

ORDINANCE NUMBER 704

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: ~~AND DECLARING AN EMERGENCY.~~

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City of Milwaukie, Oregon, having heretofore, by Ordinance Number 701, duly passed by the Council of the City of Milwaukie, Oregon, on the 27th day of January, 1958, and approved and signed by the Mayor, of said City, on the 27th day of January, 1958, dispensed with submitting the question of the annexation of the territories therein described, to the registered voters of the City of Milwaukie, Oregon, and having heretofore, by said Ordinance, fixed the 14th day of February, 1958, 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 certain registered voters of the City of Milwaukie, Oregon, appearing at said hearing who protested the annexation of a portion of the territory described in said Ordinance Number 701, and the City Council having concluded that said protests were well taken, and that only that portion of the territories described in Ordinance Number 701, that is hereinafter described in this ordinance, which annexations were not protested, should be annexed at this time, and Ella Davis; Ralph C. Christensen and Evelyn Christensen, husband and wife; Ida R. Martin; Dan Birkemeier and Evelyn Birkemeier, husband and wife; T.W. Loder and Bess M. Loder, husband and wife; Fred Byron and Betty Byron, husband and wife; G.E. Coppom and Daphne Coppom, husband and wife; ~~Howard B. Berry~~ and Mary Ellen Berry, husband and wife; Fred J. Epeneter and Lois Epeneter, husband and wife; Bessie Virginia Keyser; Harvey C. Pershin and Janice R. Pershin, husband and wife; Selby F. Thompson; S.S. Pierce and Leona M. Pierce, husband and wife; Earl L. Lovell and Viola Lovell, husband and wife; J.O. Moore and Roxie M. Moore, husband and wife; the sole owners of record of the territories to be hereby annexed, having heretofore between the dates of December 3, 1957 and January 24, 1958 inclusive, given and filed their written consents to said annexation to and with the City Council of the City of Milwaukie, Oregon, IT IS HEREBY DECLARED AND PROCLAIMED that the following described territories, situate in the County of Clackamas and State of Oregon, to-wit:

*Davis*  
The south 1/6th of Block 7 GLOVERLAND, according to the duly recorded Plat thereof, said tract being in dimensions 93.73 feet, north and south, and 74.42 feet east and west. ALSO the south half of the following: Part of the Hector Campbell and wife D.L.C., in Section 30, T.1 S., R.2 E., W.M. adjoining the above described real property on the east, described as: beginning at a point which is 179.10 feet West and 371.54 feet South of the northeast corner of a 40 acre tract of land deeded by W. Dunbar, J. Downey and W.A. Curie and wife to the Silverton and Portland Land and Investment Company on November 20, 1890, said deed being recorded in Book 40, Page 14, Deed Records, on December 1, 1890; thence South 187.46 feet; thence West 149.10 feet; thence North 187.46 feet; thence East 149.10 feet to the place of beginning, being in the County of Clackamas and State of Oregon.

*Martin*  
Lot Two (2), Block One (1), BIRKEMEIER ADDITION TO MILWAUKIE HEIGHTS, according to the duly recorded plat thereof, EXCEPT the south 100 feet thereof, parallel with the south line of said lot and also EXCEPT the northerly portion of said lot conveyed to Alfred Allen by deed recorded March 21, 1910, in Book 114, Page 535, Clackamas County Deed Records, said Allen tract being all that part of Lot 2, Block 1, lying north of the south line of Lot 1, Block 2, extended through Lot 2, Block 1.

