

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY
OF MILWAUKIE, OREGON, HELD ON THE EIGHTH DAY OF JANUARY, 1962

COUNCIL CHAMBER

966TH MEETING

The nine hundred sixty-sixth regular meeting of the City Council of the City of Milwaukie, Oregon, was held in the Council Chamber at the City Hall in Milwaukie, Oregon, on the eighth day of January, 1962, commencing at the hour of 7:30 o'clock P.M., Pacific Standard Time.

The meeting was duly called to order by Mayor Earl M. Clay, Chairman of the Council.

The roll was called by Council Clerk Ellen Martin.

Those present were: Mayor Earl M. Clay; Councilmen Ernest H. Aebi, Charles Renard, Theron E. Sedgwick and James M. Howard, being all the members of the City Council.

Also present at the meeting were City Manager Leonard B. Mullan, City Attorney John O. Sheldahl and Council Clerk Ellen Martin.

The minutes of the nine hundred sixty-fifth regular meeting of the Council, held on the eleventh day of December, 1961, were approved as written.

Mrs. Vera Randall, 9250 -40th Street came before the Council and reported that she had disposed of all but eight pigeons and fifteen chickens, that she still has two dogs and five cats, but that she would dispose of one of the cats very soon. Mrs. Randall was advised that she must clean the chicken house and keep her place free of obnoxious odors.

Sylvia Ommert, owner of the W'ly $\frac{1}{2}$ of the N'ly $\frac{1}{2}$ of Lot 7, Rockwood Acres and the E'ly $\frac{1}{2}$ of the N'ly $\frac{1}{2}$ except 20 feet of Lot 7, Rockwood Acres, came before the Council and stated that she was out of town at the time the notice for the Ardenwald Area "C" sewer assessment was sent to her, and was ill at the time set for bonding for the same, and was requesting that she be permitted to bond at this time. It was moved by Councilman Howard and seconded by Councilman Sedgwick that Mrs. Sylvia Ommert be permitted to bond her property, without penalty, for the Ardenwald Area "C" Sewer assessment and that the Recorder be authorized to antedate the bond to September 20, 1961 in the following amounts:

W'ly $\frac{1}{2}$ of the N'ly $\frac{1}{2}$ of Lot 7, Rockwood Acres - - - - - \$318.55
 E'ly $\frac{1}{2}$ of the N'ly $\frac{1}{2}$ except 20 feet of Lot 7, Rockwood Acres - - - - 238.55
 Motion carried and was so ordered.

Bids for furnishing the City with gasoline and fuel oil were opened and read as follows:

Name of Bidder	Gasoline, without tax	Fuel Oil, W/O tax
Carey Oil Co.	\$0.2260	\$0.116
Diamond Fuel		0.121
Richfield Oil Co.	0.2262	0.1128
Associated Oil Co.	0.2283	0.1149
Union Oil Co.	0.235	0.113
Shell Oil Co.	0.232	0
Milwaukie Oil Co.		0.1090
Standard Oil Co.	0.2546	
Texaco	0.2220	0.1221

It was moved by Councilman Howard and seconded by Councilman Sedgwick that the bids be referred to the City Manager for investigation and that the contracts be awarded to the lowest responsible bidder and that the Mayor be authorized to sign the contracts. Motion carried and so ordered.

The time having arrived the Mayor opened the hearing on the annexation of territory as described in Ordinance No. 867 and called for any objection to the annexation. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance Number 874 was taken up and read for its first reading. It was moved by Councilman Howard and seconded by Councilman Sedgwick that Ordinance No. 874 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 874. AN ORDINANCE annexing certain territory contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, and fixing the effective date of such annexation, was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance Number 874 passed the Council and was so declared by the Mayor.

It was moved by Councilman Sedgwick and seconded by Councilman Aebi that the following Resolution be adopted.

RESOLUTION NUMBER 1-1962

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

PART OF TRACT 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon, to-wit: Beginning at a point in the west boundary line of said Lot 3, in the LOGUS TRACTS, which point bears South 0°25' East a distance of 10 feet from the northwest corner of said Lot No. 3 which is marked with an iron pipe: thence Easterly a distance of 249 feet along the south line of the 10 foot roadway conveyed to Thomas Roberts as recorded in Book 215, at page 304 of the Book of Deeds for Clackamas County, to the northeast corner of a tract conveyed to Dorothy I. Hoeye, by deed recorded August 16, 1949, in Book 422, page 238, Deed records, to the true point of beginning of the tract herein described; thence South 0° 25' east along the east line of said Hoeye tract 70 feet; thence Easterly parallel with the south line of the aforementioned Clackamas County tract 100 feet; thence Northerly parallel with the east line of said Hoeye tract 70 feet to the south line of a 10 foot strip conveyed to Clackamas County by deed recorded in Book 116, page 315, Deed Records; thence West parallel with the south line of said 10 foot strip 100 feet to the true point of beginning.

PART OF TRACT 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon, to-wit: Beginning at a point in the west boundary line of said Lot 3 in the LOGUS TRACTS, which point bears South 0° 25' east a distance of 10 feet from the northwest corner of Lot 3, which is marked with an iron pipe,

thence Easterly a distance of 249 feet along the south line of the 10 foot road conveyed to Thomas Roberts as recorded in Book 215 page 304 Deed Records, to the northeast corner of a tract conveyed to Dorothy I. Hoeve by deed recorded in Book 422, page 238, Deed Records; thence South $0^{\circ}25'$ east along the east line of said Hoeve tract, 70 feet to the true point of beginning of the tract herein described; thence continuing South $0^{\circ}25'$ east along the east line of said Hoeve tract 70 feet thence Easterly parallel with the south line of the aforementioned Clackamas County Tract, 100 feet; thence Northerly parallel with the east line of the said Hoeve Tract 70 feet; thence West parallel with the south line of said 10 foot strip 100 feet to the true point of beginning.

LOT 9, BLOCK 1, KELLOGG CREEK ACRES.

Part of the south one-half of Lot 2, in Block 4, HOMEWOOD PARK, according to the duly recorded plat thereof, in the County of Clackamas and State of Oregon: Beginning at an iron pipe at the Southeast corner of said Lot 2: thence North $89^{\circ}17'$ West 200 feet along the South line of said Lot 2 to an iron pipe which is the southwest corner and the true beginning of the tract to be described; thence North parallel with the east line of said Lot 2, 75.0 feet to the south line of a tract of land conveyed to Clackamas County for road purposes by deed recorded December 6, 1956, in Book 519, page 651, Deed Records; thence Easterly following the south line of said road 100 feet to an iron pipe; thence South parallel to the east line of said Lot 2, 75.0 feet to an iron pipe in the south line of said Lot 2; thence North $89^{\circ}17'$ West along the south line of said Lot 2, 100 feet to the true point of beginning.

