

SPECIAL MEETING OF MARCH 26, 1962

A special meeting of the Council of Milwaukie was held on the twenty-sixth day of March, 1962, for the purpose of hearing on annexations of territories and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Earl Clay.

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

Mr. Charles R. Holloway Jr., representing Northwest Natural Gas Co. came before the Council with regard to renewal of their franchise. Councilman Howard suggested that the fee for the franchise be based on an escalating plan, such as is used in many cities in the east. Attorney Sheldahl explained that the renegotiation clause in the Ordinance suggested by the Gas Company had no value to the City and advised that it be rewritten to show that the franchise be renegotiated in ten years and that if an agreement could not be reached at that time, the original franchise would be void. It was moved by Howard and seconded by Aebi that the franchise Ordinance be referred to Attorney Sheldahl and that he insert a clause providing for a renegotiation of the franchise in ten years.

At the hour of eight o'clock Mayor Clay opened the hearing on the annexation of properties as described in Ordinance No. 885, and called for objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

At the hour of eight-fifteen o'clock the Mayor opened the hearing on the annexation of territories as described in Ordinance No. 886 and called for objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

At eight-thirty o'clock the Mayor opened the hearing on the annexation of territories as described in Ordinance No. 887 and called for objection to the same. There was no person present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance No. 893 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance No. 893 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 893 AN ORDINANCE annexing certain territories, 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 No. 893 passed the Council and was so declared by the Mayor.

Ordinance No. 894 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 894 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 894 AN ORDINANCE annexing certain territories 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 No. 894 passed the Council and was so declared by the Mayor.

Ordinance No. 895 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 895 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance No. 895 AN ORDINANCE annexing certain territories contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, and fixing the effective date of such annexation, 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 No. 895 passed the Council and was so declared by the Mayor.

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

RESOLUTION 12-1962

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

TAX LOT 36-1, JOHN GARRETT D.L.C., described as follows: Beginning at the southeast corner of the intersection of Monroe Street and Stanley Avenue in the John Garrett D.L.C., T. 1S., R. 2E., W.M.; thence South along the east boundary of Stanley Avenue a distance of 325 feet to the point of beginning of the tract herein described; thence continuing South along the east boundary of Stanley Avenue a distance of 100 feet; thence East 300 feet; thence North 100 feet; thence West 300 feet to the point of beginning.

TAX LOT 36-1-2, JOHN GARRETT D.L.C., Section 31, T. 1S., R. 2E., W.M., described as: Beginning at an iron pipe on the east line of Stanley Avenue, said point being 1044.3 feet west and 225.0 feet south of the northeast corner of said D.L.C.; thence south along said east line of Stanley Avenue 100.0 feet to an iron pipe; thence east, parallel to the north line of said D.L.C. 300.0 feet to an iron pipe; thence north, parallel with said Stanley Avenue, 100.0 feet to an iron pipe, thence west 300.0 feet to the place of beginning.

LOTS 1 and 2, and the West 4 feet of LOT #3, BLOCK 10, MARCHBANKS ADDITION, which properties are contiguous to the present boundaries of the City of Milwaukie, Oregon.

LOTS 10, 11, 12, BLOCK 10, MINTHORN ADDITION TO THE CITY OF PORTLAND

LOTS 37, 38, 39, BLOCK 10, MINTHORN ADDITION TO THE CITY OF PORTLAND

TAX LOT 71-2, HECTOR CAMPBELL, D.L.C. A tract of land located in the Hector Campbell D.L.C. No. 41, in T. 1S., R. 2E., of the W.M. and being more particularly described as follows: Beginning at the intersection of the North line of King Street with the west line of White Lake Road said last mentioned road being that tract conveyed to Clackamas County by deed recorded June 11, 1942, in Book 294, page 506, Deed Records which intersection is North 99° 29' West 136.7 feet distant from the Southwest corner of Tract 29 GIBSON'S SUBDIVISION OF TRACTS 10, 11, 12, 13, and the west 480 feet of Tracts 1 and 2 of the Logus Tracts, a Townplat recorded in Book 7, page 47, Record of Townplats for Clackamas County, Oregon; from said beginning point thence, following the West right-of-way boundary of said White Lake Road, North 0° 10' 30" East 100.00 feet; thence, parallel with the North boundary of King Street, North 98° 29' West 96.31 feet; thence South 0° 24' West 100.00 feet to the north boundary of King Street; thence, following said last mentioned boundary, South 88° 29' East 96.7 feet to the place of beginning, Clackamas County, Oregon.

