

RESOLUTION NUMBER 13-1961

A resolution declaring the intention of the Council of the City of Milwaukie, Oregon, to construct sanitary sewers, trunk line sewers and lift station in Robertson's Addition, Birkemeier Heights and Milwaukie Heights.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct sanitary sewers along:

- 7th STREET from approximately 25 feet west of 9th Avenue to 10th Avenue.
 - 10th AVENUE from 7th Street to 5th Street.
 - 11th AVENUE from 7th Street to Portland Traction Co. right-of-way thence northwesterly along the said right-of-way to 5th Street.
 - 7th STREET from approximately 60 feet west of 10th Avenue to 10th Avenue.
 - 9th AVENUE from 5th Street southerly approximately 225 feet.
 - 8th AVENUE from a point west of Lot 6 Block 38, Milwaukie Heights to a point in 5th Street that is approximately 70 feet west of 9th Avenue.
 - 5th STREET from a point that is approximately 70 feet west of 9th Avenue, easterly to the right-of-way line of the Portland Traction Co.
 - BIRK STREET from a point approximately 100 feet east of 7th Avenue thence easterly and northeasterly to the Portland Traction Co. right-of-way.
 - 7th AVENUE from 6th Street northerly to the Portland Traction Co. right-of-way.
 - 6th AVENUE from a point that is approximately 150 feet south of 5th Street, northerly to 2nd Avenue.
 - 5th STREET from 6th Avenue southerly approximately 70 feet.
 - 5th AVENUE from 5th Street northerly to 2nd Street.
 - 3rd STREET from 5th Avenue easterly approximately 125 feet.
 - 4th AVENUE from 1st Street southerly to a point that is 150 feet south of 3rd Street.
 - 5th STREET from a point approximately 150 feet west of 5th Avenue, westerly to 3rd Ave.
 - 3rd AVENUE from 5th Street northerly to a point that is approximately 100 feet south of 2nd Street.
 - 4th STREET from 3rd Avenue to 2nd Avenue and from 7th Avenue to the Portland Traction right-of-way.
 - 4th AVENUE from 6th Street northerly approximately 70 feet.
 - 6th STREET from 4th Avenue westerly approximately 260 feet, thence southwesterly approximately 125 feet.
 - 2nd AVENUE from 6th Street to 2nd Street.
 - 2nd STREET from 2nd Avenue easterly approximately 100 feet and from 4th Avenue to 6th Avenue.
- A sanitary sewer lateral will also be laid from a point that is approximately 100 feet southwest of 6th Street and west of the Southern Pacific Railroad right-of-way to a point in 6th Street at 2nd Avenue.

AND TO CONSTRUCT A TRUNK LINE SEWER from the east end of 5th Street northwesterly along the Portland Traction Co. right-of-way to 2nd Street, thence west to 6th Avenue, thence North to the Portland Traction Co. right-of-way, thence following the said right-of-way northerly and westerly to Jefferson Street.

ALSO from a point in 2nd Street, that is approximately 100 feet west of 3rd Avenue thence Easterly to 3rd Avenue; thence North to 1st Street; thence East to 5th Avenue thence north-easterly to a point in the Southern Pacific Railroad Co. right-of-way that is approximately 100 feet northeast of 1st Street.

ALSO to construct a lift station in 2nd Street approximately 100 feet west of 3rd Ave.

AND TO CONSTRUCTION SERVICE LATERALS from said sanitary sewers to the property line where such service laterals are requested.

AND WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for approximate improvement to accomplish the above and an estimate of the cost of the work to be done

AND WHEREAS, the City Engineer has heretofore filed such plans, specifications and estimates in the office of the City Recorder.

BE IT HEREBY RESOLVED by the Council of the City of Milwaukie, Oregon, that the above mentioned plans, specifications and estimates of the City Engineer now on file with the City Recorder are found to be satisfactory and are hereby approved.

BE IT FURTHER RESOLVED that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, and the location and kind of improvement being as follows:

By the construction of sanitary sewers and all things necessary in the construction thereof, all to be done in accordance with plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

By the construction of a trunk line sewer and all things necessary in the construction thereof, all to be done in accordance with plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this Resolution.

By the construction of a sewage lift station, and all things necessary in the construction thereof, all to be done in accordance with the plans and specifications now on file with the City Recorder, which plans and specifications hereby are referred to and made a part of this resolution.

Said sanitary sewers to be constructed along the following lines and between the following termini.