*Whitcomb*  
The south 100 feet of the following described tract, the northerly boundary of which is parallel to the northeasterly boundary of Lake Road; being a portion of Tax Lot 38 of the Joseph Kellogg D.L.C. as recorded in Book 420 on Page 538, more particularly described as follows: Beginning at the southeast corner of the Lot Whitcomb D.L.C. No. 38 in Section 1, T. 2S., R.1 E. of the W.M., thence North along the east line of the 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 cer-

tain 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 994.2 feet along the west line of the said Quall tract; thence East along the south line of that certain tract of land conveyed to Robert R. Kimbro and Vesta Kimbro by deed recorded July 16, 1935 recorded in Book 228, Page 191 Record of Deeds, a distance of 185.3 feet to the east line of said Quall tract; thence South along the east line of said Quall tract 116 feet to a pipe at the place of beginning of the tract herein described; thence continuing South 264.56 feet to the Northerly right-of-way of Lake Road; thence North 71° 30' West 78.29 feet along said right-of-way line to a ~~point~~ pipe; thence north 18° 30' East 44.83 feet to a point; thence North 211.60 feet on a line parallel with and 60 feet west of the east line of the Quall property to a pipe; thence South 76° 30' West 61.70 feet to the true point of beginning.

ALL TERRITORIES OR LANDS LYING WITHIN THE FOLLOWING DISTRICT, BOUNDED AS FOLLOWS:

Beginning at the intersection of the south boundary of Lot 5, Block 48, MILWAUKIE HEIGHTS, a Townplat recorded in Volume 4, Page 28, Record of Townplats for Clackamas County Oregon, with the intersection of the southwesterly boundary of the Portland Traction Company right-of-way; thence northwesterly along the southwesterly boundary of the right-of-way of said Traction Company to its intersection with the easterly extension of the north boundary of 5th Street, of said Plat; thence Westerly following the easterly extension and the north boundary of said 5th Street to the southeast corner of Block 39 of said Plat and in the northerly extension of the west boundary of 9th Avenue; thence following the west boundary of 9th Avenue, South 210.0 feet to the northeast corner of Lot 7, Block 38 of said Plat; thence West 230.0 feet to the ~~corner~~ of 8th Avenue said Plat; thence South 150.0 feet to the north boundary of Lakewood Lane, also known as 6th Street, of said Plat; thence West 30 feet to the southeast corner of Block 33 of said Plat; thence South 60.0 feet to the northeast corner of Block 34 of said Plat; thence East 260.0 feet to the northeast corner of Block 37 of said Plat; thence South 300 feet to the southeast corner of said Block 37; thence East 60.0 feet to the southwest corner of Block 44, of said Plat; thence South 210.0 feet to the southwest corner of Lot 6, Block 45 of the said Plat; thence East 260.0 feet to the southwest corner of Lot 6, Block 46 of said Plat; thence North 260.0 feet to the southwest corner of Lot 10, Block 47 of said Plat; thence East 100.0 feet to the southeast corner of said Lot 10; thence North 187.5 feet to a point in the east boundary of Lot 4, Block 47 of said Plat, 12.5 feet distant South from the northeast corner thereof; thence East 160.0 feet to the east boundary of 11th Avenue of said Plat; thence along the east boundary of said 11th Avenue, North to its intersection with the southwesterly boundary of the Portland Traction Company right-of-way; thence Northwesterly along said right-of-way boundary to a point that is North 1° 18' East 42.95 feet from the southeast corner of Block 48 of said Plat; thence continuing along said southwesterly Portland Traction Company boundary, North 33° 10' West 86.7 feet to an iron pipe in the northeasterly boundary of Lot 7, Block 48 of said Plat; thence South 81° 09' West 83.17 feet to an iron pipe in the north boundary of Lot 10, Block 48 of said Plat; thence South 7° 50' East 101.25 feet to an iron pipe in the south boundary of said Block 48; thence West to the southwest corner of said Block 48; thence North 150 feet to the northwest corner of Lot 8, of said Block 48; thence following the north boundary of Lots 8 and 7 of said Block 48, East to the place of beginning.

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 Number 701, declaring that no election ~~is~~ 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 17th day of February, 1958

Read the second time and unanimously passed by all of the members of the Council, this 17th day of February, 1958

Approved and signed by the Mayor this 18th day of February, 1958

Leonard B. Mullan  
Leonard B. Mullan, Mayor

ATTEST:

R. A. Osborne  
R. A. Osborne, Recorder.

*Effective Feb. 20, 1958*