TAX LOT 155, HECTOR CAMPBELL D.L.C. A tract of land located in the Hector Campbell Claim No. 41 in Section 30, T. 1S., R. 2E., of the W.M., and more particularly described as follows to-wit: Beginning at an iron pipe located South 0° 03' East 20.00 feet distant from an iron pipe located at the Southeast corner of the plat of Berwyn Villas, a townplat recorded in Book 17, on page 14, Record of Townplats

for Clackamas County, Oregon; from said beginning point; thence South 0° 03' east 386.52 feet following the east boundary of the land of the grantors herein to an iron pipe in the north boundary of the Milwaukie Sandy Road No. 132; thence North 88° 29' West 96.70 feet following said last mentioned boundary to an iron pipe; thence North 0° 10' 30" East 386.80 feet to an iron pipe; thence South 88° 19' East 95.18 feet parallel with the south boundary of said Berwyn Villas to the place of beginning of the tract herein described, containing 0.8516 acres more or less.

The West half of tract number thirty-three (33) in GIBSON'S SUBDIVISION of Tracts 10, 11, 12, and 13, and the West 480 feet of Tracts 1 & 2 of Logus Tracts as shown on the duly recorded maps and plats thereof.

That Part of Tract 7, LOGUS TRACTS lying East of the County Road, except the South 333.3 feet thereof, and all of Tract 8, LOGUS TRACTS, except the South 2 1/2 acres of the West half thereof and except the North 142.15 feet of the West half thereof, cut off parallel to the North tract line; and

That part of the West one-half of Tract 8, LOGUS TRACTS, more particularly described as: Beginning at the Southeast corner of the West one-half of Tract 8 in the center of Logus Road; thence West along the center line of said Logus Road, 122.79 feet to a point; thence North, parallel with the West line of Tract 8, 198.92 feet to a point; thence West, parallel with the South line of said Tract 8, 138.00 feet to the West line of said Tract 8; thence North along said West line 120.00 feet to the Southwest corner of that certain tract conveyed to Richard R. Falk et ux, by Deed Recorded in Deed Book 373, page 552; thence East along the south line of said Falk tract, 260.83 feet to the East line of the West one-half of Tract 8; thence South along said East line, 318.92 feet to the point of beginning.

Situated in the County of Clackamas and State of Oregon.

The South half (1/2) of the West half of Tract No. 1, in GIBSON'S SUBDIVISION OF TRACTS 10, 11, 12, 13 and the West 480 feet of Tract 1 and 2 of the LOGUS TRACTS as shown by the recorded plat thereof.

Being a part of Lot 2 also known as Tract 2 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, situated in the Geo. Wills Donation Land Claim in Section 30, T. 1S., R. 2E., of the W.M. described as follows, to-wit:

Beginning at an iron pipe driven at the Southwest corner of said Lot 2 thence Easterly tracing the South boundary of said Lot 220.00 feet to an iron pipe driven at the Southeast corner of said Lot 2; thence Northerly tracing the East boundary of said Lot 99.00 feet to an iron pipe; thence Westerly and parallel to the South boundary of said Lot 2, 220.00 feet to an iron pipe driven in the West Boundary thereof; Thence Southerly tracing the West boundary of said Lot 2, 99.00 feet to the point of beginning, therein the County of Clackamas and State of Oregon.

Part of the JOHN D. GARRETT D.L.C. No. 38, in Section 31, T. 1S., R. 2E., of the W.M. described as: Beginning at an iron pipe which is 1372.14 feet east and North 0° 33' East 899.20 feet and North 68° 40' West 336.82 feet from the southwest corner of the J. D. Garrett D.L.C. in T. 1 and 2 S., R. 2E., of the W.M., which iron pipe is located at the southwest corner of a certain tract of land conveyed by Helen Meredith unmarried, to Gilbert Harding and Mary L. Harding, husband and wife, by deed recorded August 19, 1937, in Book 239, page 111, Deed Records of Clackamas County, Oregon; thence North 68° 40' West 655.06 feet more or less, to an iron pipe set in the east line of a 40 foot strip of land reserved in the deed from Helen Meredith to Lester Wright and Ruth Wright, his wife, recorded January 3, 1932, in Book 214, page 280, Deed Records; thence North 0° 37' East along the east line of said 40 foot strip of land, 521.2 feet, more or less, to an iron pipe set in the southerly right of way line of the Portland and Oregon City Railway right of way; thence Southeasterly along the southerly line of said right of way; 730.00 feet, more or less, to the northwest corner of said tract of land conveyed to Gilbert Harding and Mary L. Harding, his wife, by deed recorded August 19, 1937, in Book 239, page 111, aforesaid; thence South 0° 33' West along the west line of said Harding land, 350.00 feet, more or less to the place of beginning.

