

**MILWAUKIE PLANNING**  
 6101 SE Johnson Creek Blvd  
 Milwaukie OR 97206  
 503.786.7630  
 planning@milwaukieoregon.gov

# Expedited Annexation Application

File # A-2023-001

**RESPONSIBLE PARTIES:**

|   |                            |
|---|----------------------------|
| <b>APPLICANT</b> (owner or other eligible applicant): <i>Patricia L Portash</i>                 |                            |
| Mailing address: <i>8909 SE. 55<sup>th</sup> Ave. Portland OR</i>                               | Zip: <i>97206</i>          |
| Phone(s): <i>(503) 775-835</i>  | Email:                     |
| <b>APPLICANT'S REPRESENTATIVE</b> (if different than above): <i>Kathy Schroeder - GSE, INC.</i> |                            |
| Mailing address:  | Zip:                       |
| Phone(s): <i>503-789-0131</i>   | Email: <i>KGSE@aol.com</i> |

**SITE INFORMATION:**

|   |  |                                      |
|---|--|--------------------------------------|
| Address(es): <i>8909 SE. 55<sup>th</sup> Ave<br/>Portland, OR 97206</i> | Map & Tax Lot(s): <i>1S2E30AB 06500</i>      |                                      |
| Existing County zoning: ... <i>GI</i>                                   | Proposed City zoning: <i>M</i>               | Property size: <i>0.23</i> ... acres |
| Existing County land use designation: ... <i>GI</i>                     | Proposed City land use designation: <i>M</i> |                                      |

**PROPOSAL (describe briefly):**

*Annexation to City of Milwaukie Sewer System*

**LIST OF ALL CURRENT UTILITY PROVIDERS:**

Check all that apply (do not list water or sewer service providers)

|  |   |  |
|--|---|--|
| <b>Cable, internet, and/or phone:</b>                | <input checked="" type="checkbox"/> Comcast | <input type="checkbox"/> CenturyLink   |
| <b>Energy:</b>                                       | <input checked="" type="checkbox"/> PGE     | <input type="checkbox"/> NW Natural Gas  |
| <b>Garbage hauler:</b>                               | <input type="checkbox"/> Waste Management   | <input checked="" type="checkbox"/> Hoodview Disposal and Recycling                    |
|  | <input type="checkbox"/> Wichita Sanitary   | <input type="checkbox"/> Oak Grove Disposal <input type="checkbox"/> Clackamas Garbage |
| <input type="checkbox"/> <b>Other (please list):</b> |   |  |

**SIGNATURE:**

**ATTEST:** I am the property owner, or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. I have attached all owners' and voters' authorizations to submit this application. I understand that uses or structures that were not legally established in the County are not made legal upon annexation to the City. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: *Patricia L Portash* Date: *1-9-2023*

**CONTINUED ON REVERSE**

**RESET**

**THIS SECTION FOR OFFICE USE ONLY:**

| <b>File #:</b>                               | <b>Fee: \$</b> | <b>Receipt #:</b> | <b>Recd. by:</b> | <b>Date stamp:</b> |
|--|----------------|-------------------|------------------|--------------------|
| <b>Associated application file #'s:</b>      |                |                   |                  |                    |
| <b>Neighborhood District Association(s):</b> |                |                   |                  |                    |
| <b>Notes</b> (include discount if any):      |                |                   |                  |                    |

# EXPEDITED ANNEXATION CODE EXCERPTS

## MILWAUKIE MUNICIPAL CODE SECTIONS

---

### 19.1104.1 Expedited Process

- A. A petition for any type of minor boundary change may be processed through an expedited process as provided by Metro Code Chapter 3.09.
  - 5. Approval criteria for annexations are found in subsection 19.1102.3.

**19.1102.3 Annexation Approval Criteria.** The city council shall approve or deny an annexation proposal based on findings and conclusions addressing the following criteria.

