

ORDINANCE NUMBER 951

AN ORDINANCE PROVIDING FOR THE REZONING OF CERTAIN PROPERTIES IN THE CITY OF MILWAUKIE, CLATSOP COUNTY, OREGON, FROM ZONE 3-R-1 TO ZONE 3-R-2, AMENDING ORDINANCE NUMBER 481, AS AMENDED, AND DECLARING AN EMERGENCY.

THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

SECTION 1. That the written report of the City Planning Commission of the City of Milwaukie, Oregon, embodying its final recommendation after proceedings initiated by it pursuant to Section 9 of Ordinance Number 481, as amended, that Ordinance Number 481, as amended, be further amended so as to provide that the tracts of land hereinafter described be removed from that area of the City zoned as 3-R-1 by said Ordinance and that said tracts of land be transferred to and included within the area of said City zoned as 3-R-2 by said Ordinance No. 481, as amended, be and the same is hereby approved and adopted by the City Council.

SECTION 2. That Ordinance Number 481, as amended, of the City of Milwaukie, Oregon, be and it is further amended so as to remove the area of said City therein described and zoned 3-R-1 the following tracts of land described as follows, to-wit:-

TAX LOTS 291 and 106-1, Lot Whitcomb D.L.C. described as follows:

Part of the Lot Whitcomb Claim #38, in T.1 S., R.1 E., W.4., County of Clatsop, state of Oregon, more particularly described as follows:

Beginning at a 3/4 inch iron pipe in the southeasterly boundary of Lake Road at the most northerly corner of Block 1, HOESLY'S LAKEWIDE ADDITION; from said beginning point thence following the northwesterly boundary of said Block 1, South 31°36' West 411.07 feet to a 3/4 inch iron pipe which point is the true point of beginning of the tract to be described; thence North 59°02'35" West 242.5 feet to an iron pipe at the northerly end of the center line of a previous established 12 foot private roadway; thence South 33°57' West along the center line of said roadway 120.85 feet to an iron pipe at the southerly end of said private roadway; thence North 56°03' West 6 feet to an iron pipe; thence South 39°53' West 88.83 feet; thence continuing South 39°53' West 80 feet more or less, to the low water line of the right bank of Kellogg Lake; thence southeasterly following the low water line of the right bank of Kellogg Lake to a point which is South 31°30' West from the true point of beginning; thence North 31°30' East 15 feet, more or less, to a 3/4 inch pipe on the northwesterly boundary of said Hoesly's Lakeside Addition; thence continuing North 31°30' East 361.49 feet to the point of beginning.

ALSO, a right-of-way and easement over that part of the above mentioned 12 foot private roadway which lies North and West of the aforesaid center line, as disclosed by an agreement between D.T. Calhoun, et ux, and Harley C. Roberts, et ux, dated November 18, 1953, recorded February 15, 1956, instrument #2379.

SECTION 3. That said Ordinance No. 481, as amended, be and it is hereby further amended so as to include within the 3-R-2 Zone established by said Ordinance No. 481, as amended, the tracts of land set forth and described in Section 2 of this Ordinance.

SECTION 4. That the City Manager be, and he hereby is, directed to make appropriate changes on the zoning map of the City of Milwaukie, Oregon, as will reflect thereon the zoning accomplished by this ordinance.

SECTION 5. 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 accomplish city development 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 by the Council and signing by the Mayor.

Read the first time this 10th day of December 1962
Read the second time and unanimously passed by all of the Council present this
10 day of December 1962
Signed by the Mayor this 10 day of Dec 1962

Earl W. Coffey
Mayor

ATTN: R. E. Osborne
Recorder.

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