

ORDINANCE NUMBER 680

AN ORDINANCE ANNEXING CERTAIN TERRITORIES CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, AND FIXING THE EFFECTIVE DATE OF SUCH ANNEXATION.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City of Milwaukie, Oregon, having heretofore, by Ordinance Number 679, duly passed by the City of Milwaukie on the 12th day of August, 1957, and approved and signed by the Mayor, of the said City, on the 12th day of August, 1957, dispensed with submitting the question of the annexation of the territories hereinafter described, to the registered voters of the City of Milwaukie, Oregon, and having heretofore, by said Ordinance, fixed the 30th day of August, 1957, as the day for hearing at which the registered voters of said City might appear and be heard on the question of said annexation before it, and all required notices relating to such hearing having heretofore been published and posted as required by the provisions of Section 222.120, Oregon Revised Statutes, and the public hearing having been had by the City Council of the City of Milwaukie, Oregon pursuant to such notices, and no registered voters of the City of Milwaukie, Oregon appearing at said hearing who protested said annexation, and

Northwestern Ice and Cold Storage Co. (W. F. Henningsen, Jr., Vice President, and R. W. Chapman, Secretary); Don C. Hall and Louise Hall, husband and wife; Rodney C. Wagner and Barbara C. Wagner, husband and wife; Donald H. Campbell and Donna M. Campbell, husband and wife; Fred Mehrer and Anna F. Mehrer, husband and wife; Wilbert L. Mehrer and Barbara J. Mehrer, husband and wife; Phoebe E. Plimpton; Lydia Plimpton Koennecke, Frances Plimpton Hertz; Elvida B. Marshall; Janet M. Taylor; Ernest J. Bisio and Anna M. Bisio, husband and wife; Mario Bisio and Joan Bisio, husband and wife; Sam Bisio Estate, Mario Bisio, Administrator; Paul J. Slominski and Marjorie M. Slominski, husband and wife; John Stallone and Emilia Stallone, husband and wife; Maria G. Bisio; John W. Shields and Marjorie A. Shields, husband and wife; Norman M. Helwig and Irene M. Helwig, husband and wife; F. L. Cross and Annie Cross, husband and wife; George G. Nott; Arland E. Beaty and Pauline B. Beaty, husband and wife; Ruth Burns Noon; Fred Wagenknecht and Joan Wagenknecht, husband and wife; Victor T. Shaw and Ruth A. Shaw, husband and wife; H. F. Puariea and Via E. Puariea, husband and wife; Ben E. Edlefson and Lydia Edlefson, husband and wife; Joseph John Manza and Estner G. Manza, husband and wife; Millard Cambell and Bessie Cambell, husband and wife; Virgil P. James and Violette E. James, husband and wife; Clarence F. Carlson and Mabel E. Carlson, husband and wife; Fred C. Antonsen; Earl E. Pearson and Lucy A. Pearson; Rudolph J. Bohrer and Elsie B. Bohrer, husband and wife; Clement E. Harris and Gladys A. Harris, husband and wife; Loyd C. Berry and Florence H. Berry, husband and wife; Lawrence H. Wright and Mary A. Wright, husband and wife; Dale Cornell and Beverly Cornell, husband and wife; Norman M. Helwig and Irene M. Helwig, husband and wife; James B. Taylor and Bernice L. Taylor, husband and wife; John E. Ball and Edith B. Ball, husband and wife; Alfred G. Matthews and Charlotte E. Matthews, husband and wife; Bernice Frazer and A. M. Amero; Vern A. and Margaret E. Cowell, husband and wife; Florence L. Underwood; Silas F. Peake and Eva M. Peake, husband and wife; Eugene E. and Etta V. Stockton, husband and wife; Barbara H. Reynolds; Theresa Weaver; Lyle A. Clingman and Kennie L. Clingman, husband and wife; Olive M. Eiglow and Laura J. Biglow, husband and wife; Harold B. Stair and Ruby M. Stair; husband and wife; A. L. Pullian and Lucille E. Pullian, husband and wife; Alben A. Ferretti and Irene May Ferretti, husband and wife; R. A. Kronberg and Lee Kronberg; Alex Vines and Marian Vines, husband and wife; Monroe Sweetland and Lillie M. Sweetland, husband and wife; Eugene F. Gerber and Alma F. Gerber, husband and wife,

the sole owners of record of the territories to be hereby annexed, having heretofore between the dates of January 24, 1957 and August 12, 1957 inclusive, given and filed their written consents to said annexation to and with the City Council of Milwaukie, Oregon, IT IS HEREBY DECLARED AND PROCLAIMED that the following described territories, situate in the County of Clackamas and the State of Oregon, to-wit:

