

MEETING OF FEBRUARY 8, 1960

943rd MEETING

The nine hundred forty-third regular meeting of the Council of the City of Milwaukie was held on the eighth day of February, 1960.

The meeting was called to order at 7:30 P.M. by Mayor Earl Clay.

Present: Mayor Clay; Councilmen James Howard, Peter Mortensen, E.H.Aebi and Theron Sedgwick; City Manager Leonard Mullan, Attorney John Sheldahl and Clerk Ellen Martin.

The minutes of the nine hundred forty-second regular meeting of the Council, held on the eleventh day of January, 1960, were approved as written.

The minutes of a Special meeting of the Council, held on the twenty-fifth day of January, 1960, were approved as written.

The minutes of a Special meeting of the Council, held on the twenty-sixth day of January, 1960, were approved as written.

Dr. W. W. Shafer, laid before the Council, petitions, bearing the names of twenty-seven signers, protesting the City's business license. Dr. Shafer stated that there were other petitions being circulated. It was decided that inasmuch as the Council would be meeting for a hearing later in the month, Dr. Shafer could bring all of the petitions before them at that time.

Alton L. Jager came before the Council and presented a petition, signed by twenty-four property owners within the area, requesting that sewers be laid south of Lake Road and west of Oatfield Road. It was moved by Sedgwick and seconded by Aebi that the City Manager have the Engineer's survey made for this project. Motion carried and so ordered.

The hour set for the hearing on the assessment for the improvement of Harvey Street, by curbs, having arrived, the Mayor opened the hearing and called for protests or remonstrances to the assessment. Mr. Arthur Martineau, 3300 Harvey Street acted as spokesman for the large delegation of property owners present. It appeared that the property had been assessed for grading and graveling the street as well as for the curbs. It was shown that in 1925 the street had been graded and graveled at the expense of the property and that this improvement had not been replaced after the street was opened for sewer installation. The property owners felt that the assessment for the grading and graveling was unjust but agreed that the assessment for the curbs was a fair assessment. It was moved by Mortensen and seconded by Howard that the property along this improvement be assessed for curbs only and that the city replace the gravel between the curbs. Motion carried and so ordered.

Ordinance Number 781 was taken up and read. It was moved by Sedgwick and seconded by Aebi that Ordinance 781 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance Number 781, AN ORDINANCE declaring the assessment for the improvement of Harvey Street by curbs along both sides thereof, from 32nd Street to 40th Street, 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: Clay, Howard, Mortensen, Aebi, and Sedgwick. Nays: None. Ordinance Number 781 passes the Council and was so declared by the Mayor.

It was moved by Mortensen and seconded by Aebi that steps be taken to levy a five mill road tax in Milwaukie (Road District No. 4) at the State Primary Election in May. Motion carried and so ordered.

Mrs. J. R. Morrison, owner of Tax Lots 35, 35-1 and 39, Joseph Kellogg DLC along the east side of Boss Lane, a 40 foot roadway, made inquiry as to if or not the City would accept this street and improve and maintain the same, if it were in the City. Mrs. Morrison stated that she was willing to annex her property and she was confident that adjacent property to the north, which is contiguous to the City, would be annexed to the City, and that, with the exception of one owner, the property along the west side of the street would annex. Mrs. Morrison was advised that the minimum width of streets acceptable to the City was 50 feet. There was considerable discussion on the question, but, unless the street could be widened, the Council could do nothing about the improvement of same.

Mr. Mark Carlson came before the Council and made inquiry as to the method of servicing and collection for water in Crystal Lake Park. Mr. Carlson was advised that the Park was serviced through a master meter at the Brook residence on Harrison Street and that the pipes and outlets as well as all roadways in the Park were private property. Mr. Carlson objected to the water rates imposed by Mrs. Brock, minister of the church in the Park, who manages the affairs of the Park. The Council advised Mr. Carlson that this was a question to be settled between the residents of the Park and Mrs. Brock.

A committee, representing the Milwaukie Business Women's Club came before the Council and requested that something be done about the rush hour traffic jam at Main and Harrison Streets. The ladies suggested that a traffic patrolman be put on duty at this location between the hours of 4:30 and 5:30 P.M. during the business day of the week. The Council agreed that this would be done.

Miss Margaret Evans, representing the Ardenwald Community Club, requested that measures be taken to control the dogs running at large in that area and mentioned in particular two cross dogs molesting pedestrians at the shopping district along 32nd Street. Miss Evans was assured the matter would be investigated.

Miss Evans also made inquiry about street lights in the Ardenwald area. Manager Mullan made a report of the locations in the Ardenwald area where street lights were to be installed.

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

RESOLUTION NUMBER 3-1960

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that there exists within the corporate limits of said City and completely surrounded by the boundaries of said City, certain tracts of land and territory which are not a part of the City of Milwaukie, Oregon, and which have never been heretofore annexed to the City of Milwaukie, Oregon, and

WHEREAS, the tracts of land and territory hereinabove referred to are described as follows:

All of Lots 1,2 and 3 of Block 5 GLOVERLAND, and that portion of Howe Street adjacent thereto

A part of BLOCK 4, GLOVERLAND, described as follows:

Beginning at the southeast corner of said Block 4 thence West 194.20 feet; thence North 100.00 feet; thence East 194.20 feet to the east line of Block 4; Thence South 100.00 feet to the point of beginning.