- 7th STREET from approximately 25 feet west of 9th Avenue to 10th Avenue.
- 10th AVENUE from 7th Street to 5th Street.
- 11th AVENUE from 7th Street to Portland Traction Co. right-of-way, thence northwesterly along the said right-of-way to 5th Street.
- 7th STREET from approximately 60 feet west of 10th Avenue to 10th Avenue.
- 9th AVENUE from 5th Street southerly approximately 225 feet.
- 8th AVENUE from a point west of Lot 6 Block 38, Milwaukie Heights to a point in 5th Street that is approximately 70 feet west of 9th Avenue.
- 5th STREET from a point that is approximately 70 feet west of 9th Avenue, easterly to the right-of-way line of the Portland Traction Co.
- BIRK STREET from a point approximately 100 feet east of 7th Avenue; thence easterly and northeasterly to the Portland Traction Co. right-of-way.
- 7th AVENUE from 6th Street northerly to the Portland Traction Co. right-of-way.
- 6th AVENUE from a point that is approximately 150 feet south of 5th Street, northerly to 2nd Avenue.
- 5th STREET from 6th Avenue southerly approximately 70 feet.
- 5th AVENUE from 5th Street northerly to 2nd Street.
- 3rd STREET from 5th Avenue easterly approximately 125 feet.
- 4th AVENUE from 1st Street southerly to a point that is 150 feet south of 3rd Street.
- 5th STREET from a point approximately 150 feet west of 5th Avenue, westerly to 3rd Avenue.
- 3rd AVENUE from 5th Street northerly to a point that is approximately 100 feet south of 2nd Street.
- 4th STREET from 3rd Avenue to 2nd Avenue and from 7th Avenue to the Portland Traction Co. right-of-way.
- 4th AVENUE from 6th Street northerly approximately 70 feet.
- 6th STREET from 4th Avenue westerly approximately 260 feet, thence southwesterly approximately 125 feet.

2nd AVENUE from 6th Street to 2nd Street.

2nd STREET from 2nd Avenue easterly approximately 100 feet and from 4th Avenue to 6th Avenue.

A sanitary sewer lateral will also be laid from a point that is approximately 100 feet southwest of 6th Street and west of the Southern Pacific Co. right-of-way to a point in 6th Street at 2nd Avenue.

AND TO CONSTRUCT A TRUNK LINE SEWER from the east end of 5th Street northwesterly along the Portland Traction Co. right-of-way to 2nd Street, thence west to 6th Avenue, thence north to the Portland Traction Co. right-of-way; thence following the said right-of-way northerly and westerly to Jefferson Street.

ALSO from a point in 2nd Street that is approximately 100 feet west of 3rd Avenue; thence Easterly to 3rd Avenue; thence North to 1st Street; thence East to 5th Avenue thence Northeasterly to a point in the Southern Pacific Railroad Co. right-of-way that is approximately 100 feet northeast of 1st Street.

AND TO CONSTRUCT A LIFT STATION in 2nd Street approximately 100 feet west of 3rd Avenue.

AND TO CONSTRUCT SERVICE LATERALS from said sanitary sewers to the property line where such service laterals are requested.

THAT THE DISTRICT LIABLE TO BE ASSESSED FOR THE AFORESAID IMPROVEMENT IS AS FOLLOWS:

All of the Plat of Robertson's Addition
All of the Plat of Birkemeier Addition
All of Blocks 33, 38, 43, 48, 44, Milwaukie Heights Addition
Lots 1, 3, 5, 7, 9, 10, 11, 12, Block 37 Milwaukie Heights Addition
Lots 1, 2, 3, 4, 5, 6, Block 45, Milwaukie Heights
Lots 1, 2, 4, 6, 8, 10 and a portion of Lot 3, Block 47 Milwaukie Heights
Tax Lots 113, 273, 114, 118, 204, 85, 84, 61-1, 61-1-1, 61, and 230. Lot Whitcomb D.L.C.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each front foot of said property abutting the aforementioned Streets where said sanitary sewers will be laid is the sum of \$10.00.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each square foot of property lying within the hereinabove described territory which will be benefited by the trunk line sewer, is the sum of \$0.04.

THAT THE CITY ENGINEER'S ESTIMATE OF COST per each service lateral from the sanitary sewers to the property line is the sum of \$100.00.

THAT THE CITY ENGINEER'S ESTIMATE OF COST OF THE IMPROVEMENT BY CONSTRUCTION OF SANITARY SEWERS, TRUNK LINE, LIFT STATION AND SERVICE LATERALS is the sum of \$200,000.00.

THAT THE CITY ENGINEER'S ESTIMATE OF THE COST OF THE IMPROVEMENT BY CONSTRUCTION OF SANITARY SEWERS, TRUNK LINE SEWERS AND LIFT STATION is the sum of \$180,000.00.