Beginning at an iron pipe driven in the ground in the center of the County Road leading from Milwaukie to Fosters, the said pipe being 1058.4 feet East and 574.63 feet north of the southwest corner of the D.L.C. of J. D. Garrett and wife, in T. 1 and 2 S., R. 2E., of the W.M., and running thence North 0° 33' East 447.10 feet to an iron pipe; thence North 68° 40' West parallel with the center line of said road 449.06 feet to an iron pipe; thence South 0° 33' West 447.10 feet to an iron pipe in the center line of said road. thence South 68° 40' East 449.96 feet to the place of beginning, EXCEPTING therefrom that portion conveyed to Michael Kawalek and wife by deed recorded April 11, 1947, in Book 388, page 481, Deed Records; and EXCEPTING the following: Part of the John D. Garret D.L.C. No. 38 in Section 31, T. 1S., R. 2E., of the W.M., described as: Beginning at the most Westerly corner of that tract of land conveyed to Michael Kawalek and wife by deed recorded April 11, 1947, in Book 388, page 481, Deed Records said point being North 574.63 feet distant, East 1058.40 feet distant and North 68° 40' West 130.37 feet distant from the southwest corner of said Garrett Claim; thence North 21° 20' East 130.0 feet; thence South 68° 40' East 81.03 feet to the northeast corner of said Kawalek property; thence North 0° 33' East along the east line of

a tract of land conveyed to A. W. Teveliet and Emma Teveliet by deed recorded April 13, 1935, in Book 227, page 30, Deed Records, 308.05 feet, more or less, to the northeast corner of said Teveliet tract; thence continuing North 0°33' East along the east line of a tract conveyed to Teveliet by deed recorded April 19, 1943, in Book 308, page 13, Deed Records 350 feet more or less, to an iron pipe set in the southerly right of way line of the Portland and Oregon City Railway right of way; thence Northwesterly along said right of way to a point that is 150 feet distant from said east line of the Teveliet property, when measured at right angles from said east line; thence South 0° 33' West parallel to and 150 feet distant from said east line to the intersection of said line with the northwesterly extension of the Northeasterly line of the aforementioned Kawalek property; thence Southwesterly to a point in the center of Lake Road, which is North 68°40' West 60 feet from the point of beginning; thence South 68°40' East 60 feet to the point of beginning.

TAX LOT 20 . Part of J. D. GARRETT D.L.C. in the County of Clackamas and State of Oregon, described as follows:

Beginning at a point in the center of the County Road leading from Milwaukie to Foster, which bears 1372.14 feet East and 452.10 feet North and North 68°40' West 251.82 feet from the southwest corner of the said J. D. Garrett D.L.C. which beginning point also bears South 68° 40' East 85.00 feet from an iron pipe at the southwest corner of that tract of land conveyed to Belle Pelkey, by deed recorded May 6, 1938, in Book 246 at page 280, Records of Clackamas County, Oregon; from said beginning running thence North 68°40' West 85.00 feet to an iron pipe at the southwest corner of said Pelkey tract; thence running North 0°33' East along the west line of said Pelkey tract, a distance of 432.00 feet to a point; running thence Southeasterly parallel with the center line of the above mentioned Milwaukie Foster Road, a distance of 230.00 feet to a point; running thence Southwesterly to a point on the northerly line of said Milwaukie-Foster Road, which bears North 0°33' East from the place of beginning; running thence South 0°33' West to the place of beginning.

A tract of land in the Southwest $\frac{1}{4}$ of Section 32, T. 1S., R. 2E., of the W.M. described as follows, to-wit:

Beginning at the southwest corner of LOT 1, BLOCK 1, FURNBERG PARK.