ALL of LOT 2, BLOCK 1, PLIMPTON TRACTS.

A tract of land located in Section 30, T.1 S., R. 2 E., W.M. and being particularly described as follows:

Beginning at the intersection of the westerly extension of the south boundary of LOTS 1,2,3 and 4, BLOCK 1, FIELDCREST with the west boundary of 41st Street.

1. Thence south 88° 54' East 437.60 feet following the aforesaid westerly extension and the south boundary of Lots 1,2,3 and 4 to the northwest corner of Lot 5, Block 1, FIELDCREST;
2. Thence South 208.7 feet to the southwest corner of Lot 6, Block,1 FIELDCREST.
3. Thence along the south boundary of Block 1, FIELDCREST and the north boundary of Block 1 GLOVERLAND, East to the northeast corner of Lot 4, Block 1 GLOVERLAND
4. Thence South along the east boundary of said Lot 4 and the southerly extension thereof to the south boundary of Rockwood Street.
5. Thence West along the south boundary of Rockwood Street to the northwest corner of Lot 3 Block 1 ARDEN PARK.
6. Thence South along the west boundary of Lots 3,2,1 and 9 Block 1 ARDEN PARK and the southerly extension thereof to the south boundary of Howe Street.
7. Thence along the south boundary of Howe Street East to the northwest corner of Lot 1, Block 4 ARDEN PARK.

8. Thence South along the west boundary of Block 4, ARDEN PARK to the south-west corner of Lot 6, said Block 4.

9. Thence West along the westerly extension of the south boundary of Block 4, ARDEN PARK to the west boundary of Glover Road.

10. Thence North along the west boundary of Glover Road to a point that is South 1°10' East 316.47 feet distant and West 20.00 feet distant from an iron pipe located in the intersection of Howe Street and Glover Road, said point being in the easterly extension of the north boundary of the tract of land described in deed recorded in Book 527 on Page 554, Record of Deeds for Clackamas County, Oregon.

11. Thence West to the northwest corner of said last mentioned tract of land.

12. Thence North 131.93 feet to the northeast corner of the tract of land described in deed recorded in Book 487, Page 115, Record of Deeds for Clackamas County, Oregon.

13. Thence West 149.1 feet to an angular corner in the north boundary of the said tract of land described in Book 487, Page 115.

14. Thence South 20.00 feet more or less to a re-entrant corner in the north boundary of said tract of land described in Book 487, Page 115.

15. Thence West 104.42 feet along the north boundary of the said tract described in Book 487 on Page 115 and the westerly extension thereof to the west boundary of 41st Street.

16. Thence North along the west boundary of 41st Street to the herein mentioned place of beginning., and

WHEREAS, the said tracts of land and territory hereinabove described do not comprise an incorporated city or wholly territory belonging to the State of Oregon or the United States of America, and

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that it is not for the best interests of the inhabitants of said City, nor the inhabitants of the land and territory so surrounded by the boundaries of said City but not annexed thereto that such tracts of land and territory continue to exist as territory not annexed to and made a part of the City of Milwaukie, Oregon, and

WHEREAS, the City Council of Milwaukie, Oregon, now deems it expedient and advisable to submit to the legal voters of said City, as provided by Section 222.750, Oregon Revised Statutes, the question of whether or not the Charter of the City of Milwaukie, Oregon, should be amended so as to effect the annexation of said tracts of land and territory so surrounded by the corporate boundaries of said City without the consent of any owner of said property within said territory and without the consent of any resident in the territory,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that there shall be submitted in the manner prescribed in this resolution to the legal voters of the City of Milwaukie, Oregon, at a special election to be held on the 26th day of February, 1960, the question of whether or not Chapter 1 of the Charter of the City of Milwaukie, Clackamas County, Oregon, be amended by adding thereto Section 1 (D) to be designated "Further Annexation of Territory Surrounded by City" and to read as follows:

"SECTION 1 (D) FURTHER ANNEXATION OF TERRITORY SURROUNDED BY CITY

That the following described tracts of land and territory, to-wit:

All of Lots 1, 2 and 3 of Block 5 GLOVERLAND, and that portion of Howe Street adjacent thereto

A part of BLOCK 4, GLOVERLAND, described as follows:

Beginning at the southeast corner of said Block 4 thence West 194.20 feet; thence North 100.00 feet; thence East 194.20 feet to the east line of Block 4; thence South 100.00 feet to the point of beginning.

ALL of LOT 2, BLOCK 1, PLIMPTON TRACTS.

A tract of land located in Section 30, T.1 S., R. 2 E., W.M. and being particularly described as follows:

Beginning at the intersection of the westerly extension of the south boundary of LOTS 1,2,3 and 4, BLOCK 1 FIELDCREST with the west boundary of 41st Street.