out of line

Acreage owned by Northwestern Ice and Cold Storage Co., lying between the Southern Pacific Company's main line and their Tillamook Branch line, said area lying east of the Milwaukie Industrial Park also known as the Kellogg Park Tract and more particularly described as follows:

out of line

TRACE I: Beginning at the Section corner between Sections 25 and 26, 35 and 36, T.1 S., R.1E., of the W.M., in the County of Clackamas, Oregon; thence north 1253.74 feet; thence east 1224.35 feet to the easterly line of the right-of-way of the Southern Pacific Railroad Company Beaverton-Willsburg branch, as the point of beginning of the tract herein described; thence northeasterly along the easterly line of said Beaverton-Willsburg branch right-of-way 1363.18 feet; thence South 89° 18' east 141.02 feet to the westerly line of the Southern Pacific Railroad Company main line right-of-way; thence South 9° 21' 40" east along the westerly line of the right-of-way of said Southern Pacific Railroad main line right-of-way 1072.77 feet to the northerly line of the Portland and Oregon City right-of-way; thence south 40° 14' west 127.3 feet thence South 34° 44' west 114.90 feet; thence south 16° 46' west 48.77 feet to an iron pipe set in the westerly line of said Portland-Oregon City Railway right-of-way; thence South 87° 45' west 263.27 feet to a point of beginning.

out of line
Northwest

TRACE II: Beginning at the section corner between Section 25, 26, 35, and 36, T.1 S., R.1E., of the W.M., in Clackamas County, Oregon; thence north 1041.48 feet; thence east 1541.36 feet to an iron pipe set in the easterly line of the Portland-Oregon City Railway right-of-way and the point of beginning; thence following the easterly line of the right-of-way of said Portland-Oregon City Railway Company, North 14° 19' west 121.3 feet; thence North 4° 39' east 96.15 feet; thence North 26° 19' east 91.6 feet; thence north 42° 34' east 178.4 feet to the westerly line of the right-of-way of the Southern Pacific Railroad Company main line; thence southeasterly along the westerly line of the Southern Pacific Company main line right-of-way 429.82 feet to an iron pipe; thence south 87° 46' west 227.77 feet to an iron pipe; thence the point of beginning.

GLOVERLAND-PLIMPTON TRACTS

Hall Lot 1, Block 4, Gloverland, in the County of Clackamas, State of Oregon.

Wagner The West one-half of Lot two (2) in Block four (4), Gloverland, according to the duly recorded plat thereof, in the County of Clackamas, State of Oregon

Campbell Part of Lot 2, Block 4, Gloverland, in the County of Clackamas, State of Oregon, described as Beginning at the southeast corner of Lot 3 Gloverland; thence west along the south line of Lots 3 and 2, 194.195 feet to the true point of beginning of the tract herein described; thence North parallel with the east line of Lot 2, 100 feet; thence parallel with the south line of Lot 2, 50 feet to a line dividing said lot into east and west halves; thence south along said division line 100 feet to the southwest corner of the east ~~100~~ of Lot 2; thence East along said south line of said lot 50 feet to the true point of beginning.

out of line
700
1758
Michener That tract of land lying West of Lots 1, 2, 3 and 4, of Block 3, PLIMPTON TRACTS, a Townplat recorded in Book 17, Page 8, RECORD OF TOWNSHIPS for Clackamas County, Oregon and lying East of Lots 11, 12, 13 and 14, said Block 3, together with the East one-half of Lot 2 and all of Lot 3, Block 4, of GLOVERLAND, a Townplat recorded in Book 9, Page 1, RECORD OF TOWNSHIPS for Clackamas County, Oregon, excepting, however, from the East one-half of Lot 2 and all of Lot 3, GLOVERLAND, the South 96.00 feet.

Michener The South 83.23 feet of Lot 7, the South 83.23 feet of the East 43.51 feet of Lot 8; the Westerly 50 feet of Lot 6, all in Block 3, PLIMPTON TRACTS, in the County of Clackamas and State of Oregon.

Plimpton

Lot 5 Block 3 and the Easterly 6.49 feet of Lot 6, Block 3 PLIMPTON TRACTS

JOSEPH KELLEGG D.L.C.

Tax Lot 4, Joseph Kellogg D.L.C. more particularly described as follows:

Marshall Taylor Lake Rd.