A tract of land located in section 31, T. 1S., R. 2E., of W.M. described as follows, to-wit: Beginning at the intersection of the south boundary of Monroe Street with the east boundary of Stanley Avenue in the northeast one-quarter of said Section 31;

1. Thence following the south boundary of Monroe Street, West 155.0 feet;
2. Thence, parallel with Stanley Avenue South 196.69 feet;
3. Thence West 75.0 feet to the northwest corner of Tax Lot 35-2 as of Oct. 1, 1961;
4. Thence South 208.91 feet to the southwest corner of Tax Lot 35-1 as of October 1, 1961;
5. Thence West 100.00 feet.
6. Thence South 290.4 feet to the southwest corner of Tax Lot 61-1 as of Oct. 1, 1961;
7. Thence East 200.0 feet to the northwest corner of Tax Lot 62-5 as of Oct. 1, 1961 and which corner is West 100.0 feet distant from the west boundary of Stanley Avenue;
8. Thence, parallel with Stanley Avenue, South 363.0 feet more or less to the southwest corner of Tax Lot 62-8 as of Oct. 1, 1961.
9. Thence West 500.0 feet;
10. Thence South 363.0 feet to the northwest corner of WAYMIRE ADDITION;
11. Thence East 400.0 feet to the northeast corner of Tract 4 of said Waymire Addition;
12. Thence South along the east boundary of the last mentioned Tract 4 to the northwest corner of Tract 3 of said last mentioned Addition;
13. Thence East 105.0 feet to the northeast corner of the last mentioned Tract 3;
14. Thence South along the east boundary of said Tract 3 and the southerly extension thereof to the southeast corner of Tract 16 of the said last mentioned Addition;
15. Thence West 505.0 feet to the southwest corner of the aforesaid Waymire Addition;
16. Thence South 363.0 feet to the northwest corner of the plat of STANLEY PARK Number 2;
17. Thence East to the northeast corner of the last mentioned plat;
18. Thence South to the southeast corner of the said last mentioned plat in the north boundary of the plat of STANLEY PARK;
19. Thence East following the north boundary of STANLEY PARK to the northeast corner of Tract 6, of said plat;
20. Thence South along the east boundary of said Tract 6 and the southerly extension thereof to the southeast corner of Tract 2 of the last mentioned plat;
21. Thence following the south boundary of the said plat of STANLEY PARK, West to the northeast corner of the plat of STANLEY PARK NO. 3;
22. Thence South to the southeast corner of STANLEY PARK NO. 3.
23. Thence East, along the easterly extension of the south boundary of STANLEY PARK NO. 3, to the west boundary of Stanley Avenue;
24. Thence South along the west boundary of Stanley Avenue to the northeast boundary of Railroad Avenue sometimes known as S. S. Fields Road #1438;
25. Thence Southeasterly on the northeasterly boundary of Railroad Avenue

to intersect the easterly boundary of Stanley Avenue;
 26. Thence North along the east boundary of Stanley Avenue to the south boundary of Monroe Street, the place of beginning of the herein described tract

The numbered Tax Lots hereinabove mentioned are in the JOHN D. GARRETT D.L.C. pursuant to the provisions of Chapter 511, Oregon Laws 1961.

A tract of land located partially in the JOSEPH KELLOGG D.L.C. and partly in the JOHN D. GARRETT D.L.C. and in Section 31, T. 1S., R. 2E., of the W.M. and Section 1, T. 2S., R. 1E., of the W.M. and Section 6, T. 2S., R. 2E., of the W.M.

For convenience, in the following description, where Tax Lot numbers are mentioned they are the number assigned by the Clackamas County Assessor and are valid as of this date, November 8, 1961.

BEGINNING at the northwest corner of the plat of Atkinson in the Southeast one-quarter of Section 31, T. 1S., R. 2E., W.M.

1. Thence following the northeasterly extension of the northwesterly boundary of said plat, N. 21°00' E. to the northeasterly boundary of Lake Road;
2. Thence following said Lake Road boundary south 69° 00' East 110.00 feet, more or less, to intersect the west boundary of the William Hale and Mary Jane Carter, husband and wife, tract;
3. Thence following the west boundary of the said Carter tract North 320.00 feet;
4. Thence parallel to Lake Road, south 69° 0' East 267.8 feet to the west boundary of Bisio Avenue.
5. Thence following the west boundary of the Bisio Avenue South 320.0 feet to the northeast boundary of Lake Road;
6. Thence following the northeast boundary of Lake Road south 69°0' East 735.0 feet, more or less, to intersect the northerly extension of the west boundary of Ryant Avenue as dedicated in the plat of ATKINSON
7. Thence South along the northerly extension and the west boundary of said Ryan Avenue to intersect the south boundary of Tract 12 of said Atkinson.
8. Thence West 533.5 feet to the southwest corner of said Tract 12 in the southeast boundary of Tract 13 of said Plat.
9. Thence following the southeasterly boundary of Tract 13, ATKINSON, South 9°30' west 1090.0 feet, more or less, to the northeast corner of the Oak Lodge Water District tract designated as Tax Lot 4 of Tract 13, ATKINSON;
10. Thence Northwesterly along the northeast boundary of said Oak Lodge Water District tract to the northwest corner thereof, said corner being southeasterly 14.0 feet distant from the southeast boundary of Tract 14, ATKINSON;
11. Thence following the northwest boundary of said Oak Lodge Water District tract and the southwesterly extension thereof South 15°0' west 141.05 feet, more or less, to the southwesterly boundary of a 16.05 foot public right-of-way;
12. Thence along the southeasterly boundary of said right-of-way Northwesterly 150.0 feet, more or less, to the most easterly corner of the James H. and Alice M. Downs tract known as Tax Lot 6 of Tract 14, ATKINSON
13. Thence following the southeast boundary of the said Downs tract Southeasterly to the Southeast corner thereof in the center of Kellogg Creek.
14. Thence down stream Westerly 170.0 feet, more or less, to the most westerly corner of the said Downs Tract and being the most westerly corner of Tract 14 ATKINSON;
15. Thence following the northwest boundary of said Tract 14 North 21°0' east 930.0 feet, more or less, to intersect the southeast projection of the southwest boundary of Elsewhere Lane;
16. Thence following the southeast extension of and the southwest boundary of Elsewhere Lane 69°0' West 325.0 feet more or less to the southeast boundary of Tract 18 ATKINSON;
17. Thence South 21°0' west along the southeast boundary of said Tract 18 to the most southerly corner thereof in the center of Kellogg Creek;
18. Thence downstream 130.00 feet more or less, to the southwest corner of said plat of ATKINSON:
19. Thence North 21°0' east 27.9 Chains along the northwest boundary of ATKINSON to the place of beginning heretofore mentioned.

A tract of land located in the JOHN D. GARRETT D.L.C. in the South $\frac{1}{2}$ of Section 31; T. 1S., R. 2E. of the W.M.

In the following description, where Tax Lot numbers are used they are the numbers assigned by the Clackamas County Assessor to subdivisions of the said Garrett Claim and valid as of this date, December 1, 1961.

Beginning at the southwest corner of Tax Lot 12-1 which comes in North 590.00 feet distant, more or less, from the intersection of the southerly extension of the east boundary of Wood Avenue with the center line of Railroad Avenue, sometimes known as S.S. Fields Road No. 1438.