1. Thence south 88°54' East 437.60 feet following the aforesaid westerly exten-

sion and the south boundary of Lots 1,2,3 and 4 to the northwest corner of Lot 5, Block 1 FIELDCREST;

2. Thence South 208.7 feet to the southwest corner of Lot 6, Block 1, FIELDCREST.

3. Thence along the south boundary of Block 1 FIELDCREST and the north boundary of Block 1 GLOVERLAND, East to the northeast corner of Lot 4, Block 1 GLOVERLAND.

4. Thence South along the east boundary of said Lot 4 and the southerly extension thereof to the south boundary of Rockwood Street.

5. Thence West along the south boundary of Rockwood Street to the northwest corner of Lot 3 Block 1 ARDEN PARK.

6. Thence South along the west boundary of Lots 3,2,1 and 9, Block 1, ARDEN PARK and the southerly extension thereof to the south boundary of Howe Street.

7. Thence along the south boundary of Howe Street East to the northwest corner of Lot 1, Block 4 ARDEN PARK.

8. Thence South along the west boundary of Block 4, ARDEN PARK to the southwest corner of Lot 6, said Block 4.

9. Thence West along the westerly extension of the south boundary of Block 4, ARDEN PARK to the west boundary of Glover Road.

10. Thence North along the west boundary of Glover Road to a point that is South 1°10' East 316.47 feet distant and West 20.00 feet distant from an iron pipe located in the intersection of Howe Street and Glover Road, said point being in the easterly extension of the north boundary of the tract of land described in deed recorded in Book 527 on Page 554, Record of Deeds for Clackamas County, Oregon.

11. Thence West to the northwest corner of said last mentioned tract of land.

12. Thence North 131.93 feet to the northeast corner of the tract of land described in deed recorded in Book 487, Page 115, Record of Deeds for Clackamas County, Oregon

13. Thence West 149.1 feet to an angular corner in the north boundary of the said tract of land described in Book 487, Page 115.

14. Thence South 20.00 feet more or less to a re-entrant corner in the north boundary of said tract of land described in Book 487, Page 115.

15. Thence West 104.42 feet along the north boundary of the said tract described in Book 487, on Page 115 and the westerly extension thereof to the west boundary of 41st Street.

16. Thence North along the west boundary of 41st Street to the herein mentioned place of beginning., and

being tracts of land completely surrounded by the corporate boundaries of the City of Milwaukie, Oregon, are hereby annexed to the City of Milwaukie, Clackamas County, Oregon."

BE IT FURTHER RESOLVED that the election precinct for said special city election shall be and constitute all of the territory included within the corporate limits of the City of Milwaukie, Oregon, and that there shall be one polling place for said special city election, namely in the City Hall, 926 Main Street, Milwaukie, Oregon.

BE IT FURTHER RESOLVED that the following named persons, all legal voters of Milwaukie, Oregon, be and the same are hereby designated and appointed as the Chairman and Clerks of election, to act as the Election Board at such polling place on said date, to-wit:

- \_\_\_\_\_ Chairman
- \_\_\_\_\_ Clerk
- \_\_\_\_\_ Clerk
- \_\_\_\_\_ Clerk

BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing measure in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the measure in question, the measure should be submitted to the voters in the following form and ballot title, to-wit:

"PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY"

PROPOSED AMENDMENT TO THE CITY CHARTER

Shall Chapter 1 of the Charter of the City of Milwaukie, Oregon, be amended by adding thereto a section to be known as Section 1 (D) and to be designated "Further annexation of territory bounded by City", and to read as follows:

"Section 1 (D), Further annexation of territory surrounded by City, That the following described tracts of land and territory, to-wit:

All of Lots 1,2 and 3 of Block 5 GLOVERLAND, and that portion of Howe Street adjacent thereto

A part of BLOCK4, GLOVERLAND, described as follows:

Beginning at the southeast corner of said Block 4 thence West 194.20 feet; thence North 100.00 feet; thence East 194.20 feet to the east line of Block 4; Thence South 100.00 feet to the point of beginning.

All of LOT 2, BLOCK 1, PLIMPTON TRACTS.

A tract of land located in Section 30, T.1 S., R.2 E., W.M. and being particularly described as follows:

Beginning at the intersection of the westerly extension of the south boundary of LOTS 1,2,3 and 4, BLOCK 1, FIELDCREST with the west boundary of 41st Street.

1. Thence south  $88^{\circ}54'$  East 437.60 feet following the aforesaid westerly extension and the south boundary of Lots 1,2,3 and 4 to the northwest corner of Lot 5, Block 1 FIELDCREST;
2. Thence South 208.7 feet to the southwest corner of Lot 6, Block 1, FIELDCREST.
3. Thence along the south boundary of Block 1 FIELDCREST and the north boundary of Block 1 GLOVERLAND, East to the northeast corner of Lot 4, Block 1 GLOVERLAND.
4. Thence South along the east boundary of said Lot 4 and the southerly extension thereof to the south boundary of Rockwood Street.
5. Thence West along the south boundary of Rockwood Street to the northwest corner of Lot 3 Block 1 ARDEN PARK.
6. Thence South along the west boundary of Lots 3,2,1 and 9, Block 1, ARDEN PARK and the southerly extension thereof to the south boundary of Howe Street.
7. Thence along the south boundary of Howe Street East to the northwest corner of Lot 1, Block 4, ARDEN PARK.
8. Thence South along the west boundary of Block 4, ARDEN PARK to the southwest corner of Lot 6, said Block 4.
9. Thence West along the westerly extension of the south boundary of Block 4, ARDEN PARK to the west boundary of Glover Road.
10. Thence North along the west boundary of Glover Road to a point that is South  $1^{\circ}10'$  East 316.47 feet distant and West 20.00 feet distant from an iron pipe located in the intersection of Howe Street and Glover Road, said point being in the easterly extension of the north boundary of the tract of land described in deed recorded in Book 527 on Page 554, Record of Deeds for Clackamas County, Oregon.
11. Thence West to the northwest corner of said last mentioned tract of land.
12. Thence North 131.93 feet to the northeast corner of the tract of land described in deed recorded in Book 487, Page 115, Record of Deeds for Clackamas County, Oregon