Beginning at the intersection of the East line of the Lot Whitcomb D.L.C. and the center line of Lake Road, which point is north 1° west 17.37 chains from the Southeast corner of said Lot Whitcomb Claim, from said Point of beginning; thence continuing along the Claim Boundary, North to the South~~West~~ corner of the Town Plat of Minthorn Addition to the City of Portland; thence Easterly along the south boundary of said Minthorn Addition, to the Northwest corner of the Sam Bisio Tract described in Book 161 on Page 193, Deed Records for Clackamas County; thence following the boundary line common to the Bowman and Bisio Tracts, Southerly to the center line of Lake Road; thence Northwesterly along the center line of Lake Road to the poing of beginning. ALSO Lots 10,11,12,13,14,15,16,17,18 and 19 Block 99, Minthorn Addition to the City of Portland.

Bisio - Ernest

A tract of land located in the Joseph Kellogg Claim No. 67 in Township 1 South, Range 1 East of the Willamette Meridian and being a part of the tract described in that certain conveyance from Cynthia A. Young to Sam Bisio and recorded December 6, 1920, in Book 161, on Page 103, Records of Deeds for Clackamas County, Oregon, the part herein conveyed being described as follows; to-wit:

Bisio - Maria

Beginning at a 1 inch iron pipe in the west boundary of the said Bisio tract that is South 88° 31' east 261.7 feet and North 1° 02' 30" West 32.48 feet distant from the intersection of the east boundary of the Lot Whitcomb Claim No. 38 with the center line of Lake Road (said intersection being North 2° 05' 40" West 1148.25 feet distant from the southeast corner of said Whitcomb Claim); from said beginning point thence, continuing along the west boundary of said Bisio tract, North 1° 02' 30" West 190.94 feet to a 1 inch iron pipe; thence North 88° 57' 30" East 125.00 feet to a 1 inch iron pipe in the west boundary of the Shea Road No. 1724; thence following said road boundary, South 1° 02' 30" East 242.78 feet to a 1 inch iron pipe in the aforesaid Lake Road boundary; thence, following said Lake Road boundary, North 68° 31' West 135.32 feet to the aforementioned place of beginning containing 0.622 acres more or less.

A tract of land located in the Joseph Kellogg Claim No. 67 in T. 1 S., R.1 E., of the W.M. and being a part of the tract described in that certain conveyance from Cynthia A. Young to Sam Bisio and recorded December 6, 1920, in Book 161, on page 103. Records of Deeds for Clackamas County, Oregon, the part therein conveyed being described as follows: to-wit;

Beginning at a one inch iron pipe in the West boundary of the said Bisio tract that is South 88° 31' East 261.7 feet and North 1° 02' 30" West 223.42 feet distant from the intersection of the East boundary of the Lot Whitcomb Claim No. 38, with the center line of Lake Road (said intersection being North 2° 05' 40" West 1148.25 feet distant from the Southeast corner of said Whitcomb Claim; from said beginning point thence continuing along the West boundary of said Bisio tract, North 1° 02' 30" west 216.85 feet to a 1 inch iron pipe; thence North 88° 57' 30" East 125.00 feet to a 1 inch iron pipe in the West boundary of the Shea Road No. 1724; thence, following said road boundary South 1° 02' 30" East 216.85 feet to a 1 inch iron pipe; thence South 88° 75' 30" West 125.00 feet to the aforementioned place of beginning.

Sam Bisio

Commencing at a stone monument in the center line of the Milwaukie Road, which is North 2° 5' 40" West 1148.25 feet from the Southeast corner of the Lot Whitcomb D.L.C. in Section 1, T.1 S., R.1 E., of the W.M.; thence S. 68° 31' E. along the center of said road 261.7 feet to the point of beginning of the tract herein described; running thence N. 1° 02' 30" W; 1171.44 feet to an iron pipe in the South line of Minthorn Addition to the City of Portland, Oregon; thence N. 89° 39' E. 130 feet to the center line of said Milwaukie Road; thence North 68° 31' West 240.72 feet to the beginning containing 3.60 Acres. ALSO Lots 5,6,7,8,9, Block 99 Minthorn Addition to the City of Portland.