1. From said beginning point thence East 440.0 feet to the east boundary of Beckman Road.
 2. Thence along the east boundary of Beckman Road North 300.0 feet to the south boundary of Tax Lot 75;
 3. Thence East 265.75 feet, more or less, to the southeast corner of said Tax Lot 75;
 4. Thence North 285.48 feet to the northeast corner of said Tax Lot 75;
 5. Thence West 265.75 feet, more or less, along the north boundary of Tax Lot 75 to the east boundary of Beckman Road;
 6. Thence following the east boundary of Beckman Road North 200.0 feet;
 7. Thence West along the easterly extension of the north boundary of Tax Lot 71-1 to the northeast corner of Tax Lot 71-1;
 8. Thence West to the northwest corner of Tax Lot 71-1;
 9. Thence South 200.0 feet to the southwest corner of Tax Lot 71-2;
 10. Thence West along the south boundary of Tax Lot 71 and the westerly extension thereof to the northeast corner of Tax Lot 138, in the west boundary of Wood Avenue;
 11. Thence South, along the west boundary of Wood Avenue, 300 feet, more or less, to the northeast corner of Tax Lot 112-1;
 12. Thence West along the north boundary of Tax Lot 112-1 to the northwest corner of Tax Lot 112-1;
 13. Thence South along the west boundary of Tax Lot 112-1 to the southwest corner of Tax Lot 112-1;
 14. Thence East 384.0 feet, more or less, to the southeast corner of Tax Lot 112-1 in the west boundary of Wood Avenue;
 15. Thence following the west boundary of Wood Avenue South 200.0 feet, more or less, to a point due west of the aforesaid place of beginning;
 16. Thence East 50.0 feet to the place of beginning.
- pursuant to the provisions of Chapter 511, Oregon Laws 1961.

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 the said Milwaukie Rural Fire Protection District, all that part of said Rural Fire Protection district hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon.

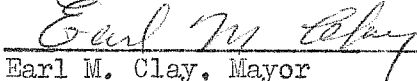
BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 12th day of February, 1962 is hereby fixed as the date, the hour of 8:45 P.M. o'clock is hereby fixed as the time, and the Council 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 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 8th day of January, 1962.

ATTEST:


R.E. Osborne, Recorder of Milwaukie, Oregon


Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

R.E. Osborne, Recorder of Milwaukie, Oregon

The motion carried and was so ordered.

It was moved by Sedgwick and seconded by Howard that the following Resolution be adopted.

RESOLUTION NUMBER 2-1962

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

PART OF TRACT 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon, to-wit: Beginning at a point in the west boundary line of said Lot 3, in the LOGUS TRACTS, which point bears South 0°25' East a distance of 10 feet from the northwest corner of said Lot No. 3 which is marked with an iron pipe; thence Easterly a distance of 249 feet along the south line of the 10 foot roadway conveyed to Thomas Roberts as recorded in Book 215, at page 304 of the book of Deeds for Clackamas County, to the northeast corner of a tract conveyed to Dorothy I. Hoeye, by deed recorded August 16, 1949, in Book 422, page 238, Deed records, to the true point of beginning of the tract herein described; thence South 0°25' east along the east line of said Hoeye tract 70 feet; thence Easterly parallel with the south line of the aforementioned Clackamas County tract, 100 feet; thence Northerly parallel with the east line of said Hoeye tract 70 feet to the south line of a 10 foot strip conveyed to Clackamas County by deed recorded in Book 116, page 315, Deed Records; thence West parallel with the south line of said 10 foot strip 100 feet to the true point of beginning.

PART OF TRACT 3, LOGUS TRACTS, in the County of Clackamas and State of Oregon, to-wit: Beginning at a point in the west boundary line of said Lot 3 in the LOGUS TRACTS which point bears South 0°25' east a distance of 10 feet from the northwest corner of Lot 3, which is marked with an iron pipe, thence Easterly a distance of 249 feet along the south line of the 10 foot road conveyed to Thomas Roberts as recorded in Book 215 page 304 Deed Records to the northeast corner of a tract conveyed to Dorothy I. Hoeye by deed recorded in Book 422, page 238, Deed Records; thence South 0°25' east along the east line of said Hoeye tract, 70 feet to the true point of beginning of the tract herein described; thence continuing South 0°25' east along the east line of said Hoeye tract 70 feet thence Easterly parallel with the south line of the aforementioned Clackamas County Tract, 100 feet; thence Northerly parallel with the east line of the said Hoeye Tract 70 feet; thence West parallel with the south line of said 10 foot strip 100 feet to the true point of beginning.

Part of the south one-half of Lot 2, in Block 4, HOMEWOOD PARK, according to the duly recorded plat thereof, in the County of Clackamas and State of Oregon; Beginning at an iron pipe at the Southeast corner of said Lot 2; thence North 89° 17' West 200 feet along the South line of said Lot 2 to an iron pipe which is the southwest corner and which is the southwest corner and the true beginning of the tract to be described; thence North parallel with the east line of said Lot 2, 75.0 feet to the south line of a tract of land conveyed to Clackamas County for road purposes by deed recorded December 6, 1956, in Book 519, page 651, Deed Records; thence Easterly following the south line of said road 100 feet to an iron pipe; thence South parallel to the east line of said Lot 2, 75.0 feet to an iron pipe in the south line of said Lot 2; thence North 89° 17' West along the south line of said Lot 2, 100 feet to the true point of beginning.

A Tract of land located in Section 31, T. 1S., R. 2E., of W.M. described as follows to-wit:

- Beginning at the intersection of the south boundary of Monroe Street with the east boundary of Stanley Avenue in the northeast one-quarter of said Section 31;
- 1. Thence following the south boundary of Monroe Street, West 155.0 feet;
- 2. Thence, parallel with Stanley Avenue South 196.69 feet;
- 3. Thence West 75.0 feet to the northwest corner of Tax Lot 35-2 as of Oct.1,1961;
- 4. Thence South 208.91 feet to the southwest corner of Tax Lot 35-1 as of Oct.1,1961;
- 5. Thence West 100.00 feet.
- 6. Thence South 290.4 feet to the southwest corner of Tax Lot 61-1 as of Oct.1,1961;
- 7. Thence East 200.0 feet to the northwest corner of Tax Lot 62-5 as of Oct.1,1961 and which corner is West 100.0 feet distant from the west boundary of Stanley Avenue;
- 8. Thence, parallel with Stanley Avenue, South 363.0 feet more or less to the southwest corner of Tax Lot 62-8 as of Oct. 1, 1961.
- 9. Thence West 500.0 feet;
- 10. Thence South 363.0 feet to the northwest corner of WAYMIRE ADDITION;
- 11. Thence East 400.0 feet to the northeast corner of Tract 4 of said Waymire Addition;
- 12. Thence South along the east boundary of the last mentioned Tract 4 to the northwest corner of Tract 3 of said last mentioned Addition;
- 13. Thence East 105.0 feet to the northeast corner of the last mentioned Tract 3;
- 14. Thence South along the east boundary of said Tract 3 and the southerly extension thereof to the southeast corner of Tract 16 of the said last mentioned Addition;
- 15. Thence West 505.0 feet to the southwest corner of the aforesaid WAYMIRE ADDITION;