1. Thence along the westerly extension of the south boundary of FURNBERG PARK, S 88°31' West 60.0 feet to the west boundary of Linwood Avenue;
2. Thence N. 0°27' West 367.80 feet along said Linwood Avenue boundary;
3. Thence N. 88°31' East 450.98 feet to a point of curve.
4. Thence southeasterly along a 162.77 foot radius curve to the right thru a central angle 52°00' a distance of 147.73 feet to a point of reverse curve;
5. Thence southeasterly along a 108.5 foot radius curve to the left thru a central angle of 39°47' a distance of 75.34 feet to a point of tangent;
6. Thence S. 79° 16' East 327.91 feet
7. Thence N. 88°31' East 434.07 feet to the Southeast corner of Lot 9 of Block 3 of the said FURNBERG PARK;
8. Thence North 146.18 feet to the Northeast corner of said Lot 9;
9. Thence North 88°31' East 50.0 feet
10. Thence South 342.75 feet to the initial point of said FURNBERG PARK;
11. Thence S. 88° 31' West 50.0 feet along the South boundary of said FURNBERG PARK.
12. Thence North 146.57 feet to the Northeast corner of Lot 6, Block 4, FURNBERG PARK;
13. Thence S. 88°31' West 438.12 feet
14. Thence N. 79° 16' West 333.26 feet to a point of curve;
15. Thence northwesterly along a 158.50 foot radius curve to the right thru a central angle of 39°47' a distance of 110.05 feet to a point of reverse curve;
16. Thence northwesterly along a 112.77 foot radius curve to the left, thru a central angle 28°20', a distance 55.77 feet to the northeast corner of Lot 8, Block 1, FURNBERG PARK;
17. Thence S. 1°29' East 149.38 feet to the Southeast corner of said Lot 8 of Block 1;
18. Thence S. 88° 31' West 300.0 feet to the southwest corner of Lot 5 of said Block 1;
19. Thence S. 1°29' East 158.86 feet to the southeast corner of Lot 1, of said Block 1;
20. Thence S. 88°31' West 142.87 feet to the aforesaid place of beginning.

All of the foregoing description being within the confines of FURNBERG PARK.

ALSO included is the following described tract of land located in the southwest $\frac{1}{4}$ of Section 32, T. 1S., R. 2E., of the W.M. described as follows, to-wit; Beginning N. 88° 31' East 120.0 feet distant from the initial point of FURNBERG PARK being the southeast corner of said plat.

1. Thence continuing N. 88°31' East 974.88 feet to an iron pipe set in the one quarter section line dividing said Section 32 into east and west halves;
2. Thence, following said division line, North 342.70 feet to the southeast corner of the plat of MAPLEHURST;
3. Thence S. 88°31' West 974.88 feet to a point N. 88°31' East 120.0 feet distant from the northeast corner of the plat of FURNBERG PARK;
4. Thence South 342.75 feet to the place of beginning last above mentioned.

A tract of land in Sections 31 and 32, T. 1S., R. 2E., of the W.M. described as follows, to-wit:

Note; Where tax lot numbers are mentioned in the following description, they are the numbers assigned by the Clackamas County Assessor and are valid as of February 27, 1962.

Beginning at the southeast corner of SMELSERS ADDITION a Townplat located in the northwest $\frac{1}{4}$ of said Section 32.