Robertson
Tax Lot 12, of Joseph Kellogg D.L.C. described as follows: The initial point is a 1" x 36" iron pipe set in concrete, which bears north 1017.7 feet and east 373.7 feet from the Southeast corner of the Lot Whitcomb D.L.C. T.1 S., R. 1 E., of the W.M. That iron pipes were set at all points indicated by symbol ° and are of the size shown upon the survey map; that the land platted hereon are described as Beginning at said initial point; thence N. 1° 23' E. 490.97 feet; thence S 88° 59' E. 311.95 ft; thence S. 0° 39' W. 619.75 ft.; thence N. 67° 00' W. 344.01 ft. to the place of beginning

Stallone
Tax Lots 9 and 11, Joseph Kellogg D.L.C., more particularly described as follows:

Beginning at the intersection of the east boundary line of the Lot Whitcomb D.L.C. and the center line of Lake Road; thence southeasterly along the center line of Lake Road, to the intersection of the easterly line of Shea Road No. 1724 (37th Street) and the center line of Lake Road; thence North 543 feet more or less to the point of beginning which is the southwest corner of the tract herein described; thence Northerly along the east line of the said Shea Road No. 1724 (37th Street) 212.17 feet more or less to a point which is the northwest corner of the tract herein described; thence Easterly along the north line of said tract 314 feet to a point; thence southerly 214.2 feet more or less to a point which is the southeast corner of said tract; thence Westerly 316.9 feet to the point of beginning.

Shields
Tax Lots 19 and 38, except the southerly 100 feet of Tax Lot 38, more particularly described as follows: A portion of the Joseph Kellogg D.L.C. No. 67 in Section 36, T. 1 S., R. 1 E., of the W.M., more particularly described as follows:

Beginning at the Southeast corner of Lot Whitcomb D.L.C. No. 38 kn Sec. 1, T. 1 S., R. 1 E. of the W.M.; thence North along the East side line of said Lot Whitcomb D.L.C. 33.66 chains to a stake; thence East 11.14 chains to a stake which marked the Northwest corner of that certain tract of land conveyed to Charles A. Quall et ux. by deed recorded October 14, 1930 in Book 208, page 322, Deed Records; thence South 944.2 feet along the West line of said Quall tract to a pipe at the S.W. corner of the Kimbro property as per book 228, page 191, Deed Records of Clackamas County, Oregon, thence S. 1° 00' E. 78.00 feet to a pipe at the true point of beginning of the tract herein described; thence continuing S. 1° 00' E. 248.98 feet, more or less, to the Northerly right-of-way line of Lake Road; thence S. 71° 30' E. 111.15 feet along said right-of-way line to a pipe; thence N. 18° 30' E. 44.83 feet; thence North 211.60 feet to a pipe; thence N. 76° 30' W. 128.76 feet to the true point of beginning. AND

Beginning at the intersection of the West line of Joseph Kellogg D.L.C. and the north boundary line of Lake Road; thence Southeasterly along the north boundary line of Lake Road a distance of 982 feet, more or less; thence North 100 feet to the point of beginning of the tract herein described; thence North 150 feet to a point thence Northwesterly 65 feet, more or less, to a point; thence South 150 feet to a point; thence southeasterly 65 feet more or less to the point of beginning.

Helwig
Robertsons Addition, Block 10, Lot 1 N'ly 37.96 x 50 x 54.77 x 52.75
Block 10, Lot 3 N'ly 54.77 x 50 x 71.58 x 52.75
Plat 25 Block 10, Lot 5 N'ly 71.58 x 50 x 88.39 x 52.75

Robertsons Addition, Plat 25; Lots 3, 1, 5, 11, 9, 7, Block 11

Robertsons Addition, Lot 8, Block 11

Roberts Addition, Lots 1, 2, 3, 4, 6, Block 20

Robertsons Addition, Lot 5 Block 20, Plat 25

Robertsons Addition, ^{C'ly 70 ft. of} Lots 7, 9, 11, Block 20, (E'ly 70 ft.)

Robertsons Addition Lots 8, 10, 12 and W'ly 30 ft. of Lots 7, 9, 11, Blk. 20

Revised TAX LOT 204, more particularly described as follows: Beginning at the northwest corner of Robertson's Addition, Plat 25; thence easterly along the north boundary line of Robertson's Addition a distance of 400 feet to a point; thence North 75 feet; to a point; thence West, parallel with and 75 feet north of the north boundary line of the said Robertson's Addition 300 feet more or less, to a point in the east shore line of the Willamette River; thence following the east shore line of the Willamette River southwesterly to the point of beginning.