16. Thence South 363.0 feet to the northwest corner of the plat of STANLEY PARK Number 2;
17. Thence East to the northeast corner of the last mentioned plat;
18. Thence South to the southeast corner of the said last mentioned plat and the north boundary of the plat of STANLEY PARK;
19. Thence East following the north boundary of STANLEY PARK to the northeast corner of Tract 6, of said plat;
20. Thence South along the east boundary of said Tract 6 and the southerly extension thereof to the southeast corner of Tract 2 of the last mentioned plat;
21. Thence, following the south boundary of the said plat of STANLEY PARK, West to the northeast to the northeast corner of the plat of STANLEY PARK NO. 3;
22. Thence South to the southeast corner of STANLEY PARK NO. 3.
23. Thence East, along the easterly extension of the south boundary of STANLEY PARK No. 3 to the west boundary of Stanley Avenue;
24. Thence South along the west boundary of Stanley Avenue to the northeast boundary of Railroad Avenue sometimes known as S.S. FIELDS Road No. 1438;
25. Thence Southeasterly on the northeasterly boundary of Railroad Avenue to intersect the easterly boundary of Stanley Avenue;
26. Thence North along the east boundary of Stanley Avenue; to the south boundary of Monroe Street the place of beginning of the herein described tract.

The numbered Tax Lots hereinabove mentioned are in the John D. Garrett D.L.C. pursuant to the provisions of Chapter 511, Oregon Laws 1961.

A Tract of land located in the John D. Garrett D.L.C. in the South $\frac{1}{2}$ of Section 31; T. 1S., R. 2E., of the W.M..

In the following description, where Tax Lot numbers are used they are the numbers assigned by the Clackamas County Assessor to subdivisions of the said Garrett Claim and valid as of this date, December 1, 1961.

Beginning at the southwest corner of Tax Lot 12-1 which comes in North 590.00 feet distant, more or less, from the intersection of the southerly extension of the east boundary of Wood Avenue with the center line of Railroad Avenue, sometimes known as S. S. Fields Road No. 1438.

1. From said beginning point thence East 440.0 feet to the east boundary of Beckman Road.
2. Thence along the east boundary of Beckman Road North 300.0 feet to the south boundary of Tax Lot 75;
3. Thence East 265.75 feet, more or less, to the southeast corner of said Tax Lot 75;
4. Thence North 285.48 feet to the northeast corner of said Tax Lot 75;
5. Thence West 265.75 feet, more or less, along the north boundary of Tax Lot 75 to the east boundary of Beckman Road;
6. Thence following the east boundary of Beckman Road North 200.0 feet;
7. Thence West along the easterly extension of the north boundary of Tax Lot 71-1 to the northeast corner of Tax Lot 71-1;
8. Thence West to the northwest corner of Tax Lot 71-1;
9. Thence South 200.0 feet to the southwest corner of Tax Lot 71-2;
10. Thence West along the south boundary of Tax Lot 71 and the westerly extension thereof to the northeast corner of Tax Lot 138, in the west boundary of Wood Avenue;
11. Thence South, along the west boundary of Wood Avenue, 300 feet, more or less, to the northeast corner of Tax Lot 112-1;
12. Thence West along the north boundary of Tax Lot 112-1 to the northwest corner of Tax Lot 112-1;
13. Thence South along the west boundary of Tax Lot 112-1 to the southwest corner of Tax Lot 112-1;
14. Thence East 384.0 feet, more or less, to the southeast corner of Tax Lot 112-1 in the west boundary of Wood Avenue;
15. Thence following the west boundary of Wood Avenue South 200.0 feet, more or less, to a point due west of the aforesaid place of beginning;
16. Thence East 50.0 feet to the place of beginning.

AND WHEREAS, the above described real properties lie within the boundaries of the Wichita Zoning District, a zoning 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 Wichita Zoning District, all that part of said Zoning 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 February, 1962 is hereby fixed as the date, the hour of 9:00 P.M. o'clock 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 Wichita Zoning 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 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 8th day of January, 1962.


Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

ATTEST:


R. E. Osborne, Recorder of Milwaukie, Oregon

The motion carried and was so ordered.

Ordinance Number 875 was taken up and read for its first reading. It was moved by Councilman Howard and seconded by Councilman Aebi, that Ordinance Number 875 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 875 AN ORDINANCE providing for the procedure, without election, to annex certain territory, contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, fixing a day for public hearing before the City Council of the City of Milwaukie, Oregon, on the question of such annexation, directing publication of notice of such hearing, and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance Number 875 passed the Council and was so declared by the Mayor.

Ordinance Number 876 was taken up and read for its first reading. It was moved by Councilman Aebi and seconded by Councilman Sedgwick that Ordinance Number 876 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 876 AN ORDINANCE providing for the procedure, without election, to annex certain territory, contiguous to the present boundary of the City of Milwaukie, Clackamas County, Oregon, pursuant to the provisions of Chapter 511, Oregon Laws 1961, accepting written consents of landowners in such territory to said annexation, determining that at least two-thirds of said consenting land owners also own at least two-thirds of the land in the said territory and own real property therein representing at least two-thirds of the assessed value of the real property in the said contiguous territory; fixing a day for a public hearing before the City Council of the City of Milwaukie, Oregon, on the question of such annexation; directing publication and posting of notice of such hearing, and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had: Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance Number 876 passed the Council and was so declared by the Mayor.

The matter of considering and passing of a resolution providing for the issuance and sale of negotiable general obligation bonds of the City of Milwaukie, Oregon, in the principal sum of \$60,000.00 heretofore authorized by the legal voters of said City; prescribing the form of said bonds and of the interest coupons pertaining thereto; providing for the sale of said bonds, and providing for notice of such sale, was taken up.

It was thereupon moved by Councilman James M. Howard and seconded by Councilman Ernest H. Aebi that the following transcribed Resolution be adopted.

RESOLUTION NUMBER 3-1962

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON IN THE PRINCIPAL SUM OF \$60,000.00; PRESCRIBING THE FORM OF SAID BONDS AND OF THE INTEREST COUPONS PERTAINING THERETO; PROVIDING FOR THE SALE OF SAID BONDS: AND PROVIDING FOR NOTICE OF SUCH SALE.

