

ANNEXATION ELECTION, SECTION IV (IC) 9/18/59

RESOLUTION NUMBER 18-1959

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL ELECTION TO BE HELD IN THE CITY OF MILWAUKIE, COUNTY OF CLATSOPAS AND STATE OF OREGON, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE FOR THEIR ADOPTION OR REJECTION AN AMENDMENT TO THE CITY CHARTER WHICH WOULD ACCOMPLISH THE ANNEXATION OF LAND AND TERRITORY NOW SURROUNDED BY THE CORPORATE LIMITS AND BOUNDARIES OF SAID CITY WHICH HAS NOT HERETOFORE BEEN ANNEXED TO SAID CITY, ALL AS PROVIDED BY O.R.S. 222.750

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that there exists within the corporate limits of said City and completely surrounded by the boundaries of said City, certain tracts of land and territory which are not a part of the City of Milwaukie, Oregon, and which have never been heretofore annexed to the City of Milwaukie, Oregon, and

WHEREAS, the tracts of land and territory hereinabove referred to are described as follows:

SECTION 25, T. 1 N., R. 1 E., W.M.

Beginning at the intersection of the east boundary of 41st Street with the easterly extension of the south boundary of Lot 13, Block 1, GARNER ACRES.

- 1- Thence following the east boundary of 41st Street, South to its intersection with the east extension of the south boundary of Tract 26, THOMAS R. WEST SUBDIVISION;
- 2- Thence following the east extension of the said south boundary of the WEST SUBDIVISION and the South boundary of WEST SUBDIVISION, which is also the North boundary of PLIMPTON TRACTS, West to the northwest corner of Lot 6, Block 1, PLIMPTON TRACTS;
- 3- Thence South to the southwest corner of said Lot 6 in the north boundary of Olsen Street (Ave);
- 4- Thence East to an intersection with the northerly extension of the boundary common to Lots 6 and 7, Block 3, PLIMPTON TRACTS;
- 5- Thence following the northerly extension of and the common boundary of Lots 6 and 7, Block 3, PLIMPTON TRACTS South to a point that is north 83.23 feet distant from the southeast corner of said Lot 7;
- 6- Thence West, parallel with the south boundary of said Lot 7, 100 feet;
- 7- Thence South 83.23 feet, parallel with the east boundary of said Lot 7 to the south boundary of Lot 8, Block 3, PLIMPTON TRACTS;
- 8- Thence East, along the south boundary of said Lot 8, to the northeast corner of Lot 11, Block 3, PLIMPTON TRACTS;
- 9- Thence South, following the east boundaries of Lots 11, 12, 13, 14, Block 3, PLIMPTON TRACTS and the south extension thereof to the south boundary of a dedicated alley adjacent south to said Lot 14;
- 10- Thence West to the northwest corner of Lot 1, Block 4, GLOVERLAND;
- 11- Thence South to the south boundary of the George Wills D.L.C.# 58;
- 12- Thence West along the said Claim boundary to its intersection with the east boundary of Tract 13, ROCKWOOD ACRES;
- 13- Thence South to a point that is 60 feet north of the southeast corner of said Tract 13;
- 14- Thence West to the west boundary of said Tract 13;
- 15- Thence South 60 feet to the southwest corner of said Tract 13;
- 16- Thence West to the southeast corner of Tract 24, ROCKWOOD ACRES;
- 17- Thence North to the northeast corner of said Tract 24;

Lot 22, Block 9, Bonnie View Acres.

The Easterly 70 feet of Lot 1, Block 6, GLOVERLAND.

ALSO the tracts of land bounded and described as follows:

Beginning at the southwest corner of the Plat of DEER ACRES in the N.W.¼ of Section 30, T. 1 S., R. 2 E., W.M.

