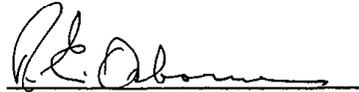


ADOPTED THIS 8th DAY OF AUGUST 1960.

Earl M. Clay, Mayor

ATTEST:


R. E. Osborne, Recorder

RESOLUTION 30-1960

A resolution declaring the intention of the Council of the City of Milwaukie, Oregon, to construct sanitary sewers, lift station, sewer pressure line and sewer laterals from the sanitary sewer line to property lines where the same are required, in Masonmead, Derry Acres, and along Johnson Creek Boulevard.

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

ROSWELL STREET, from 39th Street to 41st Street and from 41st St. to its easterly terminus.

39th STREET, from Johnson Creek Boulevard to Roswell Street.

40th STREET, from Johnson Creek Boulevard to Roswell Street.

41st STREET, from Johnson Creek Boulevard to the sewer presently in 41st Street.

43rd STREET, from Johnson Creek Boulevard to Roswell Street.

JOHNSON CREEK BOULEVARD, from 39th Street to a point approximately 400 feet easterly from 43rd Street.

AND TO CONSTRUCT A PRESSURE LINE SEWER, from the Lift Station, to 41st Street and along 41st Street southerly to the sewer presently in 41st St.

AND TO CONSTRUCT SEWER SERVICE LATERALS, from the sanitary sewer to the property line WHERE THE SAME ARE REQUIRED BY THE OWNER OF THE PROPERTY.

AND WHEREAS, the City Council of the City of Milwaukie 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 filed such plans, specifications and estimates in the office of the City Recorder,

BE IT THEREFORE 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 pressure 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 sewer laterals from the sanitary sewers to property lines where the same are required by the property owner, and to do all things 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.

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

- ROSWELL STREET, from 39th Street to 41st Street and from 41st Street to its easterly terminus.
- 39th STREET, from Johnson Creek Boulevard to Roswell Street.
- 40th STREET, from Johnson Creek Boulevard to Roswell Street.
- 41st STREET, from Johnson Creek Boulevard to the sewer presently in 41st Street.
- 43rd STREET, from Johnson Creek Boulevard to Roswell Street.
- JOHNSON CREEK BOULEVARD, from 39th Street to a point approximately 400 feet easterly from 43rd Street.

Said Lift Station to be constructed at a point along Johnson Creek Boulevard which is approximately 400 feet easterly from 43rd Street.

Said pressure line sewer to be constructed along the following lines and between the following termini.

- JOHNSON CREEK BOULEVARD, from the lift station westerly to 41st Street; thence Southerly along 41st Street to the sewer presently in 41st Street.

THAT THE DISTRICT LIABLE TO BE ASSESSED for the aforesaid improvement is as follows:

- ALL OF THE PLAT OF MASONMEAD.
- LOTS 1,7,8,9,10,11,12,13 BLOCK 1, GARNER ACRES.
- ALL OF THE PLAT OF DERRY ACRES.
- All property lying within the City limits along the NORTH SIDE OF JOHNSON CREEK BOULEVARD.
- ALL UNPLATTED PROPERTY lying within the City limits south of Johnson Creek Boulevard, and east of Derry Acres.
- LOT 1, BLOCK 1, GARNER ACRES
- ALL UNPLATTED LAND along 41st Street south of Derry Acres and Garner Acres and north of the sewer presently in 41st Street.

THAT THE CITY ENGINEER'S ESTIMATED COST per each front foot of said property abutting the aforementioned streets where said sanitary sewers will be constructed is \$2.79

THAT THE CITY ENGINEER'S ESTIMATED COST per each square foot of property lying within the above described territory which will be benefited by the lift station and pressure line sewer, is the sum of \$0.027

THAT THE CITY ENGINEER'S ESTIMATE OF THE PROBABLE COST OF SUCH IMPROVEMENT is the sum of SIXTY FIVE THOUSAND DOLLARS (\$65,000.00)

THAT THE CITY ENGINEER'S ESTIMATE OF THE COST OF SERVICE LATERALS is the sum of \$75.00 per lateral.

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 lot or parcel of land will be benefited.

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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 September, 1960.

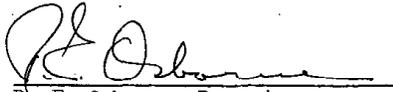
BE IT FURTHER RESOLVED that the City Recorder of the City of Milwaukie, shall within ten days from the passage of this resolution, give notice of the passage of this Resolution by causing to be posted notices headed with the title "NOTICE OF SEWER CONSTRUCTION WORK" in three conspicuous places along the said above named streets; which said notice 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 AUGUST, 1960.

Earl M. Clay, Mayor

ATTEST:


R. E. Osborne, Recorder

RESOLUTION NUMBER 31-1960

(Withdrawing Mintone, S.P.R.R., Palmer-Cole from M.R.F.P.D.)

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

Beginning at a point in the northeast boundary of Railroad Avenue, S.S. Fields Road No. 1438) which is also the east boundary line of the City of Milwaukie, Oregon, as described in Ordinance No. 636 of the City of Milwaukie, Oregon; from said point thence southerly to the northeast boundary line of the Southern Pacific Company's right-of-way and marked by Post No. 763.23; thence southwesterly to the southwest boundary of said railroad right-of-way; thence following the said southwest right-of-way boundary Northwesterly a distance of 570 feet; thence Northerly to the northeast right-of-way boundary line of said Southern Pacific Company and marked by Post No. 763.34; thence North to the north boundary line of said Railroad Avenue (S.S. Fields Road No. 1438); thence Southeasterly along said road boundary to the point of beginning.

A part of that certain tract of land in the John D. Garrett D.L.C., in T. 1 and 2 S., R. 2 E., of the W.M., in the County of Clackamas and State of Oregon, conveyed by William C. Reinke and J. F. Reinke, her husband, to Theodore N. Hagenberger and Hattie L. Hagenburger, husband and wife, recorded in Book 177, Page 587, records of deeds in said County and State, beginning at a point on the East line of said Hagenburger land North 30° 33' East 335.48 feet from the Southeast corner thereof, said point of beginning being also North 300° 33' East 42.00 feet from the Northeast corner of Lot or Tract 1, Mintone Homes, and lying in the Northerly right of way line of the Portland and Oregon City Railway; thence North 0° 33' East 570.08 feet to the Southeast corner of land conveyed by said Hagenburger and wife to Benedetto Bocci and Luigi Bocci, recorded in Book 177,