WHEREAS, heretofore, on the 17th day of July, 1961, at a special election duly called and held in the City of Milwaukie, Clackamas County, Oregon, the legal voters of said City duly adopted Chapter VIII-C as an amendment to the Charter of the City of Milwaukie, Oregon, adopted by the people of the City of Milwaukie, Oregon, on the 7th day of November, 1944, as amended, which provides as follows:

CHAPTER VIII-C

"In addition to the other methods provided by the Charter of the City of Milwaukie, Oregon, or the General Laws of the State of Oregon, and not in derogation of any such powers, the City Council of the City of Milwaukie, when in its discretion it is deemed advisable, may provide by resolution or resolutions for the construction, either by contract method or City construction method, or by the combination of both, of an addition and improvements to the existing city sewage treatment and disposal facilities, together with all the appurtenances necessary for the completion and operation of said addition and improvements, and for such purposes may acquire by gift, purchase, grant or condemnation, the necessary lands and easements therefor, either within or without the corporate limits of the City of Milwaukie, or any part of the foregoing; and to pay the cost thereof, the City Council of the City of Milwaukie is hereby authorized to issue not to exceed \$60,000.00 in general obligation bonds of the City of Milwaukie, Oregon, which shall be paid by an ad valorem tax on all taxable property within the corporate limits of said City of Milwaukie.

"The City Council of the City of Milwaukie, Oregon, each year shall provide in the budget for sufficient funds to pay the principal and interest on said general obligation bonds of the City of Milwaukie, Oregon, which taxes shall be in addition to all other taxes permitted by the Charter, as amended, of the City of Milwaukie, Oregon, and the laws of the State of Oregon."

and

WHEREAS, It is now necessary to procure funds for the aforesaid purposes and to issue the bonds authorized by said charter amendment so designated as Chapter VIII-C; now therefore,

BE IT RESOLVED By the City Council of the City of Milwaukie, Oregon, that the City of Milwaukie, in Clackamas County, State of Oregon, do issue and sell its negotiable general obligation bonds in the principal sum of \$60,000.00 for the purpose of adding to and improving the existing city sewage treatment and disposal facilities, together with all the appurtenances necessary for the completion and operation of said addition and improvements, for the purpose of acquiring by gift, purchase, grant or condemnation, the necessary lands and easements therefore, and to pay the cost thereof.

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that said negotiable general obligation bonds shall be dated February 1, 1962, and shall be in the denomination of ONE THOUSAND DOLLARS (\$1,000.00) each and shall be numbered consecutively beginning with number ONE (1) and ending with number SIXTY (60) and shall be issued to mature serially in numerical order in principal amounts as follows:

<u>Bond Numbers</u> <u>Inclusive</u>	<u>Maturity Dates</u>	<u>Amount</u>
1 - 3	February 1, 1963	\$ 3,000.00
4 - 6	February 1, 1964	3,000.00
7 - 9	February 1, 1965	3,000.00
10 - 12	February 1, 1966	3,000.00
13 - 15	February 1, 1967	3,000.00
16 - 18	February 1, 1968	3,000.00
19 - 21	February 1, 1969	3,000.00
22 - 24	February 1, 1970	3,000.00
25 - 27	February 1, 1971	3,000.00
28 - 30	February 1, 1972	3,000.00
31 - 33	February 1, 1973	3,000.00
34 - 36	February 1, 1974	3,000.00

Bond Numbers Inclusive (Cont'd)	Maturity Dates	Amount
37 39 39	February 1, 1975	\$ 3,000.00
40 - 42	February 1, 1976	3,000.00
43 - 45	February 1, 1977	3,000.00
46 - 48	February 1, 1978	3,000.00
49 - 51	February 1, 1979	3,000.00
52 - 54	February 1, 1980	3,000.00
55 - 57	February 1, 1981	3,000.00
58 - 60	February 1, 1982	3,000.00

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that the said bonds shall be the general obligation of the City of Milwaukie, Oregon, and shall bear interest semi-annually on August first and February first, beginning with August 1, 1962, at a rate or rates not exceeding five per cent (5%) per annum; that both the interest upon and the principal of said bonds shall be paid at the office of the treasurer of said City in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America; that the said bonds shall be signed by the Mayor and attested by the City Recorder of said City and that the interest coupons appertaining to said bonds shall bear the facsimile signatures of the Mayor and the City Recorder; and that, except as to numbers and maturities and such modifications as nat be necessary to conform the said bonds to the terms of the successful bid therefor, the said bonds shall be of uniform tenor and read substantially as follows:

No. _____ \$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF CLACKAMAS
CITY OF MILWAUKIE
GENERAL OBLIGATION BONDS

THE CITY OF MILWAUKIE in CLACKAMAS COUNTY, OREGON, for value received hereby promises to pay to bearer the sum of ONE THOUSAND DOLLARS. . . . (\$1,000.00) upon the FIRST DAY OF FEBRUARY, 1962, with interest thereon from the date hereof to maturity at the rate of 5 per cent per annum payable semi-annually upon the first days of August and February of each year hereafter to the bearer of the respective coupons therefor hereto attached, upon the presentation and surrender thereof as the said coupons respectively mature. Both the principal hereof and the interest hereon are payable at the office of the Treasurer of said City in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America.

THIS BOND, one of a series of like date and tenor, except as to maturities, aggregating SIXTY THOUSAND DOLLARS (\$60,000.00) par value in amount numbered one to sixty inclusive, is a general obligation of the City of Milwaukie, Oregon, payable both as to principal and interest from unlimited ad valorem taxes upon all of the property within the said City so taxable for its purposes and is issued in accordance with the Statutes of the State of Oregon thereunto appertaining and of Chapter VIII-C of the Milwaukie Charter of 1944, duly adopted by the legal voters of said City at a special election regularly called and legally held therein on the 17th day of July, 1961, for the purpose of adding to and improving the existing city sewage treatment and disposal facilities, together with all the appurtenances necessary for the completion and operation of said addition and improvements, for the purpose of acquiring by gift, purchase, grant or condemnation, the necessary lands and easements therefor, and to pay the cost thereof.

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all conditions, acts and things required to exist, to happen and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Oregon and by the Charter and Ordinances of said City and that the issue of which this bond is a part and all other obligations of said City are within every debt limitation and other limit prescribed by the said Constitution, Statutes and City Charter.

IN WITNESS WHEREOF, the said City of Milwaukie has caused this bond to be signed by its Mayor and attested by its Recorder under its corporate seal, and has caused the attached interest coupons to bear the facsimile signatures of its said officers,

all as of the first day of February, 1962.

Earl M. Clay (SEAL)
Mayor of the City of Milwaukie, Oregon

ATTEST:

W. E. Osborn
Recorder of the City of Milwaukie, Oregon

COUPON

No. _____ \$ _____

ON THE FIRST DAY OF _____, 19____, THE CITY OF MILWAUKIE, in Clackamas County, Oregon, will pay the bearer _____ Dollars AT THE OFFICE OF THE TREASURER OF SAID CITY for six (6) months' interest then due on City of Milwaukie General Obligation Bond No. _____, dated February 1, 1962.

Earl M. Clay (SEAL)
Mayor of the City of Milwaukie, Oregon

ATTEST:

W. E. Osborn
Recorder of the City of Milwaukie, Oregon

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon that the hour of 8:00 o'clock P.M., Pacific Standard Time, February 9, 1962, be and the same is hereby fixed as the time and date for the sale of City of Milwaukie General Obligation Bonds in the sum of SIXTY THOUSAND DOLLARS (\$60,000.00).