- A. The subject site must be located within the city urban growth boundary;
- B. The subject site must be contiguous to the existing city limits;
- C. The requirements of the Oregon Revised Statutes for initiation of the annexation process must be met;
- D. The proposal must be consistent with Milwaukie comprehensive plan policies;
- E. The proposal must comply with the criteria of Metro Code Sections 3.09.050(d) and, if applicable, (e).
- F. The proposal must comply with the criteria of Section 19.902 for Zoning Map Amendments and Comprehensive Plan Map Amendments, if applicable.

## METRO CODE SECTIONS

---

### 3.09.050 Hearing & Decision Requirements for Decisions Other Than Expedited Decisions.

- (d) To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (d) and (e) of Section 3.09.045.

## MILWAUKIE COMPREHENSIVE PLAN

---

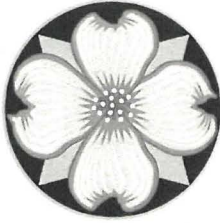
### Chapter 6: City Growth and Governmental Relationships; City Growth Element

Goal Statement: To identify the City's future planning and service area, establish the respective responsibilities for reviewing and coordinating land use regulations and actions within the area, and determine the most cost-effective means to provide the full range of urban services within the area.

#### Applicant Response

The proposal meets the applicable requirements listed above.

X Patricia L. Portash  
(Applicant's Signature)



**MILWAUKIE PLANNING DEPARTMENT**  
 6101 SE Johnson Creek Blvd  
 Milwaukie, OR 97206  
 503.786.7600  
 planning@milwaukieoregon.gov

# Confidential Census Form

|   |  |   |
|---|--|---|
| <b>Date:</b>  | <b>Street Address:</b>   |   |
| <b>Housing Type:</b><br>(Use one form per housing unit) | <input checked="" type="checkbox"/> Single-Family Structure<br><input type="checkbox"/> Multi-Family Structure<br><input type="checkbox"/> Mobile Home<br><input type="checkbox"/> Group Housing<br><input type="checkbox"/> Other Housing | <b>Occupancy:</b><br><input checked="" type="checkbox"/> Owner-Occupied<br><input type="checkbox"/> Renter-Occupied<br><input type="checkbox"/> Seasonal<br><input type="checkbox"/> Vacant |
| <b>Number of Residents:</b> /                           |  |   |

**If you indicated Group Housing or Other Housing above, please complete the appropriate table below.**

| Group Housing   |
|---|
| <b>Facility Type:</b><br><input type="checkbox"/> Adult Correctional Facility<br><input type="checkbox"/> Juvenile Facility<br>e.g., group home, correctional or non-correctional<br><input type="checkbox"/> College/University Student Housing<br>Includes off-campus housing owned by a college/university<br><input type="checkbox"/> Military Quarters<br><input type="checkbox"/> Other Institutional Facility<br>e.g., psychiatric hospitals, inpatient hospice facilities<br><input type="checkbox"/> Nursing/Skilled-Nursing Facility<br>e.g., assisted living and memory care<br><input type="checkbox"/> Non-Institutional Facility<br>e.g., emergency and transitional shelters, residential treatment centers for adults, religious group quarters |
| <b>Facility Name:</b>   |

| Other Housing   |
|---|
| <b>Housing Unit Type:</b><br><input type="checkbox"/> Camper/RV<br><input type="checkbox"/> Car/Van<br><input type="checkbox"/> Tent<br><input type="checkbox"/> Motels/Hotels<br><input type="checkbox"/> Houseboat<br><input type="checkbox"/> Other Boat<br><input type="checkbox"/> Other, please specify:<br><br>_____ |

The information you share on this form is being collected for use by the Portland State University Population Research Center. For questions about the way these census data are used, please contact the Population Research Center at 503-725-3922.

# PETITION SIGNERS

NOTE: This petition may be signed by qualified persons even though they may not know their property description or voter precinct number.