That an assessment will be levied on all lots and parcels of land within such proposed improvement district, in proportion to the amount to which each lot or parcel of land will be benefited.

BE IT FURTHER RESOLVED that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 12th day of June, 1961.

BE IT FURTHER RESOLVED that the City Recorder of Milwaukie, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by causing to be posted notices headed with the title NOTICE OF SEWER CONSTRUCTION WORK in three conspicuous places along said above named streets; which notices shall contain

a copy of this Resolution and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS it is necessary that said improvement be made as soon as possible on account of sewage disposal and drainage conditions in said district; NOW THEREFORE an emergency is declared to exist and this Resolution shall go into full force and effect immediately upon its adoption.

ADOPTED THIS 8th day of May, 1961.

Earl M. Clay, Mayor

ATTEST:

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

RESOLUTION NUMBER 13X-1961

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL CITY ELECTION

WHEREAS, the City Council of the City of Milwaukie, Oregon, has considered the probable receipts and necessary expenditures of the said City for the fiscal year beginning July 1, 1961, and ending June 30, 1962, and the budget estimates for said fiscal year as prepared by its duly constituted Budget Committee, and is of the opinion that in order to adequately pay the expenses necessary for general City purposes for such fiscal year it will be necessary to levy a tax outside of the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, in amount of \$135,153.23 to pay the operating expenses of such City for such fiscal year,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that a special election be and the same is hereby called to be held in the City of Milwaukie, Oregon, on the 31st day of May, 1961, at which time there shall be submitted to the legal voters of the City of Milwaukie, Oregon, for adoption or rejection the following proposition:

PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY

Shall the City Council of the City of Milwaukie, Oregon, be authorized and directed to include in the budget and levy a tax on all the taxable property in said City in the sum of \$135,153.23, for the fiscal year 1961-1962, for general city purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, and which shall be in addition to all other taxes levied.

BE IT FURTHER RESOLVED that the election precinct for said Special Election shall be and constitute all of the territory within the corporate limits of the City of Milwaukie, Oregon, and that there shall be one polling place for said Special Election, namely, in the City Hall, 926 Main Street, Milwaukie, Oregon, at which polling place all legal voters shall vote, and which polling place shall be open from 8:00 o'clock a.m., to 8:00 o'clock p.m., Pacific Daylight Time;

BE IT FURTHER RESOLVED that the following named persons, all legal voters of the City of Milwaukie, Oregon, be and they are hereby designated and appointed as Chairman and Clerks of election to act as the election board at such polling place, and on such date, to-wit:

Gertrude Westerberg Chairman
Harriet Saremäl Clerk
Florence Salter Clerk
Pearl Sedgwick Clerk

BE IT FURTHER RESOLVED that the Chairman and Clerks of the election board so appointed, shall receive as full compensation for their services the sum of \$1.00 per hour, each;

BE IT FURTHER RESOLVED that the Recorder of the City of Milwaukie, Oregon, be and he hereby is empowered and ordered to make all other arrangements and to secure the necessary supplies for the said Special Election;

BE IT FURTHER RESOLVED that the Recorder of the City of Milwaukie, Oregon, be and he hereby is directed to give at least ten (10) days' notice of the Special Election hereby called by posting notices thereof in not less than three (3) public places within the boundaries of the City of Milwaukie, Oregon, and by publishing said notice once in the official city newspaper, The Milwaukie Review. The said notice shall be in the following form:

NOTICE OF SPECIAL CITY ELECTION

NOTICE is hereby given that on the 31st day of May, 1961, there will be held a Special Election within the corporate boundaries of the City of Milwaukie, Clackamas County, Oregon, for the purpose of submitting to the legal voters of said City, for their approval or rejection, the following proposition:

TAX LEVY EXCEEDING CONSTITUTIONAL LIMITATION. "Shall the City Council of the City of Milwaukie, Oregon, be authorized and directed to include in the budget and levy a tax on all the taxable property in said City in the sum of \$135,153.23, for the fiscal year 1961-1962, for general city purposes, which sum exceeds the six per cent limitation on taxation as set forth in Section 11, Article XI, of the Constitution of Oregon, and which shall be in addition to all other taxes levied."

The polling place for said Special Election will be the City Hall, 926 Main Street, Milwaukie, Clackamas County, Oregon, and the polls shall be open from 8:00 o'clock a.m., to 8:00 o'clock p.m., Pacific Daylight Time, on the day above stated.

Published by the order of the City Council of the City of Milwaukie, Oregon.

/s/ R. E. Osborne
Recorder of the City of
Milwaukie, Oregon

ADOPTED THIS 15th DAY OF MAY 1961.

Earl M. Clay, Mayor
City of Milwaukie, Oregon

ATTEST:

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