

ORDINANCE NUMBER 705

AN ORDINANCE WITHDRAWING FROM OAK LODGE SANITARY DISTRICT, CLACKAMAS COUNTY, OREGON, THOSE PARTS OF SAID DISTRICT HERETOFORE ANNEXED TO AND INCORPORATED WITHIN THE BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON. AND DECLARING AN EMERGENCY

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. The City of Milwaukie having heretofore by Ordinances Numbered 701 and 704, annexed the real property hereinafter described to the City of Milwaukie, Oregon, and the said City having heretofore by appropriate proceedings and pursuant to the provisions of Chapter 401, Oregon Laws, 1957, elected to cause the withdrawal of the said property from the Oak Lodge Sanitary District, Clackamas County, Oregon, to the City of Milwaukie, Oregon, that the same is included within the boundaries of said District, and the City of Milwaukie, Oregon, having heretofore held the required public hearing thereon pursuant to published notice as required by law, and having determined after such public hearing that the withdrawal of said real property from the said District is for the best interests of the City of Milwaukie, Oregon, the following described real property, to-wit:

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 Ft. 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.

Lot 2, Block 1, BIRKEMEYER 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.

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. 2 S., 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 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 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 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

Section  
704  
Milwaukie  
Not in Oak Lodge San. Dist.

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 center 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 said Plat; thence East 260 feet to 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 150.0 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.

is hereby withdrawn from the Oak Lodge Sanitary District, *(Clackamas County, Oregon)*

SECTION 2. The Recorder of the City of Milwaukie, Oregon, is hereby directed to notify the governing body of the Oak Lodge Sanitary District of the withdrawal of said real property from the said District and to send to the said governing body a certified copy of this Ordinance. the Recorder is further hereby directed to send certified copies of this Ordinance to the County Assessor and the County Surveyor of Clackamas County, Oregon.

SECTION 3. 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 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 7th day of March 1958

Read the second time and unanimously passed by all of the members of the Council

this 7th day of March 1958

Approved and signed by the Mayor this 7th day of March 1958

ATTEST: *3*  
*A. S. Osborne*  
 Recorder.

*Leonard B. Mullan*  
 Leonard B. Mullan, Mayor