

ORDINANCE NUMBER 857

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 852, duly passed by the Council of the City of Milwaukie, Oregon, on the 15th day of September, 1961, 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 9th day of October, 1961, 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 HATTIE FOSTER, a single woman; and EUGENE K. CAHILL and DOROTHY A. CAHILL, husband and wife; EMIL TUNNO and JANICE TUNNO, husband and wife; DELBERT K. TURNER and KATHLEEN N. TURNER, husband and wife; CHARLES L. TEMPLETON and RILLA G. TEMPLETON, husband and wife; VANCE A. BAUNE and ELAINE F. BAUNE, husband and wife; LESLIE G. WEISS and AUDREY M. WEISS, husband and wife; ONEY W. SAULL and ELIZABETH S. SAULL, husband and wife; GRAYDON D. WOLFE and JOSEPHINE L. WOLFE, husband and wife; and WARREN K. DANIELS, an unmarried man SOLE OWNERS OF RECORD of the territories to be annexed, having heretofore between the dates of July 21, 1961 and September 14, 1961, 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:

Foster-Cahill All that part of Tax Lot No. 64 lying easterly of Johnson Creek Boulevard in the George Wills D.L.C. #12, in Section 30, T.1 S., R.2 E., of W.M. in Clackamas County, State of Oregon, bounded as follows: Beginning at the intersection of the north boundary line of Clackamas County and the easterly boundary line of Johnson Creek Boulevard and the southwesterly right-of-way boundary of the Portland Traction Company; thence Southeasterly along the southwesterly right-of-way line of said Portland Traction Company a distance of approximately 180 feet; thence southwesterly a distance of 100 feet, more or less, to a point in the east shore of Johnson Creek; thence following the east shore line of said creek Southwesterly a distance of approximately 225 feet; thence West, parallel with the north boundary line of Clackamas County, to the east boundary of Johnson Creek Boulevard; thence Northeasterly along the northeast boundary line of Johnson Creek Boulevard to the point of beginning.

Tunno The South 99 feet of Tract 14, GIBSON'S SUBDIVISION OF TRACTS NUMBERED 10, 11, 12 & 13 and the west 480 feet of Tracts 1 & 2, Logus Tracts, in the County of Clackamas and State of Oregon.

Turner Templeton The North one-half of Lot 15, GIBSON'S SUBDIVISION of Logus Tracts 10, 11, 12 & 13 and the West 480 feet of Tracts 1 and 2 of the Logus Tracts, according to the duly recorded plat thereof, situate in the Clackamas County, State of Oregon.

Templeton The South one-half of Lot 16 as cut off by a line drawn parallel with the north line of said Lot 16, GIBSON'S SUBDIVISION of Tracts numbered 10, 11, 12, and 13, and the west 480 feet of Tracts numbered 1 and 2 of Logus Tracts, in the County of Clackamas and State of Oregon.

Baune *not contiguous - Weir description wrong. Annexed later.*
Part of Tract 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon to-wit: Beginning at a point in the west boundary line of said Lot #3, in the LOGUS TRACTS which point bears South 0°25' East a distance of 10 feet from the northwest corner of Lot 3, which is marked with an iron pipe, thence Easterly a distance of 249 feet along south line of the ten foot road conveyed to Thomas Roberts as recorded in Book 215 page 304, Deed Records, to the Northeast corner of a tract conveyed to Dorothy I Hoeye by deed recorded; thence South 0°25' east along the east line of said Hoeye tract, 70 feet to the true point of beginning of the tract herein described; thence continuing South 0°25' east along the east line of said Hoeye tract 70 feet; thence Easterly parallel with the south line of the aforementioned Clackamas County Tract, 100 feet; thence Northerly

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parallel with the east line of a 10 foot strip conveyed to Clackamas County for road purposes by deed recorded in Book 116, page 315, Deed Records, thence West parallel with the south line of said 10 foot strip, 100 feet to the true place of beginning.

Weiss *not annexed, wrong description - see Ord. 868*

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Part of Tract 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon, to-wit: Beginning at a point in the west boundary line of said Lot No.3 in the Logus Tracts, which point bears South 0°25' East a distance of 10 feet from the northwest corner of said Lot No.3 which is marked with an iron pipe; thence Easterly a distance of 249 feet along the south line of the 10 foot road conveyed to Thomas Roberts as recorded in Book 215, at page 304 of the Book of Deeds for Clackamas County, to the northeast corner of a tract conveyed to Dorothy I. Hoeye, by deed recorded August 16, 1949, in Book 422, page 238, Deed Records; ~~thence South along the east line of said Hoeye Tract 210 feet~~ to the true point of beginning of the tract herein described; thence ~~continuing~~ South 0°25' east along the east line of said Hoeye tract 70 feet; thence Easterly parallel with the south line of the aforementioned Clackamas County tract, 100 feet; thence Northerly parallel with the east line of said Hoeye tract 70 feet to the south line of a 10 foot strip conveyed to Clackamas County by deed recorded in Book 116, page 315, Deed Records; thence West parallel with the south line of said 10 foot strip 100 feet to the true point of beginning.

Saull LOTS 6,7,8, BLOCK 45, HIRTHORN ADDITION TO THE CITY OF PORTLAND.

Wolfe LOTS 41,42, BLOCK 45, HIRTHORN ADDITION TO THE CITY OF PORTLAND.

Daniels LOTS 2,4,6,8, BLOCK 37, MILWAUKIE HEIGHTS.

which properties are contiguous to the present boundaries of the City of Milwaukie, Oregon, BE AND THE SAID HEREBY ARE ANNEXED TO THE CITY OF MILWAUKIE, OREGON,

SECTION 2-The City Recorder of the City of Milwaukie, Oregon is hereby ^{ordered} 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 numbered 852, 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 hereonabove 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 9th day of October 1961

Read the second time and unanimously passed by all of the Council this 9th day of October 1961

Signed by the Mayor this 9th day of October 1961

Earl W. Clay
Earl W. Clay, Mayor

ATTEST:
R. E. Osborne
R. E. Osborne, Recorder.