

RESOLUTION NUMBER 3 - 1960

A RESOLUTION PROVIDING FOR THE CALLING OF A SPECIAL ELECTION TO BE HELD IN THE CITY OF MILWAUKIE, COUNTY OF CLACKAMAS 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:

All of Lots 1, 2 and 3 of Block 5 GLOVERLAND, and that portion of Howe Street adjacent thereto

A part of BLOCK 4, GLOVERLAND, described as follows:

Beginning at the southeast corner of said Block 4 thence West 194.20 feet; thence North 100.00 feet; thence East 194.20 feet to the east line of Block 4; thence South 100.00 feet to the point of beginning.

All of LOT 2, BLOCK 1, PLIMPTON TRACTS.

A tract of land located in Section 30, T.1 S., R.2 E., W.M. and being particularly described as follows:

Beginning at the intersection of the westerly extension of the south boundary of LOTS 1, 2, 3 and 4, BLOCK 1 FIELDCREST with the west boundary of 41st Street.

1. Thence south $88^{\circ} 54'$ East 437.60 feet following the aforesaid westerly extension and the south boundary of Lots 1, 2, 3 and 4 to the northwest corner of Lot 5, Block 1 FIELDCREST;
2. Thence South 208.7 feet to the southwest corner of Lot 6, Block 1, FIELDCREST.
3. Thence along the south boundary of Block 1 FIELDCREST and the north boundary of Block 1 GLOVERLAND, East to the northeast corner of Lot 4, Block 1 GLOVERLAND
4. Thence South along the east boundary of said Lot 4 and the southerly extension thereof to the south boundary of Rockwood Street.
5. Thence West along the south boundary of Rockwood Street to the northwest corner of Lot 3 Block 1 ARDEN PARK.
6. Thence South along the west boundary of Lots 3, 2, 1 and 9, Block 1, ARDEN PARK and the southerly extension thereof to the south boundary of Howe Street.
7. Thence along the south boundary of Howe Street East to the northwest corner of Lot 1, Block 4 ARDEN PARK.
8. Thence South along the west boundary of Block 4, ARDEN PARK to the southwest corner of Lot 6, said Block 4.
9. Thence West along the westerly extension of the south boundary of Block 4, ARDEN PARK to the west boundary of Glover Road.
10. Thence North along the west boundary of Glover Road to a point that is South $1^{\circ} 10'$ East 316.47 feet distant and West 20.00 feet distant from an iron pipe located in the intersection of Howe Street and Glover Road, said point being in the easterly extension of the north boundary of the tract of land described in deed recorded in Book 527 on Page 554, Record of Deeds for Clackamas County, Oregon.
11. Thence West to the northwest corner of said last mentioned tract of land.

12. Thence North 131.93 feet to the northeast corner of the tract of land described in deed recorded in Book 487, Page 115, Record of Deeds for Clackamas County, Oregon.

13. Thence West 149.1 feet to an angular corner in the north boundary of the said tract of land described in Book 487, Page 115.

14. Thence South 20.00 feet more or less to a re-entrant corner in the north boundary of said tract of land described in Book 487, Page 115.

15. Thence West 104.42 feet along the north boundary of the said tract described in Book 487 on Page 115 and the westerly extension thereof to the west boundary of 41st Street.

16. Thence North along the west boundary of 41st Street to the herein mentioned 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 26th day of February 1960, 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 (D) to be designated "Further Annexation of Territory Surrounded by City" and to read as follows:

"SECTION 1 (D) FURTHER ANNEXATION OF TERRITORY SURROUNDED BY CITY

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

(LAND DESCRIPTION AS ABOVE, HERE)

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 if 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:

Gertrude Westenberg Chairman
Harriet Asmund Clerk
Gayneeth Kusan 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 Chapter 1 of the Charter of the City of Milwaukie, Oregon, be amended by adding thereto a section to be known as Section 1(D), and to be designated "Further annexation of territory bounded by City", and to read as follows:

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

(LAND DESCRIPTION AS ABOVE HERE)

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 8th DAY OF February 1960

R. C. Osborne
Recorder of the City of Milwaukie, Oregon

Adopted this 8th day of February 1960

Earl M. Clay
Mayor of Milwaukie, Oregon.

ATTEST:

R. C. Osborne
Recorder.