

RESOLUTION NUMBER 8-1962

WHEREAS, George Eivers and Ruth M. Eivers, husband and wife, have tendered to the City of Milwaukie a duly executed Easement for sewer purposes, along

The west fifteen (15) feet of a tract in the J. D. Garrett D.L.C. in Section 31, T. 1S., R. 2E., W.M., described as follows:

Commencing at the northeast corner of said D.L.C.; thence West along the North line of said Claim 1074.25 feet to an iron pipe; thence South 2904 feet to a stake, which is the Northeast corner of Lot 10 in a private plat on file with the State Land Board; thence West 290 feet to a point; thence South 330 feet which is the true point of beginning of said easement; thence South 586.8 feet to a point on the Southern Pacific Railroad right-of-way; thence Southeast along said right-of-way 320 feet; thence North 722 feet; thence West 290 feet to the point of beginning;

and

WHEREAS, the said Easement is required by the City of Milwaukie, Oregon, in furtherance of the enlargement, construction and maintenance of its sewer system; and

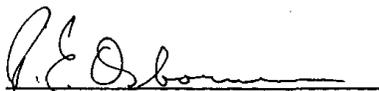
WHEREAS, the terms of said Easement grant are found to be in the public interest and otherwise acceptable; now therefore,

BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon, that the said Easement and the terms thereof from George Eivers and Ruth M. Eivers, husband and wife, be and the same hereby are accepted and approved by the City of Milwaukie, Oregon, and that the Mayor and the City Recorder be and they hereby are respectively authorized to sign and attest the Acceptance of Easement on behalf of the City of Milwaukie, Oregon.

ADOPTED this 12th day of February, 1962.

Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

ATTEST:


R. E. Osborne, Recorder of Milwaukie, Oregon

RESOLUTION NUMBER 9-1962

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

A portion of the Daniel McLaren land in Section 31, T. 1S., R. 2E., as described in that certain deed dated August 29, 1887, and recorded October 11, 1887, in Deed Book 29, at page 600 of the records of Clackamas County, State of Oregon, more particularly described as follows:

Commencing at an iron pipe which is 1372.14 feet East and 452.10 feet North of the Southwest corner of the J. D. Garrett D.L.C. in

T. 1 and 2 S.R. 2E., of W.M. in the center of the County Road leading from Milwaukie to Foster's (also known as Lake Road) thence North 0° 33' East 726.00 feet to the Southerly line of what was known as the Portland and Oregon City Railway Company's (commonly called Carver Railroad) right-of-way where said southerly line of said right-of-way intersects the easterly line of said Daniel McLaren's land, for the beginning point of the tract of land to be described; running thence North 0° 33' East 12373.7 feet, more or less, to the northeast corner of said Daniel McLaren's land; thence West along the north line of said Daniel McLaren's land 1372.8 feet, thence North 0° 33' east 177.4 feet; thence West 184.8 feet along the north line of the projection of said Daniel McLaren's land; thence South 2° East 517.4 feet, more or less, along the westerly line of said Daniel McLaren's land to the southerly line of said Portland and Oregon City Railway Company's right-of-way where said southerly right-of-way where said southerly line of said right-of-way intersects the westerly line of said Daniel McLaren's land, thence Southeasterly along the southerly line of said right-of-way 1820.5 feet, more or less, to the easterly line of said Daniel McLaren's land and being the point of beginning of the tract herein described containing 29.50 acres, more or less, in the County of Clackamas and State of Oregon.

PARCEL I. Commencing at the northwest corner of the J. D. Garrett D.L.C. No. 38 in Section 31, T. 1S., R. 2E., of the W.M.; thence South 0° 33' West along the west boundary line of said D.L.C. No. 38, a distance of 1953.7 feet to the true point of beginning; thence South 88° 43' East 628.32 feet; thence North 0° 33' East 907.5 feet to the intersection with the southwesterly line of the Oregon & California Railroad Company's right-of-way; thence North 55° 21' West along said right-of-way, a distance of 443.6 feet to a point; thence South 0° 33' West 329.2 feet to a point 261 feet Southeasterly from the point of beginning; thence North 89° 27' West 261 feet to the point of beginning, in the County of Clackamas and State of Oregon.

PARCEL II. Commencing at the Northwest corner of the John D. Garrett D.L.C. No. 38 in T. 1S., R. 2E., W.M., in the County of Clackamas and State of Oregon; thence South 0° 33' west 1448 feet to an intersection of the south line of the Southern Pacific Company's right-of-way with the west line of said John D. Garrett D.L.C. No. 38 said point of the intersection being the beginning point of the tract of land to be described; thence South 0° 33' West 505.7 feet along the west line of said John D. Garrett D.L.C. No. 38 to a point; thence South 89° 27' East 261 feet; thence North 0° 33' East 329 feet to the southerly line of said Southern Pacific Company's right-of-way; thence North 55° 21' West 315.2 feet along said southerly line of said beginning.

