and the William Meek D.L.C., in T.1 s., R.1 E., of the W.M. described as follows, to-wit:

Beginning at the Southwest corner of the William Meek D.L.C., T. 1 S., R. 1 E., of the W.M., thence South $30^{\circ}40'$ West 37.70 feet to an iron pipe set at the Northeast corner of a tract of land conveyed to Lottie Chase Smith in Book 120, page 430, Deed Records;

109.17 feet to an iron pipe, thence continuing South 36° 31' West

thence North 69° 30' East tracing the North Line of a tract of land conveyed to Cleto a Lavagetto et al in Book 330, Page 218, Deed Records 163.50 feet to an iron pipe and the true place of beginning of the tract herein to be described; thence South 19° 44' East 400 feet to an iron pipe; thence South 36° 31' West 107.83 feet to the Low Water Mark of the Willamette River; thence North 82° 01' East 123.06 feet; thence North 43° 24' East 228.03 feet to an iron pipe; thence North 19° 44' West 444.35 feet to the North line of that tract described in Book 330, Page 218, Deed Records; thence South 69° 30' West 143.22 feet to the true place of beginning, EXCEPT right-of-way belonging to P.E.P.Co.

Two parcels of land lying and being in the West half of Section 25, Township 1 South, Range 1 East, Willamette Meridian, more particularly described as follows:

All parcels of Southern Pacific Company's property of varying widths, paralleling the Main Line track and Tillamook Branch tracks, lying outside the present Milwaukie City Limits (April 16, 1957) and South of the North Line of Clackamas County in said West Half of Section 25.

are hereby accepted as the same have heretofore been placed on file with the Recorder of the City of Milwaukie, Oregon.

Section 2. The City Council of the City of Milwaukie, Oregon, does hereby elect to dispense with, and does hereby dispense with submitting the question of the annexation of said territory to the registered voters of the City of Milwaukie, Oregon.

Section 3. That the City Council of the City of Milwaukie, Oregon, hereby fixes the 13th day of May, 1957, at the hour of 8:00 O'clock P.M., Pacific Standard Time, in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, as the time and place for a public hearing before the Council of the City of Milwaukie, Oregon, at which time and place the registered voters of said city may appear and be heard upon the question of such annexation.

Section 4. That notice of the time and place of said hearing be published in the Milwaukie Review, a paper of general circulation in the City of Milwaukie, Oregon, once each week for two successive weeks prior to the said date fixed for public hearing, and that the City Manager cause to be posted in four public places within the City of Milwaukie, Oregon, written notice of said hearing and the time and place thereof for a like period of time.

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 place valuable and extensive real property upon the tax rolls, provide the city with new sources of tax revenues, accelerate sanitary developments, 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 and signing by the Mayor.

Read the first time this 22nd day of April, 1957.

Read the second time and unanimously passed by all members of the Council this 22nd day of April, 1957.

Signed and approved by the Mayor this 22nd day of April, 1957.

ATTEST:

Jean A. Rivers
RECORDER, City of Milwaukie, Oregon

Leonard B. Mullaw
Mayor of Milwaukie, Oregon

The foregoing Ordinance Number 147 was unanimously passed by the Council of the City of Milwaukie, Oregon, on the 22 day of April, 1957 as shown by the minutes of the Council meeting of that date.
Dated this 23 day of April, 1957
Jean A. Rivers
City Recorder