\*PO = Property Owner    RV = Registered Voter    OV = Owner and Registered Voter

| SIGNATURE  | PRINTED NAME              | I AM A:* |        |          | DATE             |
|--|---------------------------|----------|--------|----------|------------------|
|  |                           | PO       | RV     | OV       |                  |
| <i>Patricia L Portash</i>                                      | <i>Patricia L Portash</i> |          |        | ✓        | 1-9-2023         |
| PROPERTY ADDRESS   | PROPERTY DESCRIPTION      |          |        |          | VOTER PRECINCT # |
|  | TOWNSHIP                  | RANGE    | ¼ SEC. | LOT #(S) |                  |
| 8909 S.E. 55 <sup>TH</sup> <sup>DRLO</sup> <i>ave</i> OR 97206 | 15                        | 2E       | 30 AB  | 6500     | 420              |

| SIGNATURE        | PRINTED NAME         | I AM A:* |        |          | DATE             |
|------------------|----------------------|----------|--------|----------|------------------|
|                  |                      | PO       | RV     | OV       |                  |
|                  |                      |          |        |          |                  |
| PROPERTY ADDRESS | PROPERTY DESCRIPTION |          |        |          | VOTER PRECINCT # |
|                  | TOWNSHIP             | RANGE    | ¼ SEC. | LOT #(S) |                  |
|                  |                      |          |        |          |                  |

| SIGNATURE        | PRINTED NAME         | I AM A:* |        |          | DATE             |
|------------------|----------------------|----------|--------|----------|------------------|
|                  |                      | PO       | RV     | OV       |                  |
|                  |                      |          |        |          |                  |
| PROPERTY ADDRESS | PROPERTY DESCRIPTION |          |        |          | VOTER PRECINCT # |
|                  | TOWNSHIP             | RANGE    | ¼ SEC. | LOT #(S) |                  |
|                  |                      |          |        |          |                  |

| SIGNATURE        | PRINTED NAME         | I AM A:* |        |          | DATE             |
|------------------|----------------------|----------|--------|----------|------------------|
|                  |                      | PO       | RV     | OV       |                  |
|                  |                      |          |        |          |                  |
| PROPERTY ADDRESS | PROPERTY DESCRIPTION |          |        |          | VOTER PRECINCT # |
|                  | TOWNSHIP             | RANGE    | ¼ SEC. | LOT #(S) |                  |
|                  |                      |          |        |          |                  |

| SIGNATURE        | PRINTED NAME         | I AM A:* |        |          | DATE             |
|------------------|----------------------|----------|--------|----------|------------------|
|                  |                      | PO       | RV     | OV       |                  |
|                  |                      |          |        |          |                  |
| PROPERTY ADDRESS | PROPERTY DESCRIPTION |          |        |          | VOTER PRECINCT # |
|                  | TOWNSHIP             | RANGE    | ¼ SEC. | LOT #(S) |                  |
|                  |                      |          |        |          |                  |

| SIGNATURE        | PRINTED NAME         | I AM A:* |        |          | DATE             |
|------------------|----------------------|----------|--------|----------|------------------|
|                  |                      | PO       | RV     | OV       |                  |
|                  |                      |          |        |          |                  |
| PROPERTY ADDRESS | PROPERTY DESCRIPTION |          |        |          | VOTER PRECINCT # |
|                  | TOWNSHIP             | RANGE    | ¼ SEC. | LOT #(S) |                  |
|                  |                      |          |        |          |                  |

**EXPEDITED ANNEXATION  
PETITION OF OWNERS OF 100% OF LAND AREA  
AND PETITION OF AT LEAST 50% OF REGISTERED VOTERS**

**TO: The Council of the City of Milwaukie, Oregon**

**RE: Petition for Annexation to the City of Milwaukie, Oregon**

We, the petitioners (listed on reverse), are property owners of and/or registered voters in the territory described below. We hereby petition for, and give our consent to, annexation of this territory to the City of Milwaukie.

This petition includes a request for the City to assign a zoning and land use designation to the territory that is based on the territory's current zoning designation in the County, pursuant to the City's expedited annexation process.

The territory to be annexed is described as follows:

***(Insert legal description below OR attach it as Exhibit "A")***

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

## CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the territory included within the attached petition (located on Assessor's Map 12E30AB) has been checked by me. It is a true and exact description of the territory under consideration and corresponds to the attached map indicating the territory under consideration.