BE IT FURTHER RESOLVED BY the City Council of the City of Milwaukie, Oregon, that the City Recorder of the City of Milwaukie is hereby authorized and directed to advertise the said bonds for sale and shall advertise said sale once each week for not less than two successive weeks in the Milwaukie, Review, a weekly newspaper published in Milwaukie, Clackamas County, Oregon, which is a newspaper printed and published within the boundaries of the City of Milwaukie. Such notice shall be substantially as follows:

NOTICE OF BOND SALE

NOTICE is hereby given that sealed bids will be received by the undersigned until 8:00 o'clock p.m., Pacific Standard Time, on the 9th day of February, 1962, and immediately thereafter opened by the Council of the City of Milwaukie for the purchase of general obligation bonds of said City in the sum of SIXTY THOUSAND DOLLARS (\$60,000.00). Bonds 1 to 60 inclusive shall be in the amount of ONE THOUSAND DOLLARS (\$1,000.00) each. All bonds to be dated February 1, 1962, and to mature in numerical order as follows:

BONDS NUMBERS INCLUSIVE	MATURITY DATES	AMOUNT
1 - 3	February 1, 1963	\$ 3,000.00
4 - 6	February 1, 1964	3,000.00
7 - 9	February 1, 1965	3,000.00
10 - 12	February 1, 1966	3,000.00
13 - 15	February 1, 1967	3,000.00
16 - 18	February 1, 1968	3,000.00
19 - 21	February 1, 1969	3,000.00
22 - 24	February 1, 1970	3,000.00
25 - 27	February 1, 1971	3,000.00
28 - 30	February 1, 1972	3,000.00
31 - 33	February 1, 1973	3,000.00
34 - 36	February 1, 1974	3,000.00

Bonds Numbers Inclusive	(Cont'd)	Maturity Dates	Amount
37 - 39		February 1, 1975	\$ 3,000.00
40 - 42		February 1, 1976	3,000.00
43 - 45		February 1, 1977	3,000.00
46 - 48		February 1, 1978	3,000.00
49 - 51		February 1, 1979	3,000.00
52 - 54		February 1, 1980	3,000.00
55 - 57		February 1, 1981	3,000.00
58 - 60		February 1, 1982	3,000.00

said bonds to bear interest at the rate of not to exceed five per cent (5%) per annum, payable semi-annually at the office of the Treasurer of Milwaukie, Oregon.

The bonds will be in coupon form, and will be payable both as to principal and interest at the office of the Treasurer of said City from unlimited ad valorem taxes upon all the taxable property in said City.

The bonds will be sold to the highest responsible bidder, for cash, at not less than the par value thereof, and the full amount of the accrued interest thereon. Each bidder shall submit with, or include in, his or its bid a statement of the total net interest cost to the City, under his or its bid, if accepted. The City reserves the right to reject any or all bids and waive formalities in the awarding of the bonds.

Bids submitted must be unconditional, and must be accompanied by a Cashier's Check or Certified Check in favor of the said City, or or upon a bank doing business in Oregon, in the amount of \$1,200.00. The deposit will not draw interest, but will be forfeited to the City as liquidated damages if the bidder to whom the bonds are awarded fails or refuses to complete his or its purchase in accordance with the terms of his or its bid.

The bonds will be delivered complete, without undue delay, at the expense of the City at such city in Oregon as the successful bidder shall name. The legal opinion of Messrs. Shuler, Sayre, Winfree & Rankin, of Portland, Oregon, approving the validity of the bonds, will be furnished by the City without cost to the successful bidder.

Upon being put to a vote by the Mayor and Chairman of the Council, the motion to adopt the foregoing resolution was unanimously adopted, the vote being as follows: Ayes: Earl M. Clay, Ernest H. Aebi, Charles Renard, Theron E. Sedgwick and James M. Howard. Naves: None.

The matter of considering and passing of a resolution providing for the issuance and sale of negotiable general obligation bonds of the City of Milwaukie, Oregon, in the principal sum of \$295,000.00 heretofore authorized by the legal voters of said City; prescribing the form of said bonds and of the interest coupons pertaining thereto; providing for the sale of said bonds, and providing for notice of such sale, was then taken up.

It was thereupon moved by Councilman James M. Howard and seconded by Councilman Ernest H. Aebi that the following transcribed Resolution be adopted;

RESOLUTION NO. 4-1962

A RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF NEGOTIABLE GENERAL OBLIGATION BONDS OF THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON, IN THE PRINCIPAL SUM OF \$295,000.00; PRESCRIBING THE FORM OF SAID BONDS AND OF THE INTEREST COUPONS PERTAINING THEREFO: PROVIDING FOR THE SALE OF SAID BONDS; AND PROVIDING FOR NOTICE OF SUCH SALE.

WHEREAS, heretofore, on the 17th day of July, 1961, at a special election duly called and held in the City of Milwaukie, Clackamas County, Oregon, the legal voters of said City duly adopted Chapter VIII-D as an amendment to the Charter of the City of Milwaukie, Oregon, adopted by the people of the City of Milwaukie, Oregon, on the 7th day of November, 1944, as amended, which provides as follows:

CHAPTER VIII-D

"In addition to the other methods provided by the Charter of the City of Milwaukie, Oregon, or the General Laws of the State of Oregon, and not in derogation of any such powers, the City Council of the City of Milwaukie, when in its discretion it is deemed advisable, may provide by resolution or resolutions for the purchase and construction, either by contract method or city construction method or by the combination of both, of an extension

and improvements to its existing municipal water system consisting of the purchase, construction and installation of a 1,500,000 gallon elevated steel water storage tank and the appurtenances thereto necessary for the completion and operation of said extension and improvements, and for such purpose may acquire by gift, purchase, grant or condemnation necessary lands and easements therefor, either within or without the corporate limits of the City of Milwaukie, or any part of the foregoing; and to pay the cost thereof, the City Council of the City of Milwaukie is hereby authorized to issue not to exceed \$295,000.00 in general obligation bonds of the City of Milwaukie, Oregon, which shall be paid by an ad valorem tax on all taxable property within the corporate limits of the said City of Milwaukie.

"The City Council of the City of Milwaukie, Oregon, each year shall provide in the budget for sufficient funds to pay the principal and interest on said general obligation bonds of the City of Milwaukie, Oregon, which taxes shall be in addition to all other taxes permitted by the Charter, as amended, of the City of Milwaukie, Oregon, and the laws of the State of Oregon."

and

WHEREAS, It is now necessary to procure funds for the aforesaid purposes and to issue the bonds authorized by said charter amendment so designated as Chapter VIII-D; now therefore,

BE IT RESOLVED By the City Council of the City of Milwaukie, Oregon, that the City of Milwaukie, in Clackamas County, State of Oregon, do issue and sell its negotiable general obligation bonds in the principal sum of \$295,000.00 for the purpose of extending and improving the existing municipal water system of the City of Milwaukie, Oregon, by the purchase, construction and installation of a 1,500,000 gallon elevated steel water storage tank, for the purpose of constructing and providing for the construction of all appurtenances necessary for the completion and operation of said extension and improvements, for the purpose of acquiring by gift, purchase, grant or condemnation the necessary lands and easements therefor, and to pay the cost thereof.

