

Filed June 17, 1960

ORDINANCE NUMBER 802

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 796, duly passed by the Council of the City of Milwaukie, Oregon, on the 9th day of May, 1960, 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 3rd day of June, 1960, as the day for a 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 222.210 Oregon Revised Statutes, and a public hearing having been had by the 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 LOWELL L. HALL and DONNA L. HALL, husband and wife; CHARLES J. SPAULDING and ANNA SPAULDING, husband and wife; W. B. RAETZ and HELEN RAETZ, husband and wife; THEODORE LEO ~~HAVLICEK~~ Jr, and JOANNE DELORES ~~HAVLICEK~~ husband and wife; RUSSELL LARCOM and MARY BUSH LARCOM, husband and wife; SOLE OWNERS OF RECORD of the territories to be annexed, having heretofore, between the dates of March 18, 1960 and May 9, 1960, given and filed their 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:

Homewood Pk.
Call

The west 250 feet of the following described property:

The south one-half of Lot 6, Block 4, HOMEWOOD PARK, in the County of Clackamas and State of Oregon, said south one-half to be cut off by a line parallel with the south line of said Lot 6, in the County of Clackamas and State of Oregon.

The west 250 feet of the following described property:

Exempting

The north half of Lot 6, Block 4, HOMEWOOD PARK, said half to be divided with a line drawn parallel with the south line of said lot in the County of Clackamas and State of Oregon.

A tract of land in the John D. Garrett D.L.C. in Section 31, T. 1 S., R. 2 E., of the W.M., in the County of Clackamas and State of Oregon, described as follows:

Partly

Beginning at a point which is South 0° 14' 50" West 50 feet from the southwest corner of Lot 6, Block 4, HOMEWOOD PARK, and running thence South 89° 17' East 400 feet; thence South 0° 14' 50" West 200 feet; thence North 89° 17' West 400 feet; thence North 0° 14' 50" East 200 feet to the point of beginning, EXCEPTING that portion conveyed to Fred Poole, et ux, by deed recorded July 5, 1957, in Book 527, Page 533, Deed Records, in the County of Clackamas and State of Oregon, ALSO EXCEPTING the following described tract: Beginning at the northeast corner of the tract first above described; thence North 89° 17' West, a distance of 170 feet; thence South 0° 14' 50" East a distance of 100 feet; thence South 89° 17' East a distance of 170 feet; thence North 0° 14' 50" West a distance of 100 feet to the place of beginning.

Havlícek

Havlícek Commencing at a point in the easterly line of the Lot Whitcomb D.L.C. that is 1147.7 feet Northerly from the southeast corner of said D.L.C.; thence South 69° 16' East 398.86 feet to a point in the center line of Lake Road; thence North 0° 41' West 513.7 feet; thence North 89° 00' East 20 feet to the east line of 37th Street; thence North 0° 41' 30" West 299.60 feet to an iron pipe; thence North 47° 44' 30" East 19.42 feet to an iron pipe and the true point of beginning of the tract to be described; thence North 88° 35' 30" East 193.09 feet; thence North 1° 24' 30" West 90 feet; thence South

A part of the Hector Campbell D.L.C. in T. 1 S., R. 2 E., of the W.M. in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at the southeast corner of that certain tract of land conveyed to Silverton and Portland Land Loan and Investment Company by deed recorded December 1, 1890 in Book 40, Page 14, Deed Records; thence West on the South line of said tract 325.5 feet, more or less, to the southeast corner of that certain tract of land conveyed to John Hochnadel, et ux, by deed recorded December 19, 1932 in Deed Book 217, Page 613, Deed Records and the true point of beginning for this description; thence North along the East line of said Hochnadel tract 120 feet; thence East and parallel with the South line of the aforesaid Silverton and Portland Land Loan and Investment Company tract 110 feet; thence South and parallel with the West line of said Hochnadel tract 120 feet to the South line of the said Silverton and Portland Land Loan and Investment Company tract; thence West and along said South line 110 feet to the point of beginning.

Handwritten: Hector Campbell D.L.C. King Rd. Jun 23 23

The west half of the following described property: A part of the Hector Campbell D.L.C. in T. 1 S., R. 2 E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as Beginning at the southeast corner of that certain tract of land conveyed to Silverton and Portland Land Loan and Investment Co. by deed recorded December 1, 1890, in Book 40, Page 14, Deed Records; thence West on the south line of said tract, 325.5 feet, more or less, to the southeast corner of that certain tract of land conveyed to John Hochnadel and wife by deed recorded December 19, 1932 in Book 217, Page 613 Deed Records; thence North along the East line of said Hochnadel tract, 506.12 feet, more or less, to the North line of that certain tract of land conveyed to J.W. Grasley by deed recorded May 20, 1905, in Book 93, Page 148, Deed Records; thence East along the North line of said Grasley tract, 325.5 feet, more or less, to the Northeast corner of said Grasley tract; thence South 505 feet, more or less, to the place of beginning; EXCEPT, Beginning at the Southeast corner of that certain tract of land conveyed to Silverton and Portland Land Loan and Investment Company by deed recorded December 1, 1890, in Book 40, Page 14, Deed Records; thence West on the South line of said tract 325.5 feet more or less, to the Southeast corner of that certain tract of land conveyed to John Hochnadel, et ux, by deed recorded December 19, 1932 in Deed Book 217, Page 613, Deed Records, and the true point of beginning for this description; thence North along the East line of said Hochnadel tract 120 feet; thence East and parallel with the South line of the aforesaid Silverton and Portland Land Loan and Investment Co. tract 110 feet; thence South and parallel with the West line of said Hochnadel tract 120 feet to the South line of the said Silverton and Portland Land Loan and Investment Co. tract; thence West and along said South line 110 feet to the point of beginning.

Handwritten: Tax lot 23 complete

which properties are contiguous to the present boundaries of the City of Milwaukie, Oregon, BE AND THE SAME HEREBY ARE ANNEXED TO THE CITY OF MILWAUKIE, CALCKAMAS COUNTY, 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 consents of the owners of the territories annexed and a copy of the Ordinance of the City of Milwaukie, Oregon, being Ordinance Number 796 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, 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 13th day of June 1960.

Read the second time and unanimously passed by all of the Council _____ this 13th day of June 1960.