1. Thence following the southerly projection of the east boundary of said SMELSERS ADDITION, passing through the west boundary of CLEVELAND ADDITION, South 825.00 feet, more or less, to the southeast corner of Tax Lot 15, of said Section 32, known as the George Deering Tract;
 2. Thence following the south boundary of said Tax Lot 15, West 121.80 feet, more or less, to the northeast corner of Tax Lot 17, of said Section 32, known as the Frederick Johnston Tract;
 3. Thence South 1209.56 feet, more or less, to a point in the north boundary of FURNBERG PARK that is North $88^{\circ} 31'$ East 4.0 feet distant from the most westerly corner of Lot 1 of Block 3 of said FURNBERG PARK;
 4. Thence, following the north boundary of the said FURNBERG PARK, North $88^{\circ} 31'$ West 4.00 feet to a point on curve the radial point of which bears South $30^{\circ} 32'$ West 162.77 feet.
 5. Thence continuing along said north boundary Westerly along a 162.77 foot radius curve to the left thru a central angle of $32^{\circ} 11'$ a distance of 91.43 feet to a point of tangent;
 6. Thence continuing along said north boundary and the westerly extension thereof, South $88^{\circ} 31'$ West 450.98 feet, more or less, to the west boundary of Linwood Ave.;
 7. Thence following the west boundary of Linwood Avenue North $0^{\circ} 27'$ West 80.00 feet, more or less, to a point North $89^{\circ} 28'$ West 5.00 feet distant from the southeast corner of the Muriel C. Bain tract described in Clackamas County Deed Records in Book 471 on Page 277, and recorded July 13, 1953;
 8. Thence North $89^{\circ} 28'$ West 354.98 feet, more or less, to the southwest corner of the said Bain tract in the east boundary of Wichita Avenue;
 9. Thence North $0^{\circ} 37'$ East 122.76 feet to the northwest corner of the said Bain tract;
 10. Thence South $89^{\circ} 28'$ East 354.84 feet to a point in the west boundary of Linwood Avenue that is North $89^{\circ} 28'$ West 5.00 feet distant from the northeast corner of the said Bain tract;
 11. Thence following the west boundary of Linwood Avenue North 360.0 feet, more or less, to the southeast corner of the Walter B. Hamilton and wife tract known as Tax Lot 55-2 of the John D. Garrett Claim.
 12. Thence West 359.40 feet, more or less, to the southwest corner of the said Hamilton tract in the east boundary of Wichita Avenue.
 13. Thence North 140.0 feet, more or less, to the northwest corner of the said Hamilton tract;
 14. Thence following the north boundary of the said Hamilton tract East 179.63 feet, more or less, to the southwest corner of the Jack F. Robertson tract known as Tax Lot 95-1 of said Garrett Claim;
 15. Thence parallel with the west boundary of Linwood Avenue North 243.95 feet, passing along the west boundary of Tax Lots 95-1 and 169 of said Garrett Claim, to the northwest corner of said Tax Lot 169 known as the G. Shirley Adams tract;
 16. Thence West 179.49 feet along the westerly extension of the north boundary of said Tax Lot 169 to the southwest corner of Tax Lot 52-1, of the said Garrett Claim, known as the A. G. Schuh tract in the east boundary of Wichita Avenue;
 17. Thence North 121.96 feet to the northwest corner of said Tax Lot 52-1;
 18. Thence East 179.42 feet to the northeast corner of said Tax Lot 52-1 and is also the southwest corner of the Hance F. Haney tract being a part of Tax Lot 49 of said Garrett Claim;
 19. Thence following the west boundary of the said Haney tract and the north extension thereof North 273.95 feet to a point in the north boundary of Tax Lot 47-1 said Garrett Claim;
 20. Thence following the north boundary of the said Tax Lot 47-1 East 174.27 feet, more or less, to the west boundary of Linwood Avenue.
 21. Thence following the west boundary of Linwood Avenue North 670.0 feet, more or less, to intersect the westerly extension of the most southerly boundary of the aforesaid SMELSERS ADDITION.
 22. Thence North $89^{\circ} 34' 20''$ East 663.65 feet along the westerly extension of and the southerly boundary of SMELSERS ADDITION to the aforesaid place of beginning.
- NOTE--Where Tax Lot numbers are used in the following description they are the Tax Lot numbers assigned by the Clackamas County Assessor and are valid as of March 1, 1962.

Beginning in the south boundary of King Road (Street) at the northeast corner of Lot 17 of Block 7 of the heretofore vacated portion of the plat of MINTHORN ADDITION TO THE CITY OF PORTLAND.

