

## RESOLUTION NUMBER 8X-1950

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF MILWAUKIE TO GRADE AND SURFACE WITH GRAVEL PORTIONS OF 33rd, 34th, and 35th STREETS IN MILWAUKIE, CLACKAMAS COUNTY, OREGON.

WHEREAS, the Council of the City of Milwaukie deems it expedient and necessary to grade and surface with gravel the following portions of streets within the City of Milwaukie, Oregon.

1. Thirty-third Street from Elmer Street south to a line perpendicular with 33rd Street that would bisect Lots 17 and 20, Fernwood Addition.
2. Thirty-fourth Street from Elmer Street south to Wister Street.
3. Thirty-fifth Street from Elmer Street south to a line running from the southeast corner of Lot 10, Block 16, Quincy Addition to Milwaukie, to the Southwest corner of Lot 25, Block 15, Quincy Addition to Milwaukie.

AND WHEREAS, the Council of the City of Milwaukie has required from the City Engineer, plans and specifications for the appropriate improvement to accomplish the above, and estimates 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 City Recorder

BE IT THEREFORE 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, be and they are hereby found to be satisfactory and hereby are approved.

BE IT FURTHER RESOLVED, that the Council of the City of Milwaukie does hereby declare its intention and purpose to make such improvement, and the location and link of improvement being as follows:

1. By the construction, grading and surfacing with gravel, 33rd Street from Elmer Street southerly to a line perpendicular with said 33rd Street that would bisect Lots 17 and 20, Fernwood Addition.
2. By the construction, grading and surfacing with gravel 34th Street from Elmer Street southerly to Wister Street.
3. By the construction, grading and surfacing with gravel 35th Street from Elmer Street southerly to a line running from the southeast corner of Lot 10, Block 16, Quincy Addition to Milwaukie to the southwest corner of Lot 25, Block 15, Quincy Addition to Milwaukie.

That the termini of said improvement being as follows:

1. The termini of the 33rd Street improvement being the southerly line of Elmer Street and a line perpendicular with 33rd Street that would bisect Lots 17 and 60 Fernwood Addition.
2. The termini of the 34th Street improvement being the southerly line of Elmer Street and the northerly line of Wister Street.
3. The termini of the 35th Street improvement being the southerly line of Elmer Street and a line running from the southeast corner of Lot 10, Block 16, Quincy Addition to Milwaukie to the southwesterly corner of Lot 25, Block 15, Quincy Addition to Milwaukie.

That the City Engineer's estimates of the costs of such improvements are as follows:

1. That the total estimated cost of the 33rd Street improvement is \$4,937.50. The Engineer's estimate of the cost per each front foot of the property to be assessed to pay the cost and expense of same is \$1.50.

2. The total estimated cost of the 34th Street improvement is \$3,287.50. The Engineer's estimated cost per each front foot of the property to be assessed to pay the cost and expense of the same is \$1.50.

3. The total estimated cost of the 35th Street improvement is \$3,628.75. The 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 \$1.50.

That the boundaries of the district benefitted by said improvement and to be assessed to pay the cost and expense of the same are as follows:

Beginning at a point of the easterly line of Lot 22, Block 3, Quincy Addition to the City of Milwaukie, where the same intersects the southwesterly line of Elmer Street; thence northwesterly along the southwesterly line of Elmer Street to its intersection with the northerly line of said Lot 22; thence westerly along the northerly line of Lot 22, to the northwesterly corner of said Lot 22, which is in the center line of said Block 3; thence southerly along the center line of Blocks 3, 7, 12, and 18, said Quincy Addition to Milwaukie to a point on the southwesterly line of said Block 18; thence southeasterly along said line to the most northerly corner of Lot 19, Fernwood Addition; thence southwesterly along the northwesterly line of Lot 19, said Fernwood Addition to a line perpendicular to 33rd Street which would bisect Lot 20 Fernwood Addition; thence southeasterly along said bisecting line and the extension thereof southeasterly to the southeasterly line of Lot 17, Fernwood Addition; thence northeasterly along the southeasterly line of Lots 17 and 18, Fernwood Addition to the southwesterly line of Block 17, Quincy Addition to Milwaukie; thence southeasterly along the southwesterly line of said Block 17, to the center line of said Block; thence northerly along the center line of said Block 17, and said center line extended northerly to the northerly line of Wister Street; thence easterly along the northerly line of Wister Street to the southeast corner of Lot 18, Block 14, Quincy Addition to Milwaukie, which is also in the center line of said Block 14; thence southerly along the center line of said Block 14 extended southerly and the center line of Block 16, Quincy Addition to Milwaukie to the southwest corner of Lot 10, Block 16, Quincy Addition to Milwaukie; thence easterly along the southerly line of said Lot 10 to the southeast corner thereof; thence easterly to the southwest corner of Lot 25, Block 15, said Quincy Addition to Milwaukie; thence easterly along the southerly line of said Lot 25 to the easterly line of Block 15, Quincy Addition to Milwaukie; thence northerly along the easterly line of said Block 15, to the northeasterly line thereof; thence northwesterly along the northeasterly line of said Block 15 and the projection thereof northwesterly, being also the southwesterly line of Elmer Street to the point of beginning.

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 is benefitted.

BE IT FURTHER RESOLVED, that written remonstrances against the proposed street improvement may be filed with the City Recorder on or before the 14th day of August, 1950; and that a hearing will be had on any remonstrance so filed on the 14th day of August, 1950 at the hour of 7:30 o'clock, Pacific daylight saving time, by the City Council of the City of Milwaukie.

BE IT FURTHER RESOLVED, that the Chief of Police of Milwaukie shall, within ten days from the passage and adoption of this resolution, give notice of passage and adoption of this resolution by posting a notice headed with the title "STREET IMPROVEMENT WORK" in three conspicuous and public places along each street in the proposed improvement district; which said notice shall contain a copy of this resolution, and shall specify the time within which a remonstrance against the proposed improvement may be filed with the Recorder.

AND WHEREAS, it is necessary for the public health, safety and welfare that said improvement be complete as soon as possible, NOW THERE-

FORE an emergency is declared to exist and this resolution shall go into full force and effect immediately upon its adoption and approval by the Mayor.

ADOPTED THIS 24th DAY OF JULY, 1950.

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Fred Sperr, Mayor

ATTEST:

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Ellen Martin, Recorder.

RESOLUTION NUMBER 9X-1950

WHEREAS, the Pacific Telephone and Telegraph Company, 509 S. W. Oak Street, Portland 4, Oregon, has made application and submitted plans for a revocable permit to install twelve (12) way conduit system in Milwaukie, Oregon on 21st Street from Monroe Street to Lake Road, and on Lake Road from Willard Street to Oatfield Road and on Oatfield Road to Kellogg Bridge, the City Limits.

WHEREAS, the City of Milwaukie has approved the plans for such installation, therefore,

BE IT RESOLVED, that the attached plan marked "Exhibit A" is hereby attached as official plan for such construction, and

BE IT FURTHER RESOLVED, that a revocable permit has been granted the Pacific Telephone and Telegraph Company (hereinafter referred to as the grantee) to install a telephone conduit system along the afore-said streets and roads as shown on said plan marked "Exhibit A" and to construct necessary leads or laterals to poles or other installations as shown on said official plan, all construction to be done in accordance with the standard plans and specifications for such structures and with the attached plan marked "Exhibit A" and approved by the City of Milwaukie, said revocable permit being granted subject to the following conditions:

(a) That the grantee shall assume full responsibility for any accidents or damage which may occur during the construction herein authorized, and shall hold the City of Milwaukie and each and all of the officers and employees of said City free and harmless from any claims for damages to persons or property which may be occasioned by any construction or maintenance carried on under the permit hereby granted.

(b) This permit is revocable at any time at the pleasure of the City of Milwaukie and no expenditure of money hereunder, or lapse of time, or other act or thing shall operate as an estoppel against the City of Milwaukie or be held to give the grantee any vested or other right. Within sixty (60) days of the revocation of this permit.

ADOPTED THIS 8th DAY OF AUGUST, 1950.

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Fred Sperr, Mayor

ATTEST:

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Ellen Martin, Recorder