1- Thence East along the south boundary of said Plat and the easterly extension thereof to the west boundary of the Mary Mason Tract described in Book U, on Page 218 Record of Deeds for Clackamas County, Oregon;

2- Thence South 110.00 feet to the northwest corner of the Della H. Evans tract described in Book 142 on Page 416, said Deed Records;

3- Thence East ~~132.0~~ ^{132.0} feet to the northeast corner of said Evans tract;

4- Thence South 627.00 feet to a point in the north boundary of FIELDCREST

5- Thence Westerly and Southerly following the northerly boundary of Fieldcrest to the east boundary of 41st Street;

6- Thence North on the east boundary of 41st Street to the place of beginning.

and,

WHEREAS, the said tracts of land and territory hereinabove described do not comprise an incorporated city or wholly territory belonging to the State of Oregon or the United States of America, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that it is not for the best interests of the inhabitants of said City, nor the inhabitants of the land and territory so surrounded by the boundaries of said City but not annexed thereto that such tracts of land and territory continue to exist as territory not annexed to and made a part of the City of Milwaukie, Oregon, and

WHEREAS, the City Council of Milwaukie, Oregon, now deems it expedient and advisable to submit to the legal voters of said City, as provided by Section 222.750, Oregon Revised Statutes, the question of whether or not the Charter of the City of Milwaukie, Oregon, should be amended so as to effect the annexation of said tracts of land and territory so surrounded by the corporate boundaries of said city without the consent of any owner of said property within said territory and without the consent of any resident in the territory,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that there shall be submitted in the manner prescribed in this resolution to the legal voters of the City of Milwaukie, Oregon, at a special election to be held on the 18 day of Sept 1959, the question of whether or not Chapter 1 of the Charter of the City of Milwaukie, Clackamas County, Oregon, be amended by adding thereto Section 1 (c) to be designated "Further Annexation of Territory Surrounded by City" and to read as follows:

"Section 1 - (c) Further annexation of territory surrounded by City

That the following described tracts of land and territory, to-wit:

LAND DESCRIPTION HERE

- 18- Thence West to the northwest corner of said Tract 24;
- 19- Thence West along the west projection of the north boundary of said Tract 24 to the west boundary of 32nd Street.
- 20- Thence North to the northeast corner of Block 9, BONNIE VIEW ACRES;
- 21- Thence West to the northwest corner of Lot 1, said Block 9;
- 22- Thence North 170 feet, more or less, to the northwest corner of Lot 21, Block 8 BONNIE VIEW ACRES;
- 23- Thence East 68.19 feet;
- 24- Thence South 60 feet to the south boundary of said Lot 21;
- 25- Thence East to the southeast corner of said Lot 21;
- 26- Thence North to the southeast corner of Block 5 BONNIE VIEW ACRES;
- 27- Thence West 90.00 feet
- 28- Thence North 120.0 feet to the north boundary of Lot 21 said Block 5;
- 29- Thence East 90.0 feet to the east boundary of said Block 5;
- 30- Thence North to the southeast corner of Lot 17, Block 4, BONNIE VIEW ACRES;
- 31- Thence West to the southwest corner of said Lot 17;
- 32- Thence North 120.0 feet to the northwest corner of Lot 16, said Block 4;
- 33- Thence East to the northeast corner of said Lot 16;
- 34- Thence North to intersect the westerly extension of the north boundary of Block 1, APPELBY ACRES;
- 35- Thence East to the northeast corner of Lot 7 said Block 1;
- 36- Thence South to the southeast corner of said Lot 7;
- 37- Thence East to the southwest corner of Lot 13, said Block 1;
- 38- Thence North to the northwest corner of said Lot 13;
- 39- Thence East to the northwest corner of Lot 17, said Block 1;
- 40- Thence South to the southwest corner of said Lot 17;
- 41- Thence East to the southeast corner of Lot 27, said Block 1;
- 42- Thence continuing East 151.64 feet;
- 43- Thence North to the north boundary of Wake Street.
- 44- Thence East along the north boundary of Wake Street to the southeast corner of Lot 4, Block 2 MAPLECREST ADDITION;
- 45- Thence North to the northeast corner thereof;
- 46- Thence West to the southwest corner of GARNER ACRES;
- 47- Thence North to the northwest corner of Lot 2, Block 2, GARNER ACRES;
- 48- Thence East to the northeast corner of Lot 3, Block 1, GARNER ACRES;
- 49- Thence North to the northeast corner of Lot 5, said Block 1;
- 50- Thence East to the place of beginning.