Robertsons Addition, Lots 1, 2, 3, 4, Block 19, Plat 25

" " Lot 5 and North 2/3 of Lot 7, Block 19
" " Lots 6, 8, 9, 10, 11, 12, So. 1/3 of 7, Block 19
" " Lot 2, Lot 1 except E'ly 85 ft. Block 18
" " Lot 3, E'ly 85 ft. of Lot 1, Block 18
" " Lot 7, E'ly 1/2 of Lot 5, Block 18
" " Lots 4, 6, 8, W'ly 1/2 of 5, Block 18
" " Lots 9, 10, Block 18
" " Lots 11 & 12, Block 18, Plat 25
" " Lots 2 & 4, Block 17
" " Lots 6 & 8, Block 17
" " Lots 9, 10, 11, 12; Block 22; Lots 5, 6; Block 29
" " South 42 feet of Lots 5 & 6, all of Lots 7 & 8, Block 22
" " Lots 3 & 4, Block 22
" " Lots 1 & 2, Block 22
" " Lots 11 & 12, Block 21; Lot 6, Block 30
" " Lots 9 & 10, Block 21; Lot 5, Block 30
" " Lots 5, 6, 7, 8, Block 21; Lots 3 & 4, Block 30
" " Lots 1 & 3, Block 21
" " Lots 1 & 2, Block 30; Lots 2 & 4, Block 21
" " Lot 6, Block 31
" " Lots 1 to 5 inclusive, Block 31
" " All of those portions of Lots 2, 4, 6, 8, Block 13, which lie westerly of the Southern Pacific Company right-of-way
" " Lot 6, South 1/2 of Lot 4; Block 11
" " Tax Lots 223, 173 and 174, more particularly described as follows: All of the heretofore vacated Blocks of Robertson's Addition, numbered 23, 26, and 28, together with those portions of 1st Avenue and 2nd Avenue, between said Blocks, and also the westerly 20 feet of 3rd Street adjacent easterly to Block 23.

Robertson's Addition, Lots 10 & 12, Block 17

" " Lots 2, 4, 6, 8 and all of that part of Lots 3, 5, 7, 9, which lie west of the Southern Pacific Company right-of-way, all of Lots 10 and 12, Block 12

All of the southerly portion of the following described property lying outside of the City limits of City of Milwaukie, in the County of Clackamas and State of Oregon.

A tract of land in the Lot Whitcomb D.L.C. in the County of Clackamas and State of Oregon, to-wit:

Kronberg Beginning at a point in the easterly line of the Beaverton & Willsburg Railway (now Southern Pacific Railroad), which point is north 79° 36' east from an iron stake set at the quarter section corner between Sections 35 and 36 in T. 1 S., R. 7 E. of the W.M.; thence north 79° 36' east to a point which is 163 feet from said iron stake set at the quarter section corner between Sections 35 and 36; thence south 11° 54' east 514.3 feet; thence north 89° 05' west to the east line of the Portland-Oregon City Highway; thence northerly tracing the east line of said highway to the east line of the right-of-way of the Beaverton & Willsburg Railway, as conveyed by deed recorded in Book 110, page 432; thence northerly tracing the east line of said railroad right-of-way to the place of beginning, excepting therefrom that certain tract conveyed to Clackamas County by deed recorded in Book 225 Page 397, December 11, 1934.

Viner { Lots 1, 2, 3; Block 32, Milwaukie Heights
Lots 1, 3, 5, 7; Block 1, Robertsons Addition
All that portion of 7th Ave. vacated by County Court.

Sweetland Tax Lot 191, Lot Whitcomb D.L.C. more particularly described as follows:

Beginning at the southeast corner of Lot 3, Block 32, Milwaukie Heights; thence easterly 170 feet more or less, to a point; thence South 395 feet more or less to a point which intersects with the northeasterly right-of-way line of McLoughlin Blvd. also known as Highway 99E; thence following the said right-of-way line of said Highway, Northwesterly to its intersection with the south boundary line of Lot 3, Block 32, Milwaukie Heights; thence East along the south line of said Lot 3 to the point of beginning; containing 1.45 acres, which properties are contiguous to the present boundaries of the City of Milwaukie, Oregon, BE AND THE SAME ARE HEREBY ANNEXED TO THE CITY OF MILWAUKIE, OREGON.

SECTION 2. The City Recorder of the City of Milwaukie, Oregon, is hereby directed to make and submit to the Secretary of State of the State of Oregon, a copy of this Ordinance, a copy of the written consent of the owners of all of the territories annexed and a copy of the Ordinance of the City of Milwaukie, Oregon, being Ordinance 679, declaring that no election is required in said City, and to transmit further copies of said documents to the County Assessor, the County Clerk and the County Surveyor of the County of Clackamas, State of Oregon.

SECTION 3. The effective date of the annexations hereinabove declared and proclaimed shall be the date upon which the documents referred to in Section 2 of this Ordinance shall have been filed with the Secretary of State of the State of Oregon.

Read the first time this 30th day of August, 1957.

Read the second time and unanimously passed by all of the member of the City Council this 9th day of September, 1957.

Approved and signed by the Mayor this 9th day of September, 1957.

Leonard B. Mullan
Leonard B. Mullan, Mayor

ATTEST:

R. E. Osborne
Recorder