

Sep 19, 1960

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 813, duly passed by the Council of the City of Milwaukie, Oregon, on the 8th day of August, 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 12th day of September, 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 SOUTHERN PACIFIC COMPANY, a Corporation, A.W. KILBORN, Superintendent; OMAR C. PALMER and RICHARD M. COLE, partners; CHESTER A. STOSE AND RUTH M. STOSE, husband and wife; SOLE OWNERS OF THE TERRITORIES TO BE ANNEXED, having heretofore, between the dates of August 11, 1959 and July 26, 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:

*S. P. R. R.* Beginning at a point in the northeast boundary of Railroad Avenue, (S.S. Fields Road No. 1438) which is also the east boundary line of the City of Milwaukie, Oregon, as described in Ordinance No. 636 of the City of Milwaukie, Oregon; from said ~~point~~ point thence Southerly to the northeast boundary line of the Southern Pacific Company's right-of-way and marked by Post No. 763.23; thence Southwesterly to the southwest boundary of said Railroad right-of-way; thence following the said southwest right-of-way boundary Northwesterly a distance of 570 feet; thence Northerly to the northeast right-of-way boundary line of said Southern Pacific Company and marked by Post No. 763.34; thence North to the north boundary line of said Railroad Avenue (S.S. Fields Road No. 1438); thence Southeasterly along said road boundary to the point of beginning.

*Palmer - Cole* A part of that certain tract of land in the John B. Garrett D.L.C., in T.1 and 2 S., R. 2 E., of the W.M., in the County of Clackamas and State of Oregon, conveyed by William C. Reinke and J.F. Reinke, her husband, to Theodore N. Hagenburger and Hattie L. Hagenburger, husband and wife, recorded in Book 177, Page 587, records of deeds in said County and State, beginning at a point on the East line of said Hagenburger land North 0° 33' East 335.48 feet from the Southeast corner thereof, said point of beginning being also North 0° 33' East 42.00 feet from the Northeast corner of Lot or Tract 1, Minton Homes, and lying in the Northerly right-of-way line of the Portland and Oregon City railway; thence North 0° 33' east 570.08 feet to the Southeast corner of land conveyed by said Hagenburger and wife to Benedetto Bocci and Luigi Bocci, recorded in Book 177, Page 306, records of deeds in said County and State; thence North 48° 51' 3" West 100.00 feet, tracing the southerly line of said Bocci land and along the center of a creek to a point, from which point bears an iron pipe South 51° 08' West 5.00 feet; thence South 51° 08' West 660.9 feet from said point to an iron pipe driven in the northerly line of said Portland and Oregon City Railway; thence South 68° 37' East 26.7 feet and South 69° 17' 30" East 598.15 feet tracing the Northerly right-of-way line of said railway and parallel with and 40 feet distant from the Northerly line of said Minton Homes to the point of beginning.

ALSO the following described property:

Beginning at a point on the Northerly right-of-way line of the Portland and Oregon City Railway, an extinct corporation, said point being the Southwest corner of that certain tract of land conveyed by deed to Joseph Van Hoomison and recorded

June 30, 1943 in Book 309, page 397 deed records of Clackamas County, Oregon, said tract lying in Section 31, T. 1 S., R. 2 E., W.M., and Section 6, T. 2 S., R. 2 E., W.M. and running thence following the aforesaid North right-of-way line South 68° 37' East 27.5 feet; thence following said North right-of-way line South 69° 17' 30" East 598.14 feet to a point on the northerly extension of the east line of the recorded plat of Mintone Homes; thence following said extension line South 0° 33' West 42.61 feet to the Northeast corner of Lot 1 in said Mintone Homes, said corner being on the south right-of-way line of aforesaid Portland and Oregon City railway; thence following said south right-of-way line and the North line of Mintone Homes, North 69° 17' 30" West 613.06 feet; thence continuing on said south right-of-way line and north line of Mintone Homes, North 68° 37' West 50.60 feet to a point on the Southwesterly extension of the Westerly line of the aforesaid Joseph Van Hoomissen tract; thence following said Southwesterly extension 51° 08' East 46.07 feet to the point of beginning.