ALSO:

The Easterly 42 feet of Lot 20 and the westerly 63.75 feet of Lot 19, Block 2
FLOSS ACRES

Beginning at the intersection of the east boundary of 41st Street with the easterly extension of the south boundary of Lot 13, Block 1, GARNER ACRES

- 1- Thence following the east boundary of 41st Street, South to its intersection with the east extension of the south boundary of Tract 26, THOMAS R. WEST SUBDIVISION;
- 2- Thence following the east extension of the said south boundary of the WEST SUBDIVISION and the South boundary of WEST SUBDIVISION, which is also the North boundary of PLIMPTON TRACTS, West to the northwest corner of Lot 6, Block 1, PLIMPTON TRACTS;
- 3- Thence South to the southwest corner of said Lot 6 in the north boundary of Olsen Street (Ave);
- 4- Thence East to an intersection with the northerly extension of the boundary common to Lots 6 and 7, Block 3, PLIMPTON TRACTS;
- 5- Thence following the northerly extension of and the common boundary of Lots 6 and 7, Block 3, PLIMPTON TRACTS South to a point that is north 83.23 feet distant from the southeast corner of said Lot 7;
- 6- Thence West, parallel with the south boundary of said Lot 7, 100 feet;
- 7- Thence South 83.23 feet, parallel with the east boundary of said Lot 7 to the south boundary of Lot 8, Block 3, PLIMPTON TRACTS;
- 8- Thence East, along the south boundary of said Lot 8, to the northeast corner of Lot 11, Block 3, PLIMPTON TRACTS;
- 9- Thence South, following the east boundaries of Lots 11, 12, 13, 14, Block 3, PLIMPTON TRACTS and the south extension thereof to the south boundary of a dedicated alley adjacent south to said Lot 14;
- 10- Thence West to the northwest corner of Lot 1, Block 4, GLOVERLAND;
- 11- Thence South to the south boundary of the George Wills D.L.C.# 58;
- 12- Thence West along the said Claim boundary to its intersection with the east boundary of Tract 13, ROCKWOOD ACRES;
- 13- Thence South to a point that is 60 feet north of the southeast corner of said Tract 13;
- 14- Thence West to the west boundary of said Tract 13;
- 15- Thence South 60 feet to the southwest corner of said Tract 13;
- 16- Thence West to the southeast corner of Tract 24, ROCKWOOD ACRES;
- 17- Thence North to the northeast corner of said Tract 24;

- 18- Thence West to the northwest corner of said Tract 24;
- 19- Thence West along the west projection of the north boundary of said Tract 24 to the west boundary of 32nd Street.
- 20- Thence North to the northeast corner of Block 9, BONNIE VIEW ACRES;
- 21- Thence West to the northwest corner of Lot 1, said Block 9;
- 22- Thence North 170 feet, more or less, to the northwest corner of Lot 21, Block 8 BONNIE VIEW ACRES;
- 23- Thence East 68.19 feet;
- 24- Thence South 60 feet to the south boundary of said Lot 21;
- 25- Thence East to the southeast corner of said Lot 21;
- 26- Thence North to the southeast corner of Block 5 BONNIE VIEW ACRES;
- 27- Thence West 90.00 feet
- 28- Thence North 120.0 feet to the north boundary of Lot 21 said Block 5;
- 29- Thence East 90.0 feet to the east boundary of said Block 5;
- 30- Thence North to the southeast corner of Lot 17, Block 4, BONNIE VIEW ACRES;
- 31- Thence West to the southwest corner of said Lot 17;
- 32- Thence North 120.0 feet to the northwest corner of Lot 16, said Block 4;
- 33- Thence East to the northeast corner of said Lot 16;
- 34- Thence North to intersect the westerly extension of the north boundary of Block 1, APPLBY ACRES;
- 35- Thence East to the northeast corner of Lot 7 said Block 1;
- 36- Thence South to the southeast corner of said Lot 7;
- 37- Thence East to the southwest corner of Lot 13, said Block 1;
- 38- Thence North to the northwest corner of said Lot 13;
- 39- Thence East to the northwest corner of Lot 17, said Block 1;
- 40- Thence South to the southwest corner of said Lot 17;
- 41- Thence East to the southeast corner of Lot 27, said Block 1;
- 42- Thence continuing East 151.64 feet;
- 43- Thence North to the north boundary of Wake Street.
- 44- Thence East along the north boundary of Wake Street to the southeast corner of Lot 4, Block 2 MAPLECREST ADDITION;
- 45- Thence North to the northeast corner thereof;
- 46- Thence West to the southwest corner of GARNER ACRES;
- 47- Thence North to the northwest corner of Lot 2, Block 2, GARNER ACRES;
- 48- Thence East to the northeast corner of Lot 3, Block 1, GARNER ACRES;
- 49- Thence North to the northeast corner of Lot 5, said Block 1;
- 50- Thence East to the place of beginning.