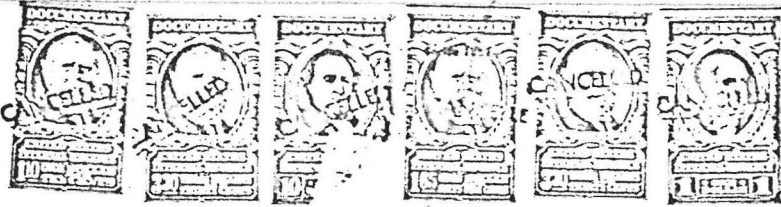
Name JOSHUA BOLL  
Title GIS CARTOGRAPHER II  
Department ASSESSMENT  
County of CLACKAMAS  
Date 1/11/23



0-950

KNOW ALL MEN BY THESE PRESENTS, that **R. C. Smelser, Inc.**, a corporation duly organized and existing under the laws of the State of Oregon, hereinafter called grantor, in consideration of -----Ten and no/100----- Dollars and other good and valuable consideration to grantor paid, does hereby grant, bargain, sell and convey unto **Frank D. Portash and Patricia L. Portash, Husband and Wife**, hereinafter called grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of **Clackamas** and State of Oregon, described as follows, to-wit:

The North 62 feet of the South 71.21 feet of lot 9, Gibsons Subdivision of Tracts No. 10, 11, 12 and 13, and the west 480 feet of Tracts 1 and 2 of the Logus Tracts, MXXX excepting the West 60 feet thereof.



Recorded By  
Pioneer National  
Title Insurance Company

To Have and to Hold the above described and granted premises unto the said grantee and grantee's heirs, successors and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

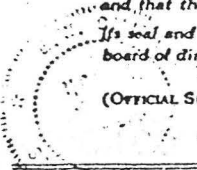
and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the context so requires, the singular includes the plural.  
Done by order of the grantor's board of directors, with its corporate seal attached, this 16 day of August, 1967.

**R. C. Smelser, Inc.**  
By *R. C. Smelser* President  
By \_\_\_\_\_ Secretary

STATE OF OREGON, County of Multnomah ) ss. Aug. 16, 1967  
Personally appeared **R. C. Smelser** and XXXXXXXXXXXXXXX  
who, being sworn, each for himself and not one for the other, stated that the former is the Pres. and that the latter is the \_\_\_\_\_ of grantor corporation and that the seal affixed hereto is its seal, and that this deed was voluntarily signed and sealed in behalf of the corporation by authority of its board of directors.

Before me: *E. D. Smith*  
Notary Public for Oregon.  
My commission expires Feb. 20 1971



**WARRANTY DEED CORPORATION**

*Smelser*  
TO  
*Portash*

AFTER RECORDING RETURN TO  
Moreland Sellwood Branch  
FIRST NATIONAL BANK OF OREGON  
6645 S. E. Sellwood Avenue  
Portland, Oregon 97202

STATE OF OREGON, County of Clackamas, ss. I, Robert Schumacher, County Clerk, Es. Or. first Recorder of Conveyances and Es. Official Clerk of the Circuit Court of the State of Oregon, for the County of Clackamas, do hereby certify that the within instrument of writing was received for record and recorded in the records of

DEED of said County at  
1967 AUG 23 PM 4 22  
BOOK 695 PAGE 731  
Witness my hand and seal of said County at \_\_\_\_\_  
ROBERT SCHUMACHER, County Clerk.  
*[Signature]* Deputy  
Recording Certificate

20.33

5

11106

No. 25



**CERTIFICATION OF PROPERTY OWNERSHIP OF  
100% OF LAND AREA**

I hereby certify that the attached petition contains the names of the owners<sup>1</sup> (as shown on the last available complete assessment roll) of 100% of the land area of the territory proposed for annexation as described in the attached petition.