13. Thence West 149.1 feet to an angular corner in the north boundary of the said tract of land described in Book 487, Page 115.

14. Thence South 20.00 feet more or less to a re-entrant corner in the north boundary of said tract of land described in Book 487, Page 115.

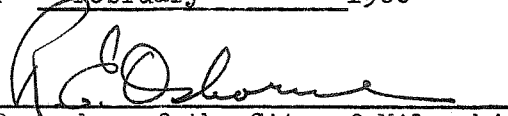
15. Thence West 104.42 feet along the north boundary of the said tract described in Book 487 on Page 115 and the westerly extension thereof to the west boundary of 41st Street.

16. Thence North along the west boundary of 41st Street to the herein mentioned place of beginning., and

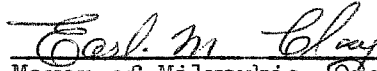
being tracts of land completely surrounded by the corporate boundaries of the City of Milwaukie, Oregon, are hereby annexed to the City of Milwaukie, Clackamas County, Oregon."

The polling place for the said special election will be the City Hall, 926 Main Street, Milwaukie, Oregon.

WITNESS MY HAND THIS 8th DAY OF February 1960

  
Recorder of the City of Milwaukie, Oregon

Adopted this 8th day of February 1960

  
Mayor of Milwaukie, Oregon

ATTEST

  
Recorder

Motion carried and so ordered.

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

RESOLUTION NUMBER 4-1960

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

LOT 1, ENGLE ADDITION.

THE WEST 100 feet of LOT 5, ENGLE ADDITION.

LOTS 11, 10, 9 and the E'ly 10 feet of LOT 8, BLOCK 10, MARCHBANKS ADDITION.

All of the plat of ARDEN PARK, a Townplat recorded in Book 27 on Page 1, RECORD OF TOWNPLATS for Clackamas County, Oregon, all of the ARDEN PARK BLOCKS 5, 6, and 7, a Townplat recorded in Book 27 on page 12 said record, all the plat of LEONE ACRES, a replat of part of TRACTS 5 and 6 LOGUS TRACTS recorded in Book 28 on Page 19 said record and all of the plat of LEONE ACRES No.2, a replat of part of TRACT 5, LOGUS TRACTS recorded in Book 28 on Page 5, said record. ALSO, beginning at the southeast corner of Tract 4 of said LEONE ACRES No.2; thence West along the south boundary of Tracts 4 and 3 of said plat and westerly extension thereof to the west boundary of 45th Street; thence South along said boundary of 45th Street to the north boundary of Logus Road; thence East along the north boundary of Logus Road to the intersection with the southerly extension of the west boundary of Tract 7 of said LEONE ACRES No. 2; thence North following the southerly extension of the west boundary of Tract 7 and the west boundary of Tracts 7,6 and 5 to the herein last mentioned point of beginning.

PART OF HECTOR CAMPBELL D. L. C #41 in Section 30, T.1S., R. 2 E., W.M., described as follows:

Beginning on the North line of said Campbell D.L.C. 44.20 chains east of the Northwest corner thereof; thence along the center line of Glover Road south  $1^{\circ}10'$  east 416.47 feet to the true point of beginning; thence north  $89^{\circ}15'$  West parallel with said Campbell D.L.C. 179.10 feet; thence north  $1^{\circ}10'$  West 100 feet; thence south  $89^{\circ}15'$  East 179.10 feet; thence south  $1^{\circ}10'$  east 100 feet to the true point of beginning.

LOT 3, ENGLE ADDITION, Described as follows:

Part of the Hector Campbell D.L.C. #41 in T. 1S., R. 2E. of the W.M., described as follows:

The easterly 90.92 feet of the following described tract: Beginning at the southwest corner of the south  $\frac{1}{2}$  of the southeast  $\frac{1}{4}$  of Lot No. 3, set off to William B. Campbell, by a decree in partition by the Circuit Court for Clackamas County in the suit of S. L. Campbell vs. W. B. Campbell et al, rendered April 3, 1875; thence east along the south line of said D.L.C. 301.84 feet, more or less, to the southwest corner of that certain tract described in mortgage recorded Jan. 12, 1953 in book 395 at page 397 mortgage records; thence north along the west line of the tract described in said mortgage, 130 feet to the northwest corner of the tract described in said mortgage; thence west parallel with the south line of said D.L.C. 301.84 feet, more or less, to the west line of the southeast quarter of said Lot No. 3; thence south along the said west line of the southeast quarter of Lot No. 3, 130 feet, more or less, to the place of beginning, excepting therefrom that portion lying within the boundaries of public roads, in the County of Clackamas and State of Oregon.