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that said negotiable general obligation bonds shall be dated February 1, 1962, and shall be in the denomination of ONE THOUSAND DOLLARS (\$1,000.00) each and shall be numbered consecutively beginning with number ONE (1) and ending with number TWO HUNDRED NINETY FIVE (295) and shall be issued to mature serially in numerical order in principal amounts as follows:

<u>BONDS NUMBERS INCLUSIVE</u>	<u>MATURITY DATES</u>	<u>AMOUNT</u>
1 - 11	February 1, 1963	\$ 11,000.00
12 - 22	February 1, 1964	11,000.00
23 - 33	February 1, 1965	11,000.00
34-44	February 1, 1966	11,000.00
45 - 55	February 1, 1967	11,000.00
56 - 67	February 1, 1968	12,000.00
68 - 79	February 1, 1969	12,000.00
80 - 91	February 1, 1970	12,000.00
92 - 103	February 1, 1971	12,000.00
104 -- 115	February 1, 1972	12,000.00
116 <u>9</u> 127	February 1, 1973	12,000.00
128 - 139	February 1, 1974	12,000.00
140 - 151	February 1, 1975	12,000.00
152 - 163	February 1, 1976	12,000.00
164 - 175	February 1, 1977	12,000.00
176 - 187	February 1, 1978	12,000.00
188 - 199	February 1, 1979	12,000.00
200 - 211	February 1, 1980	12,000.00
212 - 223	February 1, 1981	12,000.00
224 - 235	February 1, 1982	12,000.00
236 - 247	February 1, 1983	12,000.00
248 - 259	February 1, 1984	12,000.00
260 - 271	February 1, 1985	12,000.00
272 - 283	February 1, 1986	12,000.00
284 - 295	February 1, 1987	12,000.00

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that the said bonds shall be the general obligation of the City of Milwaukie, Oregon, and shall bear interest semi-annually on August first and February first, beginning with August 1, 1962, at a rate or rates not exceeding five per cent (5%) per annum; that both the interest upon and the principal of said bonds shall be paid at the office of the treasurer of said City in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America; that the said bonds shall be signed by the Mayor and attested by the City Recorder of said City and that the interest coupons appertaining to said bonds shall bear the facsimile signatures of the Mayor and the City Recorder; and that, except as to numbers and maturities and such modifications as may be necessary to conform the said bonds to the terms of the successful bid therefor, the said bonds shall be of uniform tenor and read substantially as follows:

No. _____ \$1,000.00

UNITED STATES OF AMERICA
STATE OF OREGON
COUNTY OF CLACKAMAS
CITY OF MILWAUKIE
GENERAL OBLIGATION BOND

THE CITY OF MILWAUKIE in CLACKAMAS COUNTY, OREGON, FOR value received hereby promises to pay to bearer the sum of ONE THOUSAND DOLLARS (\$1,000.00) upon the FIRST DAY OF FEBRUARY, 19 , with interest thereon from the date hereof to maturity at the rate of _____ per cent per annum payable semi-annually upon the first days of August and February of each year hereafter to the bearer of the respective coupons therefor hereto attached, upon the presentation and surrender thereof as the said coupons respectively mature. Both the principal hereof and the interest hereon are payable at the office of the Treasurer of said City in any coin or currency which, at the time of payment, is legal tender for the payment of public and private debts within the United States of America.

THIS BOND, one of a series of like date and tenor, except as to maturities, aggregating TWO HUNDRED NINETY FIVE THOUSAND DOLLARS (\$295,000.00) par value in amount, numbered one to two hundred ninety five inclusive, is a general obligation of the City of Milwaukie, Oregon, payable both as to principal and interest from unlimited ad valorem taxes upon all of the property within the said City so taxable for its purposes and is issued in accordance with the Statutes of the State of Oregon thereunto appertaining and of Chapter VIII-D of the Milwaukie Charter of 1944, duly adopted by the legal voters of said City, at a special election regularly called and legally held therein on the 17th day of July, 1961, for the purpose of extending and improving the existing municipal water system of the City of Milwaukie, Oregon, by the purchase, construction and installation of a 1,500,000 gallon elevated steel water storage tank, for the purpose of constructing and providing for the construction of all appurtenances necessary for the completion and operation of said extension and improvements, for the purpose of acquiring by gift, purchase, grant or condemnation the necessary lands and easements therefor, and to pay the cost thereof,

IT IS HEREBY CERTIFIED, RECITED AND DECLARED that all conditions, acts and things required to exist, to happen and to be performed precedent to and in the issuance of this bond have existed, have happened, and have been performed in due time, form and manner as required by the Constitution and Statutes of the State of Oregon and by the Charter and Ordinances of said City and that the issue of which this bond is a part and all other obligations of said City are within every debt limitation and other limit prescribed by the said Constitution, Statutes and City Charter.

IN WITNESS WHEREOF, the said City of Milwaukie has caused this bond to be signed by its Mayor and attested by its Recorder under its corporate seal, and has caused the attached interest coupons to bear the facsimile signatures of its officers, all as of the first day of February, 1962.

ATTEST: Earl M. [Signature] (SEAL)
Mayor of the City of Milwaukie, Oregon

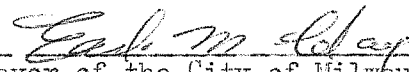
R. E. Osborn
Recorder of the City of Milwaukie, Oregon

COUPON

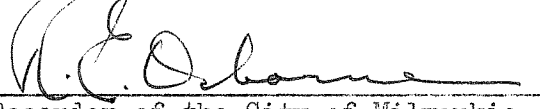
No. _____

\$ _____

ON THE FIRST DAY OF _____, 19____, THE CITY OF MILWAUKIE, in Clackamas County, Oregon, will pay the bearer _____ Dollars AT THE OFFICE OF THE TREASURER OF SAID CITY for six (6) months' interest then due on City of Milwaukie General Obligation Bond No. _____, dated February 1, 1962.

 (SEAL) Mayor of the City of Milwaukie, Oregon

ATTEST


Recorder of the City of Milwaukie, Oregon

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that the hour of 8:00 o'clock p.m., Pacific Standard Time, February 9, 1962, be and the same is hereby fixed as the time and date for the sale of City of Milwaukie General Obligation Bonds in the sum of TWO HUNDRED NINETY FIVE THOUSAND DOLLARS (\$295,000.00).