Name JOSHUA BOLL  
Title GIS CARTOGRAPHER II  
Department ASSESSMENT  
County of CLACKAMAS  
Date 1/11/23



---

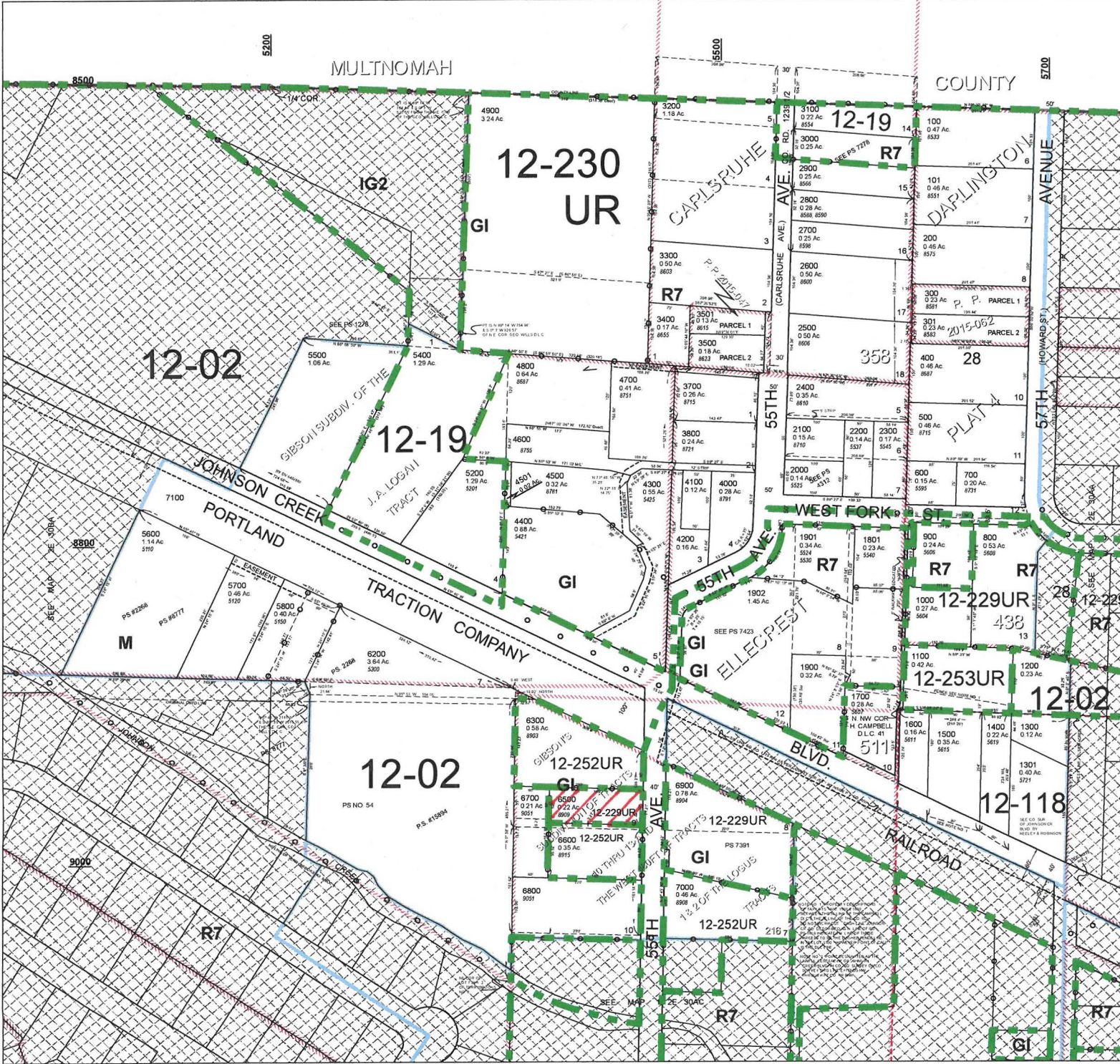
<sup>1</sup> Owner means the legal owner of record or, where there is a recorded land contract which is in force, the purchaser thereunder. If a parcel of land has multiple owners, each consenting owner shall be counted as a percentage of their ownership interest in the land. That same percentage shall be applied to the parcel's land mass and assessed value for purposes of the consent petition. If a corporation owns land in territory proposed to be annexed, the corporation shall be considered the individual owner of that land.

