

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
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,

Page 306, records of deeds in said County and State; thence North 48° 51' 3" West 100.00 feet, tracing the Southerly line of said Bocci land and along the center of a creek to a point, from which point bears an iron pipe South 51° 08' West 5.00 feet; thence South 51° 08' West 660.9 feet from said point to an iron pipe driven in the Northerly line of said Portland and Oregon City Railway; thence South 68° 37' East 26.7 feet and South 69° 17' 30" East 598.15 feet tracing the Northerly right of way line of said railway and parallel with and 40 feet distant from the Northerly line of said Mintone Homes to the point of beginning;

ALSO the following described property;

Beginning at a point on the Northerly right of way line of the Portland and Oregon City Railway, an extinct corporation, said point being the Southwest corner of that certain tract of land conveyed by deed to Joseph Van Hoomison and recorded June 30, 1943 in Book 309, Page 397 deed records of Clackamas County, Oregon, said tract lying in Section 31, T. 1S., R. 2E., W.M., and Section 6, T. 2S., R. 2E., W.M., and running thence following the aforesaid North right of way line South 68° 37' East 27.5 feet; thence following said North right of way line South 69° 17' 30" East 598.14 feet to a point on the Northerly extension of the East line of the recorded plat of Mintone Homes; thence following said extension line South 0° 33' West 42.61 feet to the Northeast corner of Lot 1 in said Mintone Homes, said corner being on the south right of way line of aforesaid Portland and Oregon City Railway; thence following said South right of way line and the North line of Mintone Homes, North 69° 17' 30" West 613.06 feet; thence continuing on said South right of way line and North line of Mintone Homes, North 68° 37' West 50.60 feet to a point on the Southwesterly extension of the Westerly line of the aforesaid Joseph Van Hoomison tract; thence following Southwesterly extension 51° 08' East 46.07 feet to the point of beginning;

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

Beginning at the initial point of NORTH MINTONE HOMES, a recorded plat, said initial point being North 89° 22' West a distance of 30.00 chains, North 0° 33' East, a distance of 292.88 feet, North 69° 17' 30" West a distance of 613.06 feet, North 68° 37' West, a distance of 200.48 feet, North 66° 31' 30" West a distance of 62.98 feet from the southeast corner of the John D. Garrett D.L.C.; thence along the southerly line of North Mintone Homes, North 66° 31' 30" West a distance of 137.62 feet; thence North 64° 36' 00" West a distance of 200.70 feet; thence North 62° 24' 30" West a distance of 200.68 feet; thence North 60° 40' 30" West a distance of 200.68 feet; thence North 58° 29' 30" West a distance of 200.64 feet; thence North 56° 43' 00" West, a distance of 130.93 feet; thence North 56° 14' 30" West a distance of 143.0 feet to the west line of said North Mintone Homes; thence North 0° 38' 00" East a distance of 1705.27 feet to the southerly right of way line of the Oregon and California Railroad; thence along the said right of way line South 55° 32' 40" East, a distance of 1445.99 feet to the most northerly corner of the Bocci Tract described in Book 177, Page 306, Deeds Records; thence leaving said southerly right of way line South 27° 29' 30" West along the westerly line of said Bocci Tract and an extension thereof a distance of 462.00 feet to the most westerly corner of the Joe Bocci Tract described in Book 340, Page 240, Deed Records; thence South 49° 18' 30" East, a distance of 602.49 feet; thence South 30° 25' 00" West along the westerly line of the Stose Tract described in Book 472, Page 373, Deed Records, a distance of 779.49 feet to a point of beginning.

PARCEL A: Beginning at the northwesterly corner of that certain tract of land conveyed to Joseph Van Hoomissen by deed dated June 23, 1943, and recorded June 30, 1943, in the Deed Records of Clackamas County, Oregon in Book 309, at Page 397 thereof, which beginning point is North 48° 51' 30" West 100 feet from the southeast corner of land conveyed by Theodore N. Hagenburger and Hatti L. Hagenburger, his wife, to Benedetto Bocci and Luigi Bocci, by deed recorded in Book 177, at Page 306, Records of Deeds in said county; from said beginning point North 48° 51' 30" West 470.1 feet, more or less, to a point which point

is also the southeast corner of land conveyed to said Benedetto Bocci and wife above mentioned; thence South 30° 25' West 739.15 feet, more or less, to an iron pipe driven in the northerly line of said Portland and Oregon City Railway; thence Easterly along said northerly right of way line of the Portland and Oregon City Railway South 66° 31' 30" East 58.4 feet to a point; thence South 68° 37' East along said northerly right of way line 172.02 feet to a point which is the southwesterly corner of the land so conveyed to Joseph Van Hoomissen; thence North 51° 08' East 660.90 feet, more or less to the place of beginning.

PARCEL B: The following described real property situated in the County of Clackamas and State of Oregon, in the John D. Garrett D.L.C.; Beginning at a point 22 feet north of the initial point of North Mintone Homes; thence East 226.1 feet parallel to the north line of Mintone Homes; thence North 18 feet to a point at the southwest corner of that certain property conveyed to Joseph Van Hoomissen and recorded June 30, 1943 in Book 309, Page 397, Deed Records, Clackamas County, Oregon, thence West 226.1 feet to a point 40.00 feet north of aforementioned initial point and thence South 18 feet to the place 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 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.

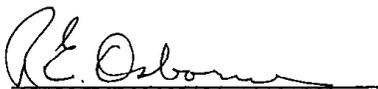
BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 10th day of October 1960 is hereby fixed as the date, the hour of 8:30 o'clock P.M. is hereby fixed as the time, and the 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, 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 public places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED THIS 12th DAY OF SEPTEMBER 1960.

Earl M. Clay, Mayor

ATTEST:



R. E. Osborne, Recorder