LOT 27 of GIBSON'S SUBDIVISION of Tracts 10, 11, 12, 13, and west 480 feet of Tracts 1 and 2 of Logus Tracts, in Section 30, Township 1, S., R. 2 E., W.M., Clackamas County, Oregon, according to the duly recorded map and plat thereof on file in the office of the Recorder of said County and State.

PART OF LOTS 5 and 4, GIBSON'S SUBDIVISION OF THE BAPTIST CAMPBELL TRACT, according to the duly recorded Plat thereof recorded in Book 7, page 46, Records of Townplats of Clackamas County, Oregon, more particularly described as follows: Beginning at the Southwest corner of Stull Tract described in Book 444, Page 235, DEED RECORDS; said point being in the center of the County Road 180 feet, more or less, south of the Northwest corner of the said Plat of Gibson's Subdivision of the Baptist Campbell Tract; from said beginning point thence Northerly along the center of the County Road 80 feet; thence Easterly parallel with the south line of the said Stull tract 190 feet; thence South 80 feet, more or less, to a point in the South line of said Stull tract, which is 190 feet East of the Southwest corner of said tract when measured along the South line thereof; thence West along the South line of said Stull tract 190 feet to the place of beginning.

Part of LOT 2, BLOCK 4, HOMEWOOD PARK, more particularly described as follows: Beginning at the northwest corner of said Lot 2; thence South  $0^{\circ}14'50''$  West along the West line of said Lot 2 a distance of 75 feet to an iron pipe, thence continuing South along the west line of said Lot 2, a distance of 6 feet 8 inches; thence northeasterly to a point which is south  $0^{\circ}14'50''$ , West 75 feet, and South  $89^{\circ}17'$  East 25 feet from the point of beginning; thence Easterly parallel to the north line of said Lot 2, a distance of 75 feet to the southwest corner of that tract of land conveyed to Elmer C. Honemiller et ux by deed recorded October 10, 1955, in Book 502, page 277, Deed Records; thence Northerly along the west line of said Honemiller Lot, 75 feet to the north line of said Lot 2 and the northwest corner of said Honemiller Lot; thence North  $89^{\circ}17'$  West 100 feet to the place of beginning, in the County of Clackamas and State of Oregon.

Part of LOTS 3, 4 and 5 GILBSON'S SUBDIVISION of the Baptist Campbell Tract as the same is recorded in Book 7, page 46 RECORD OF TOWNPLATS, Clackamas County. Beginning at the S.W. corner of the Stull tract recorded in Book 444 page 235, RECORD OF DEEDS, in the County road 180.0 feet more or less South of the northwest corner of said Subdivision; thence Northerly on the center line of said road 80.0 feet to the true point of beginning. From said point of beginning thence Easterly parallel with the south line of the Stull tract 190.0 feet; thence South 80.0 feet, more or less to a point in the south line of said Stull tract which is 190.0 feet East of the S.W. corner of said tract; thence East on the south line of said Stull tract 314 feet to the S.W. corner thereof; thence North 90.0 feet on the east line of said Stull tract to the N.E. corner thereof; thence West along the north line of said Stull tract 504.0 feet to the N.W. corner thereof; thence South on the center line of the County Road 10.0 feet to the point of beginning.

Tax Lot 2 of Lot 3; Tax Lot 2 of Lot 4; and Tax Lot 2 of Lot 5 of GIBSON'S SUBDIVISION of the Baptist Campbell Tracts in Section 30, T.1S., R.2 E W.M., more particularly described as follows:

Beginning at the N.W. corner of GIBSON'S SUBDIVISION of the Baptist Campbell Tract in Section 30, T.1 S., R. 2E., W.M., thence easterly 522.8 feet, more or less, to the northeast corner of Lot 3 of said Subdivision; thence South along the easterly boundary of said Lot 3, a distance of 88 feet, more or less, to a point; thence Westerly and parallel with the north boundary of said Subdivision 522.8 feet, more or less, to the west line of said subdivision; thence Northerly along the west line of said Subdivision to the point of beginning.

LOT 5, ENGLE ADDITION, except the west 100.0 feet thereof and except the east 100.0 feet thereof, in the S.W.  $\frac{1}{4}$  of Sec. 30, T. 1 S., R. 2 E., W.M.