N.W.1/4 N.E.1/4 SEC.30 T.1S. R.2E. W.M.  
CLACKAMAS COUNTY  
1" = 100'

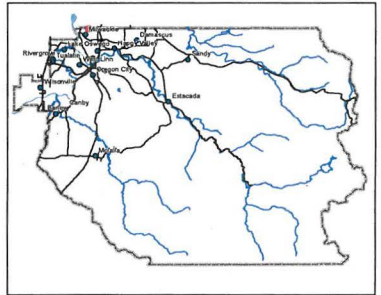
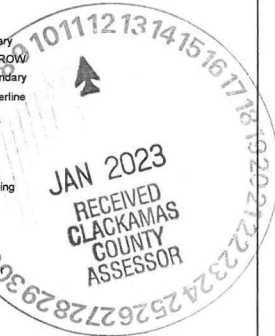
D.L.C.  
GEO. WILLS NO. 42  
HECTOR CAMPBELL NO. 41

Cancelled Taxlots

|      |
|------|
| 6100 |
| 1800 |
| 3600 |
| 3800 |
| 5000 |
| 5100 |
| 5300 |
| 6400 |
| 5800 |
| 6000 |



- Parcel Boundary
- - - Private Road ROW
- - - Historical Boundary
- - - Railroad Centerline
- Tax Code Lines
- Map Index
- Water Lines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



THIS MAP IS FOR ASSESSMENT PURPOSES ONLY

## CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition contains the names of at least 50% of the electors registered in the territory proposed for annexation as described in the attached petition.

Name Tiffany Clark  
Title deputy clerk  
Department Elections  
County of Clackamas  
Date 1-11-2023



# NOTICE LIST

(This form is NOT the petition)

LIST THE NAMES AND ADDRESSES OF ALL PROPERTY OWNERS AND REGISTERED VOTERS IN THE TERRITORY PROPOSED FOR ANNEXATION.

|    | Name of Owner/Voter                  | Mailing Street Address                            | Property Address   |
|----|--------------------------------------|---|--|
|    |                                      | Mailing City/State/Zip                            | Property Description<br><small>(township, range, ¼ section, and tax lot)</small> |
| 1  | Patricia L. Portash<br>owner / voter | 8909 SE 55 <sup>th</sup> Ave<br>Portland OR 97206 | 8909 SE 55 <sup>th</sup> ave<br>Portland OR 97206                                |
| 2  |                                      |   |  |
| 3  |                                      |   |  |
| 4  |                                      |   |  |
| 5  |                                      |   |  |
| 6  |                                      |   |  |
| 7  |                                      |   |  |
| 8  |                                      |   |  |
| 9  |                                      |   |  |
| 10 |                                      |   |  |

|    | Mailing Street Address |                        | Property Address   |
|----|------------------------|------------------------|--|
|    | Name of Owner/Voter    | Mailing City/State/Zip | Property Description<br><small>(township, range, ¼ section, and tax lot)</small> |
| 11 |                        |                        |  |
|    |                        |                        |  |
| 12 |                        |                        |  |
|    |                        |                        |  |
| 13 |                        |                        |  |
|    |                        |                        |  |
| 14 |                        |                        |  |
|    |                        |                        |  |
| 15 |                        |                        |  |
|    |                        |                        |  |
| 16 |                        |                        |  |
|    |                        |                        |  |
| 17 |                        |                        |  |
|    |                        |                        |  |
| 18 |                        |                        |  |
|    |                        |                        |  |
| 19 |                        |                        |  |
|    |                        |                        |  |
| 20 |                        |                        |  |
|    |                        |                        |  |
| 21 |                        |                        |  |
|    |                        |                        |  |
| 22 |                        |                        |  |
|    |                        |                        |  |