The west $\frac{1}{2}$ of Lot 5, Block 4, HOMewood PARK.

The south 60 feet of the following described property: PARCEL I. Beginning at a point on the north line of the J. D. Garrett D.L.C., and in Section 31, in T. 1S., R. 2E., of the W.M. in the County of Clackamas and State of Oregon, which is 30 chains Westerly from the northeast corner of said D.L.C.; thence South 0° 55' West 2356.65 feet along the west line of a tract of land known as the John Beckman tract to the true point of beginning; thence South 89° 09' East 305.75 feet to the east line of said John Beckman tract; thence South 0° 55' West 120 feet along the east line of said John Beckman tract to a point; thence North 89° 09' West 305.75 feet to the west line of said John Beckman tract; thence North 0° 55' East 120 feet along the west line of said John Beckman tract to the true point of beginning. EXCEPTING that portion conveyed Earl Waymire, et al, by deed recorded March 26, 1958, in Book 538 page 47, Deed Records, and ALSO EXCEPTING that portion conveyed Earl Waymire, et al, by deed recorded March 26, 1958, in Book 538 page 48, Deed Records.

The north 60 feet of the following described property: PARCEL I. BEGINNING at a point in the north line of the J. D. Garrett D.L.C. and in Section 31, in T. 1S., R. 2E., of the W.M. in the County of Clackamas and State of Oregon which is 30 chains Westerly from the Northeast corner of said D.L.C.; thence South 0° 55' West 2356.65 feet along the west line of a tract of land known as the John Beckman

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tract to the true point of beginning; thence South 89° 09' East 305.75 feet to the east line of said John Beckman tract; thence South 0° 55' west 120 feet along the east line of said John Beckman tract to a point; thence North 89° 09' West 305.75 feet to the west line of said John Beckman tract; thence North 0° 55' East 120 feet along the west line of said John Beckman tract to the true point of beginning. EXCEPTING that portion conveyed to Earl Waymire, et al, by deed recorded March 26, 1958, in Book 538, page 47, Deed Records, and ALSO EXCEPTING that portion conveyed Earl Waymire, et al, by deed recorded March 26, 1958, in Book 538 page 48, Deed Records.

TAX LOT 36, JOHN GARRETT D.L.C. described as follows:
Beginning at the southeast corner of the intersection of Monroe Street and Stanley Avenue thence Southerly along the east boundary of Stanley Avenue, a distance of 150 feet more or less; thence east and parallel with the south boundary of Monroe Street, a distance of 150 feet, more or less; thence North and parallel with the east boundary of Stanley Avenue a distance of 150 feet, more or less, to the south boundary of Monroe Street; thence West along the south boundary of Monroe Street a distance of 150 feet more or less to the point of beginning.

The East 21 feet of Lot 3 and Lots 4 and 5, Block 10, Marchbanks Addition.

All of Lots 10, 11, 12, ATKINSON, except that part thereof conveyed to Jacob Jackle, more particularly described in that certain instrument recorded in Book 165 at page 461, Record of Deeds of Clackamas County, Oregon and except that part conveyed to Clackamas County, Oregon for road purposes, more particularly described in instrument recorded in Book 238 at page 293, Record of Deeds, Clackamas County, Oregon and except that part thereof conveyed to Philip R. Leroy and wife by instrument recorded in Book 315 at page 156 Record of Deeds, Clackamas County, Oregon.

Beginning at the Northwest corner of Block 11, Minthorn Addition to the City of Portland in the south boundary of King Road.

1. Thence North 60 feet to a point in the north boundary of King Road that is West 75 feet from the most southerly southwest corner of Tax Lot 70-1;
2. Thence North to the northeast corner of Tax Lot 70;
3. Thence West 100 feet or more or less to the northwest corner of Tax Lot 70;
4. Thence North to the northwest corner of Tax Lot 70-1;
5. Thence continuing North 20 feet to the south boundary of Plat of Berwyn Villas;
6. Thence East 475 feet more or less along the northerly extension of the east boundary of White Lake Road;
7. Thence South 190.0 feet more or less along the northerly extension of and the east boundary of White Lake Road to a point North 200.0 feet distant from the north boundary of King Road;
8. Thence West 146.71 feet to the northwest corner of Tax Lot 71-3;
9. Thence South 200.0 feet to the north boundary of King Road at the southwest corner of King Road at the southwest corner of Tax Lot 71-2;
10. Thence along the north boundary of King Road 580.0 feet more or less to the southwest corner of Tract 31 of Gibson's Sub-division of the Logus Tracts;
11. Thence North 431.0 feet more or less to the northwest corner of said Tract 31;
12. Thence East 200.0 feet more or less to the northeast corner of said Tract 31;
13. Thence South 431.8 feet more or less to the southeast corner of said Tract 31 in the north boundary of King Road;
14. Thence following said road boundary East 20.0 feet;
15. Thence, parallel to the said boundary of said Tract 31, North 130.0 feet;
16. Thence at right angles, East 80.0 feet more or less to the division line of Tract 32 of the aforementioned plat dividing said Tract 32 into East and West halves;
17. Thence, following said division line, north 301.8 feet more or less to its north terminus;