TAX LOT 184, in the S.W.  $\frac{1}{4}$  of Sec. 30, T. 1 S., R. 2 E., W. M. in the County of Clackamas, more particularly described as follows:

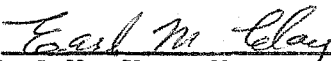
Beginning at the northwest corner of Engle Addition; thence Northerly along the east boundary of Glover Road 89.00 feet, more or less, to a point; thence Easterly and parallel with the north boundary of Engle Addition 381.84 feet, more or less, to a point; thence southerly and parallel with the east boundary of Glover Road, 89.00 feet more or less to the northeast corner of Engle Addition; thence Westerly along the north boundary of Engle Addition to the point of beginning, and

WHEREAS, the above described real properties lie within the boundaries of the Wichita Rural Zoning District, a rural 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 Rural Zoning District all of 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, Oregon, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 29th day of February, 1960 is hereby fixed as the date, the hour of 7:30 o'clock P.M. 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 City Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the said Wichita Rural Zoning District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon and

BE IT HEREBY 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, 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.

  
Earl M. Clay, Mayor of the  
City of Milwaukie, Oregon

ATTEST:

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

Adopted this 8th day of February, 1960

Motion carried and so ordered.

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

RESOLUTION NUMBER 5-1960

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

LOTS 20, 21, 22, BLOCK 88, MINTHORN ADDITION TO THE CITY OF PORTLAND

LOTS 23, 24, 25, 26, 27, BLOCK 88, MINTHORN ADDITION TO THE CITY OF PORTLAND

LOTS 13, 14 and the east 20 feet of LOT 15, BLOCK 88, MINTHORN ADDITION TO THE CITY OF PORTLAND

PART OF HECTOR CAMPBELL D.L.C. #41 in Section 30, T. 1 S., R. 2 E., W.M., described as follows:

Beginning on the North line of said Campbell D.L.C. 44.20 chains east of the Northwest corner thereof; thence along the center line of Glover Road south 1°10' east 416.47 feet to the true point of beginning; thence north 89°15' west parallel with said Campbell D.L.C 179.10 feet; thence north 1°10' West 100 feet; thence south 89°15' East 179.10 feet; thence south 1°10' east 100 feet to the true point of beginning.

LOT 3, ENGLE ADDITION. Described as follows:

Part of the Hector Campbell D.L.C. #41 in T. 1 S., R. 2 E. of the W. M., described as follows:

The easterly 90.92 feet of the following described tract: Beginning at the southwest corner of the south 1/2 of the southeast 1/4 of Lot No. 3, set off to William B. Campbell, by a decree in partition by the Circuit Court for Clackamas County in the suit of S. L. Campbell vs W. B. Campbell et al, rendered April 3, 1875; thence east along the south line of said D.L.C. 301.84 feet, more or less, to the southwest corner of that certain tract described in mortgages recorded Jan. 12, 1953 in book 395 at page 397 mortgage records; thence north along the west line of the tract described in said mortgage, 130 feet to the northwest corner of the tract described in said mortgage; thence west parallel with the south line of said D.L.C. 301.84 feet, more or less, to the west line of the southeast quarter of said Lot No. 3; thence south along the said west line of the southeast quarter of Lot No. 3, 130 feet, more or less, to the place of beginning, excepting therefrom that portion lying within the boundaries of public roads, in the County of Clackamas and State of Oregon.

Deed Book 433, Page 502

The Northerly 50 feet of Tract 13, of GIBSON'S SUBDIVISION of Tracts numbered 10 - 11- 12 and 13 and the West 480 feet of Tracts numbered 1 and 2 of the LOGUS TRACTS, as determined by a line drawn parallel with and 50 feet southerly from the Northerly line of said Tract 13

Deed Book 447, Page 363

Lot or Tract Thirteen (13) in GIBSON'S SUBDIVISION of Tracts 10, 11, 12 and 13, and the West 480 feet of Tracts 1 and 2 of the LOGUS TRACTS, according to the duly recorded Plat thereof, EXCEPTING the Northerly 50 feet thereof as determined by a line drawn parallel with and 50 feet Southerly from the Northerly line of said tract, as conveyed to Della M Evans and Florence J Mason, by deed recorded April 18, 1950 in book 430, at Page 264, Clackamas County records, in the County of Clackamas and State of Oregon.

Deed Book 447, Page 493

Part of Lot 7, GIBSON'S SUBDIVISION of the J.A. LOGAN TRACT, in Section 19 and 30, T. 1 S., R. 2 E., of the W. M. described as:

Beginning at a point in the Northerly line of Lot 7, which is South 65° 46' East, 380 feet from the most northerly corner of said Lot 7, said point being also the Northeasterly corner of that tract conveyed to Kenneth Tondo by deed recorded July 12, 1929 in Book 202, Page 97, Deed Records; thence South 24° 15' West tracing the Easterly line of said tract conveyed to Kenneth Tondo, 142.41 feet to the South line of said Lot 7; thence South 89° 28' East tracing the South line of said Lot 7, 354.05 feet, more or less, to the most Easterly corner of said Lot 7; thence North 65° 46' West tracing the Northerly line of said Lot 7, 324.12 feet, more or less, to the place of beginning.