BE IT FURTHER RESOLVED By the City Council of the City of Milwaukie, Oregon, that the City Recorder of the City of Milwaukie is hereby authorized and directed to advertise the said bonds for sale and shall advertise said sale once each week for not less than two successive weeks in the Milwaukie Review, a weekly newspaper published in Milwaukie, Clackamas County, Oregon, which is a newspaper printed and published within the boundaries of the City of Milwaukie. Such notice shall be substantially as follows:

NOTICE OF BOND SALE

NOTICE is hereby given that sealed bids will be received by the undersigned until 8:00 o'clock p.m., Pacific Standard Time, on the 9th day of February, 1962, and immediately thereafter opened by the Council of the City of Milwaukie for the purchase of general obligation bonds of said City in the sum of TWO HUNDRED NINETY FIVE THOUSAND DOLLARS (\$295,000.00). Bonds 1 to 295 inclusive shall be in the amount of ONE THOUSAND DOLLARS (\$1,000.00) each. All bonds to be dated February 1, 1962, and to mature in numerical order as follows:

<u>Bond Numbers</u> <u>Inclusive</u>	<u>Maturity Dates</u>	<u>Amount</u>
1 - 11	February 1, 1963	\$ 11,000.00
12 - 22	February 1, 1964	11,000.00
23 - 33	February 1, 1965	11,000.00
34 - 44	February 1, 1966	11,000.00
45 - 55	February 1, 1967	11,000.00
56 - 67	February 1, 1968	12,000.00
68 - 79	February 1, 1969	12,000.00
80 - 91	February 1, 1970	12,000.00
92 - 103	February 1, 1971	12,000.00
104 - 115	February 1, 1972	12,000.00
116 - 127	February 1, 1973	12,000.00
128 - 139	February 1, 1974	12,000.00
140 - 151	February 1, 1975	12,000.00
152 - 163	February 1, 1976	12,000.00
164 - 175	February 1, 1977	12,000.00
176 - 187	February 1, 1978	12,000.00
188 - 199	February 1, 1979	12,000.00
200 - 211	February 1, 1980	12,000.00
212 - 223	February 1, 1981	12,000.00
224 - 235	February 1, 1982	12,000.00
236 - 247	February 1, 1983	12,000.00
248 - 259	February 1, 1984	12,000.00
260 - 271	February 1, 1985	12,000.00
272 - 283	February 1, 1986	12,000.00
284 - 295	February 1, 1987	12,000.00

said bonds to bear interest at the rate of not to exceed five per cent (5%) per annum, payable semi-annually at the office of the Treasurer of Milwaukie,

Oregon.

The bonds will be in coupon form, and will be payable both as to principal and interest at the office of the Treasurer of said City from unlimited ad valorem taxes upon all the taxable property in said City.

The bonds will be sold to the highest responsible bidder, for cash, at not less than the par value thereof, and the full amount of the accrued interest thereon. Each bidder shall submit with, or include in, his or its bid a statement of the total net interest cost to the City, under his or its bid if accepted. The City reserves the right to reject any or all bids and waive formalities in the awarding of the bonds.

Bids submitted must be unconditional, and must be accompanied by a Cashier's Check or Certified Check in favor of the said City, or upon a bank doing business in Oregon, in the amount of \$5,900.00. The deposit will not draw interest, but will be forfeited to the City as liquidated damages if the bidder to whom the bonds are awarded fails or refuses to complete his or its purchase in accordance with the terms of his or its bid.

The bonds will be delivered complete, without undue delay, at the expense of the City at such city in Oregon as the successful bidder shall name. The legal opinion of Messrs. Shuler, Sayre, Winfree & Rankin, of Portland, Oregon, approving the validity of the bonds, will be furnished by the City without cost to the successful bidder.

Upon being put to a vote by the Mayor and Chairman of the Council, the motion to adopt the foregoing resolution was unanimously adopted, the vote being as follows: Ayes: Earl M. Clay, Ernest H. Aebi, Charles Renard, Theron E. Sedgwick and James M. Howard. Nays: None.

The Police Chief's monthly report was read and ordered filed.

The Fire Chief's monthly report was read and ordered filed.

Manager Mullan supplied each member of the Council with a copy of the Auditor's report for the year ending June 30, 1961.

It was moved by Councilman Howard and seconded by Councilman Aebi that the following bills be approved and that warrants be drawn for the payment of same.

Addressograph-Multigraph	28.85
All Electric Construction Co.	214.48
Alloy Welding & Fabricating Co.	29.01
Cascade Office Supply	9.91
Carey Oil Co.	439.22
Clackamas County	172.00
Columbia Wheel Co.	8.50
Communication Specialists	177.57
Enterprise Courier	14.00
W. Frank Fairly & Co.	1,500.00
Franck's Color Center	13.64
Fred's Septic Service	20.00
Dick Groener Agency	3,786.11
Charlie Helwig Inc.	36.57
Homelite	33.01
Jim's Window Cleaning Co.	25.00
Keyes Sign Co.	107.00
Larson's Auto Parts	1.05
Mail Well Envelope Co.	12.45
M & N Sheet Metal Works, Inc.	52.61
McCready Lumber Yards	88.97
Milwaukie Fire Dept. - Street Decorations	485.00
Milwaukie Fire Dept. (Perry Phar.)	2.82
Milwaukie Automotive Service	109.26
Milwaukie Hardware	26.70
Milwaukie Lumber Co.	3.73
Milwaukie Pharmacy	.75
Milwaukie Plumbing & Heating	40.00
Milwaukie Review	255.09
Moore Business Forms	6.18
Milwaukie Volunteer Fire Dept.	10.00
Bernard Muffenbier	10.00
Munnell & Sherrill, Inc.	2.68
Neptune Meter Co.	7.12
Northwest Industrial Laundry Co.	6.00
Nudelman Brothers	13.75

Olson Bros. Shell Service	214.04
Oregon City Laundry Co.	46.27
Oregon City Printing & Stationery	1.77
Overall Laundry Inc.	17.20
Pacific N.W. Bell	230.35
Paul's Richfield Service	17.30
Peerless Pacific Co.	133.47
Pioneer Mercantile Co.	20.70
City of Portland	7.66
Portland General Electric Co.	1,994.11
Portland Road & Driveway Co.	1,108.51
Price Rite Grocery	.71
Pump Pipe & Power Co.	185.07
Richfield Corporation	175.92
Southgate Body & Fender Service	39.00
Southern Pacific Co.	30.00
Stevens & Thompson	341.62
Sun-Lite Window Coverings	49.70
Traffic Safety Supply Co.	70.00
Utilities Supply Co.	1,130.24
Water Department	295.70
Weiler Chevrolet	1,801.74
Waterworks Supplies Co.	24.24
West Chemical Products Co.	24.75
Western Drug Label Co.	270.40
Fred Wildy	315.00
Woodbury & Co.	21.36

Motion carried and so ordered.

Councilman Sedgwick reported that it may be necessary for Chalet L'Abbe to reapply for a license to serve liquor and recommended that the Council take action on the matter at this time in order that the application may be presented to the Liquor Commission at the proper time. It was moved by Councilman Howard and seconded by Councilman Sedgwick that in the event that Chalet L'Abbe was required to reapply for liquor license that the Council recommend that such license be granted.

Motion carried and so ordered.

On motion being duly made and carried the meeting adjourned.

Ellen Martin
 Ellen Martin, Clerk.