

RESOLUTION NUMBER 6-1946

WHEREAS, there has heretofore been filed with the Council of the City of Milwaukie a certain petition signed by a majority of the owners of real property in a certain district as hereinafter described, within the City of Milwaukie, praying for the making of certain improvements by laying of sewers.

AND WHEREAS the Council of the City of Milwaukie deems it expedient and necessary to grant the prayer of said petition and make the improvement hereinafter described in the manner set forth herein, and has required from the City Engineer plans and specifications for an appropriate improvement and an estimate of the cost of the work to be done,

AND WHEREAS, the City Engineer has heretofore filed such plans, specifications and estimates in the office of the Recorder, now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, that the aforesaid plans, specifications and estimates of the City Engineer now on file with the Recorder are found to be satisfactory, and hereby are approved;

BE IT FURTHER RESOLVED, that the Council does hereby declare its intention to make said improvement, the location and kind of improvement, being as follows;

By the construction of certain sewers along the lines hereinafter stated, which said sewers shall include all catch basins, inlets and all things necessary in the construction of said sewers, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this resolution.

Said sewer to be constructed along the following lines and the termini and route thereof being as follows;

Beginning at a point in the center line of Monroe Street, S. 80° 37' W. 14.00 feet distant from the northeasterly boundary of 29th Street, in Milwaukie, Oregon; running thence N. 80° 37' E. 836.0 feet to a point which is the northeasterly terminus of said proposed sewer.

The boundaries of the district benefitted and to be assessed to pay the cost and expense of the same are as follows;

Beginning at the intersection of the center line of Monroe Street with a line measured at right angles to and 100 feet distant from the northeasterly boundary of 29th Street in the City of Milwaukie, Oregon; from said beginning point thence southeasterly 125.00 feet, parallel with the northeasterly boundary of said 29th Street; thence northeasterly parallel with the center line of Monroe Street and 125.00 feet distant southeasterly, when measured at right angles from the center of Monroe Street, to a point in the northwesterly boundary of Block 3 of Robert's Replat of Blocks 2-3-6-7-10 and 11 of J.R.W. Sellwood's Addition as the same is recorded in Book 15 on page 1, Record of Townplats for Clackamas County, Oregon; which point is also in the southeasterly boundary of Penzance Street; thence northeasterly along the said boundary of Penzance Street to the most westerly corner of Lot 27 of said Block 3; thence southeasterly along the southwesterly boundary of said Lot 27 to the most southerly corner thereof; thence northeasterly, following the southeasterly boundaries of Lots 27, 28, 29, 30, and 31 of said Block 3 to the most easterly corner of said Lot 31 as the same appears on the recorded plat of said Robert's Replat; thence northwesterly to the most northerly corner of said Lot 31, of said Block 3; thence northeasterly along the northeasterly projection of the northwesterly boundary of said Block 3 to its intersection with the south boundary of the tract of land described in that certain conveyance from Andrew Singer to Katie and Fred Singer and recorded September 2, 1927 in Book 197 on page 508 Record of Deeds for Clackamas County, Oregon; thence westerly following said last mentioned south

boundary 149.00 feet, more or less, to a point that is 125.00 feet distant northwesterly when measured at right angles to the center line of Monroe Street thence southwesterly parallel with the center line of Monroe Street to a point that is 100.00 feet distant when measured at right angles from the northeasterly boundary of 29th Street; thence southeasterly, parallel with said boundary of 29th Street, a distance of 125.00 feet to the place of beginning of the tract herein described.

That the City Engineer's estimate of the total cost of the same is \$2,734.00.

That the City Engineer's estimate of the cost per each front foot of the property to be assessed to pay the cost and expense of the same is \$1.85.

That the above described district is the district referred to in paragraph 1 of this Resolution.

BE IT FURTHER RESOLVED, that the Chief of Police shall within 5 days from the passage of this resolution, give notice of the passage of this resolution by posting three notices headed "NOTICE OF SEWER WORK" along Monroe Street and within said District, being the street along the line of the proposed sewer; which notice shall contain a copy of this resolution, and shall specify the time within which a remonstrance against said proposed improvement may be filed. And that an assessment will be levied on all lots and parcels of land within said assessment district in proportion to the amount to which each lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED that objections and remonstrances may be filed with the Recorder against the said proposed improvement at any time within 10 days after the date of the posting of said notices by the Chief of Police and the same shall be heard and considered by the Council at a REGULAR meeting of said Council to be held on the 27th day of May, 1946 at 7:30 P.M.

AND WHEREAS it is necessary that said improvement be made at as early a date as possible, as said sewer is urgently needed; and it is necessary to take advantage of weather conditions in the construction thereof; Now therefore, an emergency hereby is declared to exist; and this resolution shall go into effect and force immediately upon its adoption.

ADOPTED THIS 13th DAY OF MAY, 1946.

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Fred Sperr, Mayor

ATTEST:

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Ellen Martin, Recorder