LOT 27 of GIBSON'S SUBDIVISION of Tracts 10, 11, 12, 13 and west 480 feet of Tracts 1 and 2 of Logus Tracts, in Section 30, Township 1 S., R. 2 E., W.M., Clackamas County, Oregon, according to the duly recorded map and plat thereof on file in the office of the Recorder of said County and State

TAX LOTS #140 and 141 in the Lot Whitcomb D.L.C., being part of the Northeast  $\frac{1}{4}$  Section 35, 1 South, 1 East, and further described as follows:

Part of the Lot Whitcomb and wife D.L.C. in Section 35, T. 1 S., R. 1 E., of the W. M., Beginning South  $30^{\circ}40'$  West 37.42 feet from the Southeast corner of the Henderson Luelling, D. L. C. #51 (as marked by a galvanized iron pipe 2 inches in diameter driven in the ground); thence South  $20^{\circ}30'$  East 385.90 feet to the North side of the Railroad right-of-way; thence South  $4^{\circ}$  West 30.65 feet to the South line of said right-of-way; thence South  $35^{\circ}$  West 144.00 feet, more or less, to low water mark of the Willamette River; thence Northwesterly with the meanders of the river at low water mark, 219 feet, more or less, to the Westerly extension of the Southeasterly line of that tract described in Deed Book 74, Page 422; thence North  $35^{\circ}$  East along said Southeasterly line and the Westerly extension thereof 178.25 feet to the Southwesterly line of the Railroad right-of-way; thence Westerly and Northerly following said Railroad right-of-way 310 feet more or less, to the North line of the D. H. Hendee tract; thence North  $69^{\circ}30'$  East along said North line 266.57 feet to the point of beginning, EXCEPT the portion thereof lying within the Railroad right-of-way,

ALSO:

Beginning on the Northwesterly line of that certain 15 foot roadway shown on the Plat of WAVERLY HEIGHTS, said roadway being commonly referred to as Lava Drive, at the point of intersection with the Westerly line of Tract 8 of said Waverly Heights, being the place of beginning; thence Northerly tracing the Westerly line of Tract 8 a distance of 25 feet to a point; thence Easterly and parallel to the Northwesterly line of said Lava Drive to a point that measures 50 feet Northeasterly of the most Westerly corner of that certain property lying South of Waverly Heights owned by the Pendleton Woolen Mills; thence Southwesterly along such projected 50 feet a distance above described to a point that intersects with the Northwesterly line of said Lava Drive; thence Westerly tracing the Northwesterly line of said Lava Drive to the place of beginning.

PART OF LOTS 5 and 4, GIBSON'S SUBDIVISION OF THE BAPTIST CAMPBELL TRACT, according to the duly recorded Plat thereof recorded in Book 7, page 46, Records of Townplats of Clackamas County, Oregon, more particularly described as follows: Beginning at the Southwest corner of Stull Tract described in Book 444, Page 235, DEED RECORDS; said point being in the center of the County Road 180 feet, more or less, south of the Northwest corner of the said Plat of Gibson's Subdivision of the Baptist Campbell Tract; from said beginning point thence Northerly along the center of the County Road 80 feet; thence Easterly parallel with the South line of the said Stull tract 190 feet; thence South 80 feet, more or less, to a point in the South line of said Stull tract, which is 190 feet East of the Southwest corner of said Tract when measured along the South line thereof; thence West along the South line of said Stull Tract 190 feet to the place of beginning.

Part of Lot 2, Block 4 HOMEWOOD PARK, more particularly described as follows:

Beginning at the northwest corner of said Lot 2; thence South  $0^{\circ}14'50''$  West along the West line of said Lot 2 a distance of 75 feet to an iron pipe, thence continuing South along the west line of said Lot 2, a distance of 6 feet 8 inches; thence northeasterly to a point which is south  $0^{\circ}14'50''$ , West 75 feet, and South  $89^{\circ}17'$  East 25 feet from the point of beginning; thence Easterly parallel to the North line of said Lot 2, a distance of 75 feet to the southwest corner of that tract of land conveyed to Elmer C. Honemiller et ux by deed recorded October 10, 1955, in Book 502, Page 277, Deed Records; thence Northerly along the west line of said Honemiller Lot, 75 feet to the north line of said Lot 2 and the northwest corner of said Honemiller Lot; thence North  $89^{\circ}17'$  West 100 feet to the place of beginning, in the County of Clackamas and State of Oregon.

Part of LOTS 3, 4 and 5 GIBSON'S SUBDIVISION of the Baptist Campbell Tract as the same is recorded in Book 7, page 46 RECORD OF TOWNPLATS, Clackamas County.

Beginning at the S.W. corner of the Stull tract recorded in Book 444, page 235, RECORD OF DEEDS, in the County Road 180.0 feet more or less South of the northwest corner of said Subdivision; thence Northerly on the center line of said road 80.0 feet to the true point of beginning. From said point of beginning thence Easterly parallel with the south line of the Stull tract 190.0 feet; thence South 80.0 feet, more or less to a point in the south line of said Stull tract which is 190.0 feet East of the S.W. corner of said tract; thence East on the South line of said Stull tract 314 feet to the S. W. corner thereof; thence North 90.0 feet on the east line of said Stull tract to the N.E. corner thereof; thence West along the north line of said Stull tract 504.0 feet to the N.W. corner thereof; thence South on the center line of the County Road 10.0 feet to the point of beginning.