Part of the D.L.C. of John D. Garrett and wife in T. 1 and 2 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 initial point of NORTH MINTONE HOMES, a recorded plat, said initial point being North 89° 22' West a distance of 30.00 chains, North 0° 33' East, a distance of 292.88 feet, North 69° 17' 30" West a distance of 613.06 feet, North 68° 37' West, a distance of 200.48 feet, North 66° 31' 30" West a distance of 62.98 feet from the southeast corner of the John D. Garrett D.L.C.; thence along the southerly line of North Mintone Homes, North 66° 31' 30" West a distance of 137.62 feet; thence North 64° 36' 00" West, a distance of 200.70 feet; thence North 62° 24' 30" West a distance of 200.68 feet; thence North 60° 40' 30" West a distance of 200.68 feet; thence North 58° 29' 30" West a distance of 200.64 feet; thence North 56° 43' 00" West, a distance of 130.93 feet; thence North 56° 14' 30" West, a distance of 143.00 feet to the west line of said North Mintone Homes; thence north 0° 38' 00" East a distance of 1705.27 feet to the southerly right-of-way line of the Oregon California railroad; thence along the said right-of-way line South 55° 32' 40" East, a distance of 1445.99 feet to the most northerly corner of the Bocci Tract described in Book 177, page 306, Deed Records; thence leaving said southerly right-of-way line South 27° 29' 30" West along the westerly line of said Bocci Tract and an extension thereof a distance of 462.20 feet to the most westerly corner of the Joe Bocci Tract described in Book 340, page 240, Deed Records; thence South 49° 18' 30" East, a distance of 602.49 feet; thence South 30° 25' 00" West along the westerly line of the Stose Tract described in Book 472, page 373, Deed Records, a distance of 779.49 feet to the point of beginning.

Stose PARCEL A: Beginning at the northwesterly corner of that certain tract of land conveyed to Joseph Van Hoomissen by deed dated June 23, 1943, and recorded June 30, 1943, in the Deed Records of Clackamas County, Oregon, in Book 309, at page 397 thereof, which beginning point is North 48° 51' 30" West 100 feet from the southeast corner of land conveyed by Theodore N. Hagenburger and Mattie L. Hagenburger, his wife, to Benedetto Bocci and Luigi Bocci, by deed recorded in Book 177 at page 306, Records of Deeds in said County; from said beginning point North 48° 51' 30" West 470.1 feet, more or less, to a point which point is also the southeast corner of land conveyed to said Benedetto Bocci and wife above mentioned; thence South 30° 25' West 739.16 feet, more or less, to an iron pipe driven in the northerly line of said Portland and Oregon City railway; thence westerly along said northerly right-of-way line of the Portland and Oregon City railway South 66° 31' 30" East 58.4 feet to a point; thence South 68° 37' East along said northerly right-of-way line 172.02 feet to a point which is the southwesterly corner of the land conveyed to Joseph Van Hoomissen; thence North 51° 08' East 660.90 feet, more or less to the place of beginning.

PARCEL B: The following described real property situated in the County of Clackamas and State of Oregon, in the John D. Garrett D.L.C.; Beginning at a point 22 feet north of the initial point of North Mintone Homes; thence East 226.1 feet parallel to the north line of Mintone Homes; thence North 18 feet to a point at the southwest corner of that certain property conveyed to Joseph Van Hoomissen and recorded June 30, 1943, in Book 309, page 397, Deed Records, Clackamas County, Oregon, thence West 226.1 feet to a point 40.00 feet north of aforementioned initial point and thence South 18 feet to the place of beginning.

820

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, CLACKAMAS 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 consent of the owners of the territories annexed and a copy of the Ordinance of the City of Milwaukie, Oregon, being Ordinance Number 813 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 12<sup>th</sup> day of September 1960

Read the second time and unanimously passed by all of the members of the Council \_\_\_\_\_ this 12<sup>th</sup> day of September 1960

Approved and signed by the Mayor this 12<sup>th</sup> day of September 1960

Earl M. Clay  
Earl M. Clay, Mayor

ATTEST?  
V. E. Osborne  
Recorder.

*Effective date Sept 12/1960*