ORDINANCE NUMBER 854

Sept 26 1961

AN ORDINANCE ANNEXING CERTAIN TERRITORY 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 Council of the City of Milwaukie,Oregon, by Ordinance No. 850 duly passed and signed by the Mayor on the 28th day of August,1961, having heretofore dispensed with submitting the question of the annexation of the contiguous territory hereinafter described to the registered voters of the City of Milwaukie,Oregon, and, by said Ordinance having heretofore fixed the 15th day of September, 1961, as the day for hearing, at which time the registered voters of said City might appear and be heard on the question of said annexation, 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 a public hearing having been held by the City Council of the City of Milwaukie pursuant to such notices,and no registered voter of the City of Milwaukie, Oregon, appearing at said hearing who protested said annexation, and the following named persons, being landowners as defined by Chapter 511, Oregon Laws 1961, in said contiguous territory who comprise and have been determined to comprise more than two-thirds of the landowners in said contiguous territory who own more than two-thirds of the lands in said contiguous territory whose aggregate assessed value exceeds two-thirds of the total assessed value of all real property in said contiguous territory, namely:

RODERICK C. BLATCHFORD and MILDRED M. BLATCHFORD, husband and wife; WALTER J. MANNING, HOWARD E. MANNING, LOIS ANN MANNING, HERBERT A. MANNING, heirs of JOSEPH A. MANNING; VICTOR SCHUNK and RUBY K. SCHUNK, husband and wife; RICHARD C. SMELSER and CAROL C. SMELSER, husband and wife; WILLIAM O. SPEIGHT and ELLEN JANE SPEIGHT, husband and wife; AMBROSE CALCAGNO and BARBARA M. CALCAGNO, husband and wife; JOHN V, CARGNI and MELITA CARGNI, husband and wife; AUGUST A CASONOVA and VIRGINIA H. CASONOVA, husband and wife; FRANCISCO CASONOVA and MARY CASONOVA, husband and wife; GEORGE N. CORTI and M.CARITA CORTI, husband and wife ; ROSS ENYART and BESSIE L.ENYART, husband and wife; WALDO STORK AND CLARA LUCILLE STORK, husband and wife; MARY V. WELLS; ERNEST J. ZANNI and ANGELINE D ZANNI, husband and wife; ALDON H. JARVIS and JEAN P. JARVIS,husband and wife; GEORGE H. COVELL and ARWID W. BERTMAN, Chairman and Clerk of SCHOOL DISTRICT No. 1 C; EDWARD J. SCHACHTEL and KATHERINE SCHACHTEL, husband and wife; JAMES D. PIEPER and DOROTHY D. PIEPER, husband and wife; ANDREW S. ORLANDO and KATHLEEN K. ORLANDO, husband and wife; JAMES R.MORRISON and EVELYN MORRISON, husband and wife; C.R.MOE, an unmarried man; MILWAUKIE LUTHERAN CHURCH, by M.R.PAULSON, President, ELMER BERG, Secretary, E.S.BERGSTROM, NEAL ERNEST, members of the Church Council; GEORGE M. LoPIPARO and LENA M. LoPIPARO, husband and wife; MARTIN MARTINSON and SIGNE MARTINSON, husband and wife; NAOMI (KIDD) BERGENSGORD and ERNEST W. KIDD, mother and son; SAM J. AMATO and VIRGINIA M.AMATO, husband and wife: H.F.HILLER and MARY HILLER, husband and wife;

having heretofore and prior to September 15, 1961, consented in writing to said annexation and filed statements of their consent with the City Council of the City of Milwaukie, Oregon,

IT IS HEREBY DECLARED AND PROCLAIMED THAT THE FOLLOWING TERRITORY, situated in the County of Clackamas and State of Oregon, bounded and described as follows:

1. Beginning at the most southerly corner of the plat of KELLOGG CREEK ACRE TRACTS in the center of Kellogg Creek in Section 1, T.2 S., R.1 E. of W.M.

2. Thence following the southeasterly boundary of said Plat and the northeasterly extension thereof to an intersection with the northeasterly boundary of Lake Road;

3. Thence following said last mentioned road boundary south 67°0' East 1100.00 feet more or less, to a point that is North 67°0' West 200.00 feet distant from the southwest corner of TRACT 7 of WHITTON TRACTS;

4. Thence North 264.56 feet;

5. Thence north 67°0' West 200.00 feet;

6. Thence North 253.0 feet;

7. Thence East 200.0 feet,more or less, to the southeast corner of Tax Lot #30 of the Joseph Kellogg D.L.C.

8. Thence North along the east boundary of said Tax Lot to the northeast corner thereof in the south boundary of the plat of MINTHORN ADDITION TO THE CITY OF PORTLAND;

9. Thence East along the said boundary of MINTHORN ADDITION to intersect the east boundary of the Joseph Kellogg D.L.C. or the west boundary of the John D. Garrett D.L.C.;

10. Thence South along the last mentioned D.L.C. boundary to the most northerly corner of Tax Lot #98 of the John D. Garrett D.L.C.;

11. Thence along the northeasterly boundary of said Tax Lot 98 to the northeast corner thereof;

12. Thence following the east boundary of said Tax Lot 98, and the southerly extension thereof South 0°07' East 1085.00 feet, more or less, to the southwesterly boundary of Lake Road;

13. Thence following the last mentioned Road boundary North 86°30' West 90.00 feet, more or less, to the most easterly corner of Tax Lot 53 of the Joseph Kellogg D.L.C.;

14. Thence Southwesterly along the southeasterly boundary of said Tax Lot 53 to the most southerly corner thereof;

15. Thence Northwesterly along the southwesterly boundary of said Tax Lot 53 to the most westerly corner thereof;

16. Thence Southwesterly 200.00 feet,more or less, along the southwesterly extension of the northwesterly boundary of said Tax Lot #53 to the most southerly corner of Tax Lot #51-4 of the Joseph Kellogg D.L.C.;

17. Thence Northwesterly along the southwesterly boundary of said Tax Lot 51-4 to the most westerly corner thereof in the southeasterly boundary of S.E.Vernie Avenue.

18. Thence following the said S.E.Vernie Avenue boundary and the southwesterly extension thereof to the northeasterly boundary of Tax Lot #50 of the Joseph Kellogg D.L.C.;

19. Thence Northwesterly along the said northeasterly boundary of Tax Lot #50, 43.0 feet to the most northerly corner thereof in the southeasterly boundary of Tax Lot #17 of the Joseph Kellogg D.L.C.

20. Thence Southwesterly along the southeasterly boundary of said Tax Lot 17 to the center of Kellogg Creek;

21. Thence down stream along the center of Kellogg Creek 1700.0 feet,more or less, to the most southerly corner of KELLOGG CREEK ACRES, the place of beginning of the description herein.

This description drawn on the 28th day of August, 1961.

being territory contiguous to the present boundaries of the City of Milwaukie, Oregon BE AND THE SAME IS 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, copies of the statements of consent fo the landowners in the territory annexed, a copu of Ordinance of the City of Milwaukie, Oregon, being Ordinance No. 850, declaring that no election is required in said City, and to transmit further copies of said Ordinances 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 annexation 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 15th day of September, 1961
Read the second time and passed by the unanimous vote of all of the members of the City Council this 15th day of September,1961
Signed by the Mayor this 15th day of September,1961.
ATTEST R. C. Osborne Recorder Earl McClay Mayor.
May.