TAX LOT 2 of LOT 3; TAX LOT 2 of LOT 4; and TAX LOT 2 of LOT 5 of GIBSON'S SUBDIVISION of the Baptist Campbell Tracts, in Section 30, T. 1 S., R. 2 E., W. M., more particularly described as follows:

Beginning at the N.W. corner of Gibson's Subdivision of the Baptist Campbell Tract in Section 30 T. 1 S., R. 2 E., W. M. thence Easterly 522.8 feet more or less, to the northeast corner of Lot 3 of said Subdivision; thence South along the easterly boundary of said Lot 3, a distance of 88 feet, more or less, to a point; thence Westerly and parallel with the north boundary of said Subdivision 522.8 feet, more or less, to the west line of said Subdivision; thence Northerly along the west line of said Subdivision to the point of beginning.

LOT 5, ENGLE ADDITION, except the west 100.0 feet thereof and except the east 100.0 feet thereof, in the S.W.  $\frac{1}{4}$  of Sec. 30, T. 1 S., R. 2 E., W. M.,

TAX LOT 184, in the S.W.  $\frac{1}{4}$  of Sec. 30, T. 1 S., R. 2 E., W. M. in the County of Clackamas, more particularly described as follows:

Beginning at the northwest corner of Engle Addition; thence Northerly along the east boundary of Glover Road 89.00 feet, more or less, to a point; thence Easterly and parallel with the north boundary of Engle Addition 381.84 feet, more or less, to a point; thence southerly and parallel with the east boundary of Glover Road, 89.00 feet more or less to the northeast corner of Engle Addition; thence Westerly along the north boundary of Engle Addition to the point of beginning.

AND

WHEREAS, the above described real property so annexed to the City of Milwaukie, Oregon, lie within the boundaries of the Milwaukie Rural Fire Protection District, a Rural Fire Protection District in Clackamas County, 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 said Milwaukie Rural Fire Protection District all of the hereinabove described and heretofore incorporated in and annexed to the City of Milwaukie, Oregon,

BE IT HEREBY FURTHER RESOLVED, by the City Council of the City of Milwaukie, Oregon, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 29th day of February, 1960, is hereby fixed as the date, the hour of eight-thirty o'clock P. M. 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 City Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the said Milwaukie Rural Fire Protection District and to determine whether such withdrawals are for the best interests of the City of Milwaukie, Oregon, and

BE IT HEREBY 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, 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 February, 1960

Earl M. Clay  
Earl M. Clay, Mayor of the  
City of Milwaukie, Oregon

ATTEST:  
R. E. Osborne  
R. E. Osborne, Recorder of the  
City of Milwaukie, Oregon

Motion carried and so ordered.

A letter from the Clackamas County Paid Fire Fighters Association, Local 1159, signed by R. H. House, Sec-Treas. was read. In the letter Mr. House made inquiry as to what the intention of the Council was with regard to Civil Service for firemen. The Council took no action on the matter.

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

The Manager read the final bill for Don Thornton, contractor, for sewer replacement in Washington Street. It was moved by Howard and seconded by Mortensen that Don Thornton be paid this bill in the amount of \$5,628.43. Motion carried and so ordered.

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

<u>VENDOR</u>	<u>AMOUNT</u>
Portland General Electric Co.	\$ 1,211.29
Portland Road & Gravel	317.77
Pump, Pipe & Power Co.	13.30
Reddaways Truck Service (Ctg. on power plant)	28.22
Richfield Oil Corp'n	75.04
Rockwell Mfg. Co.	672.24
Southern Pacific Co.	20.00
Surplus Property Section	164.10
Alice Staley	9.80
Standard Oil Co. of Calif.	81.54
F. E. Stein	27.56
Waterworks Supplies Co.	138.18
West Disinfecting Co.	16.20
Fred Wildy	165.00
Aactive Business Machines	3.50
Abbott & Lind	8.55
Air Mac	49.16
Allied Arts Studio	23.40
American Barricade Co.	13.20
Bell Sand & Gravel Co.	7.70
Bureau of Water Works	79.50
Carey Oil Co.	249.12
Clackamas County	11.00
Temple V. Ehmsen	5.00
Electro Plumb Co.	3.87
Franck's Color Center	13.87
Ernest Groocock	45.80
Dick Groener Agency	2,869.80
Charlie Helwig, Inc.	29.25
International City Managers Ass'n	50.00
Kilham Stationery & Printing Co.	11.10
Will Loder Ins. Agency	900.31
Loggers & Contractors Machinery Co.	171.45
Marshall-Wells Store	42.17
McCready Lumber Co.	1.10
Milwaukie Automotive Service	340.65
Milwaukie Lumber Co.	74.13
Milwaukie Plumbing & Heating	89.23
Milwaukie Volunteer Fire Dept.	33.00
Milwaukie Review	88.61
Leonard B Mullan	20.00
Munnell & Sherrill	4.00
Neptune Meter Co.	94.95
Nickles Shoe Store	25.11
Northwest Industrial Laundry	5.40
Overall Laundry Co.	11.70
Olson Bros. Shell Service	275.18
Pacific Telephone	157.90
Pitney-Bowes, Inc.	75.61

TOTAL \$ 8,824.56

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin  
Ellen Martin, Clerk