ALSO;

The Easterly 42 feet of Lot 20 and the westerly 63.75 feet of Lot 19, Block 2 FLOSS ACRES

Lot 22, Block 9, Bonnie View Acres.

The Easterly 70 feet of Lot 1, Block 6, GLOVERLAND.

ALSO the tracts of land bounded and described as follows:

Beginning at the southwest corner of the Plat of DERRY ACRES in the N.W. $\frac{1}{4}$ of Section 30, T. 1 S., R. 2 E., W.M.

1- Thence East along the south boundary of said Plat and the easterly extension thereof to the west boundary of the Mary Mason Tract described in Book U on Page 218 Record of Deeds for Clackamas County, Oregon;

2- Thence South 110.00 feet to the northwest corner of the Della M. Evans tract described in Book 142 on Page 416, said Deed Records;

3- Thence East ^{132.0}~~132.0~~ feet to the northeast corner of said Evans tract;

4- Thence South 627.00 feet to a point in the north boundary of FIELDCREST

5- Thence Westerly and Southerly following the northerly boundary of Fieldcrest to the east boundary of 41st Street;

6- Thence North on the east boundary of 41st Street to the place of beginning

being tracts of land completely surrounded by the corporate boundaries of the City of Milwaukie, Oregon, are hereby annexed to the City of Milwaukie, Clackamas County, Oregon.

BE IT FURTHER RESOLVED that the election precinct for said special city election shall be and constitute all of the territory included within the corporate limits of the City of Milwaukie, Oregon, and that there shall be one polling place for said special city election, namely in the City Hall, 926 Main Street, Milwaukie Oregon,

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

Gertude Westenberg, Chairman
Hannet Sasemal, Clerk
Gwyneth Reises, Clerk
Florence Salter, Clerk

BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing measure in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the measure in question, the measure should be submitted to the voters in the following form and ballot title, to-wit:

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

PROPOSED AMENDMENT TO THE CITY CHARTER

Shall the Chapter 1 of the Charter of the City of Milwaukie, Oregon, be amended by adding thereto a section to be known as Section 1 (c) and to be designated "Further annexation of territory bounded by City", and to read as follows:

"Section 1 - (c). Further annexation of territory surrounded by City. That the following described tracts of land and territory, to-wit:

(INSERT HERE THE LAND DESCRIPTIONS)

being tracts of land completely surrounded by the corporate boundaries of the City of Milwaukie, Oregon, are hereby annexed to the City of Milwaukie, Clackamas County, Oregon."

The polling place for the said special election will be the City Hall, 926 Main Street, Milwaukie, Oregon.

WITNESS MY HAND this 10 day of August 1959

R. E. Obermaier
Recorder of the City of Milwaukie, Oregon

Adopted this 10 day of August 1959

Earl M. Clay, Mayor of Milwaukie, Oregon.

ATTEST:

R. E. Obermaier
Recorder.