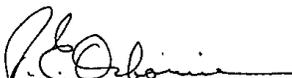


cate counterparts of said agreement with the Southern Pacific Company on behalf of the City of Milwaukie, Oregon, and that the City Recorder of the said City be, and he is hereby authorized to attest the signature of the Mayor as to both of said counterparts, and to attach the official seal of the City thereto.

ADOPTED THIS 14TH DAY OF AUGUST, 1961.

Earl M. Clay, Mayor

ATTEST:

  
R. E. Osborne, Recorder

RESOLUTION NUMBER 23-1961

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property, to-wit:

THAT PORTION OF THE SOUTHERN PACIFIC COMPANY'S MAIN LINE RIGHT OF WAY DESCRIBED AS FOLLOWS:

All that portion of Southern Pacific Company's main line right-of-way, being 60 feet in width, described as: Beginning at the southeasterly end of the 570 feet long portion of said right-of-way which was described in and annexed to the City of Milwaukie by Ordinance No. 813, passed by the Council of the City of Milwaukie and signed by the Mayor on September 12, 1960; thence running southeasterly to the intersection thereof with the southeasterly line of Harmony Road, said strip of right-of-way being 4474 feet, more or less, in length.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY.

Beginning at a point in the south boundary of the John D. Garrett D.L.C. in Township 1 and 2 South of Range 2 East of the W.M., 30 chains North 89° 22' West of the southeast corner of said Donation Land Claim; thence North 0° 33' East 905.86 feet tracing the east line of that tract of land conveyed by Nancy Long to John Hagenburger, recorded in Book G on Page 79 of the Deed Records of Clackamas County, State of Oregon, to a point in the center of a ditch and the place of beginning of the tract of land here described; thence North 0° 33' east 772.56 feet to the south line of the right-of-way of the Southern Pacific Railroad Company; thence Northwesterly, following along the said south line of right-of-way, 790 feet; thence South 27° 29' 30" West 187.10 feet; thence South 44° 24' 30" East 647.35 feet; thence South 35° 11' 30" West 213 to a point in the center of said ditch; thence South 48° 51' 30" East 570.1 feet tracing the center of said ditch to the place of beginning, containing 8.54 acres of land, more or less, being the same land as is described in that certain Warranty Deed, dated and acknowledged the 31st day of December, 1924, and recorded the 2nd day of January, 1925, in Book 177, at page 306 of the Deed Records of Clackamas County, State of Oregon.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED  
PROPERTY:

Part of the John D. Garrett D.L.C. in Section 31, T. 1S., R. 2E. of the W.M.; and Section 6, T. 2S., R. 2E., of the W.M., described as beginning at the northwest corner of that certain tract of land conveyed to Oscar Cash and Emma Cash, his wife, by deed recorded in Book 98 at page 315, Deed Records, being the same property conveyed to A. Meyer by deed recorded in Book 104, page 165, Deed Records; which beginning point is located  $0^{\circ} 55'$  west 1687.1 feet from a point on the south line of said John D. Garrett D.L.C., which is 1986 feet west of the southeast corner of said claim; and which beginning point is on the south side of the Southern Pacific Company's right-of-way; and which beginning point is also south  $0^{\circ} 55'$  West 11.20 feet from an iron pipe at the northwest corner of a tract conveyed to Benedetto Bocci and Luigi Bocci, by deed recorded in Book 177, page 306, Deed Records; from said beginning point south  $63^{\circ} 20'$  east on south line of said Southern Pacific Company's right-of-way 90 feet; thence south  $64^{\circ} 05'$  east along the south side of said right-of-way 206 feet to an iron pipe at the northwest corner of a tract of land conveyed to Cesare Bocci by deed recorded in Book 172, page 640, Deed Records; thence south  $0^{\circ} 55'$  west along the west line of said Cesare Bocci tract, 793 feet to the center of Minthorn Springs Creek; thence in a northwesterly direction along the center of said creek 310.90 feet, more or less, to a point on the east boundary of said tract of land of Benedetto Bocci and Luigi Bocci; thence north  $0^{\circ} 55'$  east along the east line of said Bocci tract 756.70 feet to the place of beginning.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED  
PROPERTY:

TAX LOT 25, John Garrett D.L.C. Book 301, Page 613,  
Record of Deeds.

A part of the John Garrett D.L.C. in T. 1S., R. 2E., of the W.M., in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at an iron pipe in the center of the County Road and on the South line of the John D. Garrett Donation Land Claim 1717.70 feet West of the Southeast corner of said Claim; thence from point of beginning North  $0^{\circ} 55'$  East 1560.70 feet to a post on the South line of the Oregon California right-of-way; thence South  $64^{\circ} 05'$  East on South line of said right-of-way 157.35 feet to a post; thence South  $0^{\circ} 55'$  West parallel with the west line of five (5) acre tract 1494.20 feet to an iron pipe in the center of the County Road and on South line of Garrett Claim; thence South  $89^{\circ} 50'$  West along the center of South Road and on claim line 142.50 feet to the place of beginning.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED  
PROPERTY:

Being a part of the John D. Garrett D.L.C. in T. 1 and 2 South, R. 2E., W.M., Clackamas County, Oregon, bounded and described as follows:

Beginning at a point in the center of the Foster Road which point is South  $89^{\circ} 50'$  West 837.50 feet distant and North 226.10 feet distant from the Southeast corner of the John D. Garrett D.L.C. in Section 5, T. 2S., R. 2E., W.M.; running thence North tracing the East boundary of the land of the grantor herein 918.05 feet to an iron pipe driven on the Southwesterly boundary of the right-of-way of the Southern Pacific Company; thence tracing the Southwesterly side line of said Railroad right-of-way North  $64^{\circ} 04'$  West 232.30 feet to an iron pipe; thence South parallel to the East boundary of the land of the grantor herein 1117.15 feet to a point in the center of the Foster Road from which point an iron pipe driven on the Northerly side line thereof bears North 33.15 feet distant; thence tracing the center of the said Foster

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Road North 64° 53' East 230.75 feet to the place of beginning, containing 4.88 acres, more or less; and except therefrom that portion thereof within public roads.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

Being a part of the John D. Garrett D.L.C. in T. 2S., R. 1E., of the W.M., in the County of Clackamas, State of Oregon, more particularly described as follows:

Beginning at an iron belt driven in the northerly boundary of that certain tract of land conveyed to J. E. Minard Black by deed recorded in Book 107 at page 518, Record of Deeds of Clackamas County, Oregon, which point is on the southwesterly side line of the right-of-way of the O. & C. R.R. South 65° 16' 30" East 399.6 feet distant from the most northerly corner of said tract, said beginning point being 108.84 feet north and 494.83 feet west of a basalt stone set at the intersection of the north boundary of Section 5, Township 2 South, Range 2 East, of the Willamette Meridian, with the east boundary of the J. D. Garrett D.L.C.; running thence South 65° 16' 30" East 107.78 feet tracing the southwesterly side line of the O. & C. R.R. right-of-way to an iron pipe; thence South 9° 32' East 451.90 feet to a point in the center of the Foster Road which point an iron pipe driven on the northerly side line thereof bears North 9° 32' West 31.32 feet distant; thence tracing the center of said road South 63° 44' West 167.07 feet to an iron bolt; thence North 9° 32' West 609.00 feet to a pipe driven on the southwesterly side line of the right-of-way of the O. & C. R.R.; thence tracing the southwesterly side line of said right-of-way South 65° 16' 30" East 85.8 feet to the place of beginning; subject to the rights of the public in that portion thereof within the boundaries of County Roads, containing 7.9484 acres of land more or less.

THE NORTHERLY 10 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

Part of the D.L.C. of Joseph P. Eagon and wife in Section 5, Township 2 South, Range 2 East of the Willamette Meridian, and part of the D.L.C. of J. D. Garrett and wife in Township 1 South, of Range 2, and Township 2 South, Range 2 East of the Willamette Meridian described as:

Beginning at an iron belt driven in the Northerly boundary of that certain tract of land conveyed to J. E. Minard Black by deed recorded in Book 107, page 518, Deed Records, which bolt is on the southwesterly side line of the right-of-way of the O. & C. R.R. South 65° 16' 30" East 399.6 feet distant from the most northerly corner of said Black tract, being also 108.84 feet North and 494.83 feet West of a basalt stone set at the intersection of the North boundary of Section 5, Township 2 South, Range 2 East of the Willamette Meridian, with the east boundary of the J. D. Garrett D.L.C.; thence South 65° 16' 30" East tracing the southwesterly line of said right-of-way 332.78 feet, the true place of beginning of the tract of land to be described; thence continuing South 65° 16' 30" East tracing the southwesterly line of said right-of-way 477.88 feet to an iron rod driven in the center of the Foster County Road; thence tracing the center of said road, South 29° 53' West 16.4 feet to an iron rod; thence along the center of said Road, South 82° 38' West 381.3 feet to an iron rod driven in an angle of said road; thence along the center of said road South 63° 44' West 37.60 feet; thence in a Northerly direction a distance of 285 feet, more or less, to the true place of beginning, containing 1.49 acres, more or less.

A TRACT (located on the Northwest corner of Railroad and Stanley Avenues in Milwaukie, Oregon) in the J. D. Garrett D.L.C. in Section 31, T. 1S., R. 2E., County of Clackamas and State of Oregon, described as follows:

Commencing at the Northeast corner of said D.L.C. then West along the North line of said Claim 1074.25 feet to an iron pipe;

thence South 2904 feet to a stake, which is in the Northeast corner of Lot 10 in a private plat on file with the State Land Board; thence West 290 feet to a point; thence South 916.8 feet to a point on the Southern Pacific Railroad right-of-way; thence Southeast along said right-of-way 320 feet; thence North 1052 feet to the point of beginning.

