

ORDINANCE NUMBER 925

AN ORDINANCE PROVIDING FOR THE PROCEDURE, WITHOUT ELECTION, TO ANNEX CERTAIN TERRITORY CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, PURSUANT TO THE PROVISIONS OF CHAPTER 511, OREGON LAWS 1961; ACCEPTING WRITTEN CONSENTS OF LANDOWNERS IN SUCH TERRITORY TO SAID ANNEXATION; DETERMINING THAT AT LEAST TWO-THIRDS OF THE LAND IN THE SAID CONTIGUOUS TERRITORY AND OWN REAL PROPERTY THEREIN REPRESENTING AT LEAST TWO-THIRDS OF THE ASSESSED VALUE OF THE REAL PROPERTY IN SAID CONTIGUOUS TERRITORY; FIXING A DAY FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ON THE QUESTION OF SUCH ANNEXATION; DIRECTING PUBLICATION AND POSTING OF NOTICE OF SUCH HEARING; AND DECLARING AN EMERGENCY.

*and consent of
landowners
also occur at
tract
two-thirds*

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. That the City of Milwaukie, Oregon, by and through its legislative body, hereby does propose to annex the following territory contiguous to its present boundaries, the legal description of which is as follows:

That portion of the Portland Traction Company's right-of-way described as follows: Beginning along the westerly projection of the north boundary of Waverly Drive in the northeast one-quarter of the southwest one-quarter of Sec. 26, T.1S., R.1E., of the W.M. at or about Engineers Station 22+47, thence southerly and easterly to the northwest boundary of the Gratton Investment Co. tract at Engineers Station 57 + 14

Also a tract of land in Sections 26 and 35, T.1S., R.1E., of the W.M., described as follows:

All of the Plat of WAVERLY HEIGHTS as the same is recorded in Clackamas County RECORD OF TOWNPLATS, Vol. 5 on page 27 and 28, excepting therefrom that portion of Tracts 2 and 3 heretofore annexed to the City of Milwaukie by Ordinances numbered 597, 644 and 696, and also excepting tract "A" in the corner of said plat pursuant to the provisions of Chapter 511, Oregon Laws 1961.

SECTION 2. That the City Council of the City of Milwaukie does hereby elect to dispense with and hereby does dispense with submitting the question of the annexation of said contiguous territory to the registered voters of the City of Milwaukie, Oregon.

SECTION 3. That the consents in writing of the following named landowners in the said contiguous territory, said landowners being:-

E. ROY JARMAN and EVA G. JARMAN, husband and wife; ELIZABETH S. FITZGIBBON, an unmarried woman; LeROY B. STAVER and HELENE M. STAVER, husband and wife; GEORGE P. SMITH and EVELYN SMITH, husband and wife; HAL L. ELLIS and LOUISE ELLIS, husband and wife; GEORGE W. ARTZ and JEAN LITTIG ARTZ, husband and wife; CATLIN WOLFARD and JEAN C. WOLFARD, husband and wife; JEAN F. DeLORD and NATALIE L. DeLORD, husband and wife; MARION E. WHITE, an unmarried man; MARVIN E. MIELKE and FRANCES MIELKE, husband and wife; ~~ARTHUR W. WOLFE~~ JOHN W. FOSTER and AUDREY W. FOSTER, husband and wife; THOMAS S. HARRISON and MARGARET L. HARRISON, husband and wife; WILLIAM M. KELLER and FRANCES E. KELLER, husband and wife; WILLIAM H. TILLMAN, an unmarried man; RAY E. MACKENZIE and BESS GLENN MACKENZIE, husband and wife; MARGARET BIDDLE PARKER, an unmarried woman; HARRY J. HEGAR and EDNA L. HEGAR, husband and wife; GEORGE E. SULLIVAN and ANNA G. SULLIVAN, husband and wife; HENRY J. ZILKA and MABEL ZILKA, husband and wife; ARTHUR B. WALLACE and PATRICIA S. WALLACE, husband and wife; THOMAS D. TAYLOR and DORIS VIRGINIA TAYLOR, husband and wife; ROBERT F. DWYER and ALLEEN K. DWYER, husband and wife

to the annexation to said City of their lands located within said contiguous territory are hereby accepted as the same have been placed on file with the City Council of the City of Milwaukie, Oregon, and with the Recorder of said City.

Earl M. ...

SECTION 4. That the City Council has determined and hereby does determine that the landowners in said contiguous territory who have so consented in writing to the annexation of their lands as hereinabove set forth comprise more than two-thirds of the landowners within said contiguous territory, and that they also own at least two-thirds of the lands in said contiguous territory and of the real property therein representing at least two-thirds of the assessed value of all real property in the said contiguous territory.

SECTION 5. That the City Council of the City of Milwaukie, Oregon, hereby fixes the ~~13~~ day of August 1962, at the hour of 3:10 o'clock P.M., Pacific Daylight Time, the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, at which time and place the registered voters of said City may appear and be heard upon the question of such annexation.

SECTION 6. That notice of the time and place of such hearing be published in the Milwaukie Review, a paper of general circulation in the City of Milwaukie, Oregon, once each week for two successive weeks prior to the said date so fixed for public hearing, and that the City Recorder cause to be posted in at least four public places within the City of Milwaukie, Oregon, written notice of said hearing and the time and place thereof for a like period of time.

SECTION 7. 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, immediately conserve and establish the value of property within the City, prevent and lessen the congestion on streets and accompanying noises, 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 9th day of July 1962

Read the second time and unanimously passed by all of the Council present
this 23rd day of July 1962.

Signed by the Mayor this 23rd day of July 1962

Earl M. Clay
Earl M. Clay, Mayor

ATTEST:

R. E. Osborne
R. E. Osborne, Recorder