18. Thence East 100.0 feet, more or less to the southwest corner of Tract 24 of the last mentioned plat;
19. Thence North 420.6 feet to the northwest corner of said Tract 24;
20. Thence East 400.0 feet to the northeast corner of Tract 23 of the last mentioned plat;
21. Thence South 420.6 feet to the southeast corner of said Tract 23;
22. Thence East 500.0 feet more or less to the north end of the division line dividing Tract 37 of the last mentioned plat into East and West halves;
23. Thence South following said division line and its southerly extension 491.8 feet more or less to the south boundary of King Road;
24. Thence along said road boundary West 620.0 feet more or less to the northeast corner of Lot 15, Block 9 of the Plat of Minthorn Addition;
25. Thence South 150.0 feet to a point 50.0 feet north of the southeast corner of Lot 34 of said Block 9, Minthorn Addition;
26. Thence West 75.0 feet to a point in the west boundary of Lot 32 of said Block 9, 50.0 feet north of the southwest corner thereof;
27. Thence North 150.0 feet to the northwest corner of Lot 17 of said Block 9 in the south boundary of King Road;
28. Thence West 175.0 feet to the northwest corner of said Block 9;
29. Thence South 200.0 feet to the southwest corner of said Block 9;
30. Thence West 285.0 feet to the southwest corner of Lot 40 Block 10, Minthorn Addition;
31. Thence North 200.0 feet to the northwest corner of Lot 9, Block 10, Minthorn Addition in the south boundary of King Road;
32. Thence following said road boundary West to the northwest corner of Block 10, Minthorn Addition;
33. Thence South 260.0 feet to the Northwest corner of Block 19 of said Minthorn Addition;
34. Thence West 310 feet to the northwest corner of Lot 10, Block 11, Minthorn Addition;
35. Thence North 260 feet to the northwest corner of Lot 10, Block 11, Minthorn Addition;
36. Thence West to the northwest corner of Block 11, Minthorn Addition to the point of beginning.

In the foregoing descriptions where Tax Lot numbers are used they are Tax Lot numbers assigned by the Clackamas County Assessor and are valid as of January 1, 1962.

A part of that Milwaukie Rural Fire Protection District comprising real property annexed to the City of Milwaukie

AND WHEREAS, the above described 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 the said Milwaukie Rural Fire Protection District, all that part of said Milwaukie 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, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 12th day of March, 1962 is hereby fixed as the date, the hour of 8:30 o'clock Pacific Standard Time 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 and place and purpose of said hearing to be published once each week for two successive weeks prior to the

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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 FEBRUARY, 1962.

Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

ATTEST:


R. E. OSBORNE, RECORDER OF MILWAUKIE, OREGON

RESOLUTION NUMBER 10-1962

Takes the same properties as described above out of Wichita Zoning District.

February 12, 1962.

RESOLUTION NUMBER 11-1962

WHEREAS, Southeast Johnson Creek Water Control District, a municipal corporation of the State of Oregon, desires a perpetual easement and right of way across certain lands owned by the City of Milwaukie, Oregon, described therein; and

WHEREAS, said easement is required by said District to operate and patrol a bank protection and channel improvement and rectification project relating to Johnson Creek flowing through the corporate limits of the City of Milwaukie, Oregon; and

WHEREAS, the terms of said perpetual easement and right of way have been reduced to writing and the same are found to be satisfactory by the City Council of the City of Milwaukie, Oregon, and for the best interests of the citizens and inhabitants of said City; now therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Easement Deed so presented by said Southeast Johnson Creek Water Control District be and the same is hereby approved in its entirety; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that the Mayor of the City of Milwaukie, Oregon, be and he is hereby authorized to execute the said Easement Deed on behalf of the said City, and that the Recorder be and he is hereby authorized to attest the said instrument on behalf of the said City and affix thereto the corporate seal of said City.

ADOPTED this 12th day of March, 1962.

Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

ATTEST:


R. E. Osborne, Recorder