Part of the J. D. Garrett and wife D.L.C. No. 38, in T. 1S., R. 2E., of W.M., and part of the Southwest quarter of Section 32, in T. 1S., R. 2E., of W.M., and part of the north half of the Northwest quarter of Section 5 in T. 2S., R. 2E., of W.M., described as follows:

Beginning at the Northeast corner of the Joseph P. Eagon D.L.C., which is 1320.00 feet East of the Northwest corner of Section 5, in T. 2S., R. 2E., of W.M.; thence south on the east line of the said Eagon D.L.C., 190.80 more or less, to the center line of the Foster and Milwaukie County Road and to the true point of beginning of the tract herein described; thence from said true point of beginning run Easterly in the center of said Foster and Milwaukie County Road 1320.00 feet, more or less, to the North and south center line of Section 5 in T. 2S., R. 2E., of W.M.; thence north along said center line of said Section 5, in T. 2S., R. 2E., of W.M., and the center line of Section 32, in T. 1S., R. 2E., of W.M., 1650.20 feet more or less, to the Southeast corner of a certain tract of land described in Book 152 of Deeds at Page 179, records of Clackamas County, Oregon; thence Westerly along the Southerly line of those tracts of land conveyed by deeds in Book 152, Page 179, and Book 178, Page 249, of said deed records, 2500 feet, more or less, to a point of the Westerly right-of-way line of the H. Loncoy County Road; thence Southerly along said Westerly right-of-way line of the most Easterly road of two roads commonly referred to as Loncoy Road, to a point of intersection with the Northerly right-of-way line of the Foster and Milwaukie County Road; thence Easterly along the said Northerly right-of-way line of the Foster and Milwaukie County Road; thence Easterly along the said Northerly right-of-way line of the Foster and Milwaukie Road to the true point of beginning.

AND WHEREAS, the above described real properties lie within the boundaries of the MILWAUKIE RURAL FIRE PROTECTION DISTRICT, a fire protection district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Milwaukie, Oregon, that it does hereby elect to cause the withdrawal from the said Milwaukie Rural Fire Protection District, all that part of said Fire District hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 11th day of September, 1961 is hereby fixed as the date, the hour of 8:00 o'clock p.m. Pacific Daylight Time is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place, for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the MILWAUKIE RURAL FIRE PROTECTION DISTRICT and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

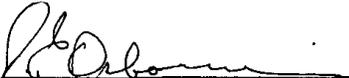
BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing, in the MILWAUKIE REVIEW, a newspaper of general circulation in said City, and that he further cause notices of the date, time, place and purpose of said hearing to be posted in four

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public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED THIS 14TH DAY OF AUGUST, 1961.

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Earl M. Clay, Mayor  
City of Milwaukie, Oregon.

ATTEST:

  
Recorder of Milwaukie, Oregon

RESOLUTION NUMBER 24-1961

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property bounded as follows:

Beginning at the most southerly corner of the plat of KELLOGG CREEK ACRE TRACTS in the center of Kellogg Creek in Section 1, T. 2S., R. 1E. of the W.M.;

Thence following the southeasterly boundary of said Plat and the northeasterly extension thereof to an intersection with the northeasterly boundary of Lake Road;

Thence following said last mentioned road boundary South 67° 0' East 1100.00 feet, more or less, to a point that is North 67° 0' West 200.00 feet distant from the southwest corner of TRACT 7 of WHITTON TRACTS;

Thence North 264.56 feet;

Thence North 67° 0' West 200.00 feet;

Thence North 253.00 feet;

Thence East 200.00 feet, more or less, to the southeast corner of Tax Lot No. 30 of the JOSEPH KELLOGG D.L.C.;

Thence North along the east boundary of said Tax Lot to the northeast corner thereof in the south boundary of the plat of MINTHORN ADDITION TO THE CITY OF PORTLAND

Thence East along the said boundary of MINTHORN ADDITION to intersect the east boundary of the Joseph Kellogg D.L.C. or the west boundary of the John D. Garrett D.L.C.

Thence South along the last mentioned D.L.C. boundary to the most northerly corner of Tax Lot No. 98 of the John D. Garrett D.L.C.;

Thence along the northeasterly boundary of said Tax Lot 98 to the northeast corner thereof;

Thence following the east boundary of said Tax Lot 98, and the southerly extension thereof South 0° 87' East 1085.0 feet, more or less, to the southwesterly boundary of Lake Road;

Thence following said last mentioned Road boundary North 68° 30' West 80.00 feet, more or less, to the most easterly corner of Tax Lot 53 of the Joseph Kellogg D.L.C.;

Thence Southwesterly along the southeasterly boundary of said Tax Lot 53 to the most southerly corner thereof;

Thence Northwesterly along the southwesterly boundary of said Tax Lot 53 to the most westerly corner thereof;

Thence Southwesterly 200.00 feet, more or less, along the southwesterly extension of the northwesterly boundary of said Tax Lot No. 53 to the most southerly corner of Tax Lot No. 51-4 of the Joseph Kellogg D.L.C.;

Thence Northwesterly along the southwesterly boundary of said Tax Lot 51-4 to the most westerly corner thereof in the southeasterly boundary of S. E. Vernie Ave.;