1. Thence along said boundary of King Road (Street) West 100.0 feet to the northwest corner of Lot 20, Block 7 of the said vacated portion of MINTHORN ADDITION.
2. Thence South 460 feet to the southwest corner of Lot 29 of Block 22 of the said vacated portion of MINTHORN ADDITION;

3. Thence West 100.0 feet to the east boundary of Sherman Avenue.
4. Thence South 730.0 feet, more or less, to the south boundary of Monroe Street;
5. Thence West 20.0 feet, more or less, to a point in the west boundary of the J John and Sarah Ruttle tract as described in deed recorded in Clackamas County Deed Record Book 197 on Page 349 and also known as Tax Lot 32 of the John D. Garrett D.L.C.
6. Thence following the west boundary of the said Ruttle Tract South 114.0 feet more or less to the northwest corner of Block 3 of the plat of BRIARWOOD.
7. Thence East 100.0 feet to the northeast corner of said Block 3;
8. Thence Northeasterly in a direct line to the northwest corner of Block 2 of said BRIARWOOD;
9. Thence East 155.74 feet to the northeast corner of said Block 2 in the west boundar of the Gustave R. and Lillian E. Carlson tract known as Tax Lot 149 of the said Garrett D.L.C.
10. Thence following the west boundary of the said Carlson tract South 340.0 feet more or less, to the southwest corner thereof being the northwest corner of the plat of CHERRY KNOLL.
- 11, 12 and 13. Thence following the north boundary of CHERRY KNOLL through the next three courses and distances: East 120.0 feet, South 20.0 feet and East 180.0 feet to the northeast corner of Lot 3 of Block 1 of said CHERRY KNOLL.
14. Thence North 40.0 feet, more or less, to the northwest corner of Lot 2 of Block 1 said CHERRY KNOLL and which corner is the southwest corner of the Allen and Lucia Burt tract known as Tax Lot 34 of the said Garrett D.L.C.
15. Thence East 100.0 feet to the southeast corner of the said Burt tract;
16. Thence following the east boundary of the said Burt tract North 208.91 feet, more or less, to the southwest corner of the Bernard E. Kruger tract also known as Tax Lot 35-3 of the said Garrett Claim;
17. Thence East 75.0 feet to the southeast corner of the said Kruger tract;
18. Thence following the east boundary of the said Kruger tract North 200.0 feet, more or less to the south boundary of Monroe Street;
19. Thence following said Monroe Street boundary East 315.0 feet, more or less, to the northwest corner of the Virgil E. Himes tract also known as Tax Lot 36-1-3 of the said Garrett Claim;
20. Thence South 215.0 feet, more or less, to the southwest corner of the said Himes tract.
21. Thence East 332.95 feet, more or less, to the southeast corner of the Wichita Water District tract also known as Tax Lot 37 of the said Garrett Claim;
22. Thence following the east boundary of the said Wichita Water District tract and the northerly extension thereof, North 265.0 feet, more or less, to the north boundary of Monroe Street the said northerly extension intersecting the north boundary of the said Garrett Claim West 561.31 feet distant from the northeast corner thereof. The terminus of this last course and distance being in the south boundary of Lot 1, of Block 3 of the plat of ELDORA:
23. Thence following the north boundary of Monroe Street West 460.0 feet, more or less, to the southeast corner of Lot 3 of Block 1 of said ELDORA;
24. Thence North to the northeast corner of said Lot 3, Block 1, ELDORA;
25. Thence West 271.0 feet, more or less, to the northwest corner of Lot 2, Block 1, of said ELDORA in the east boundary of Stanley Avenue;
26. Thence South 56.0 feet, more or less, to intersect the easterly extension of the south boundary of Tax Lot 24-5 of the Daniel Hathaway Claim;
27. Thence West 190.0 feet, more or less, to the southeast corner of Tax Lot 24-5-2 of said Hathaway claim and being a part of the Lyle A. Meads tract;
28. Thence North 100.0 feet to the northeast corner of said Tax Lot 24-5-2;
29. Thence West 170.0 feet to the northwest corner of Tax Lot 24-4 of the said Hathaway claim and being a part of the David Voll tract;
30. Thence North 150.0 feet, more or less, to the northeast corner of Tax Lot 24-4-1 of the said Hathaway Claim, being a part of the Reynold Anderson tract; and being a point in the south boundary of the Roy and Eunice Myers tract, also known as Tax Lot 20 of the Daniel Hathaway Claim;
31. Thence East along the south boundary of Tax Lot 20,, said Hathaway Claim and the easterly extension thereof, 360 feet more or less; to the east boundary of Stanley Avenue;
32. Thence North along the east boundary of Stanley Avenue 160 feet, more or less, to a point of intersection with the easterly extension of the north boundary of said Tax Lot 20;
33. Thence West along the north boundary of said Tax Lot 20 and its easterly extension, 365 feet, more or less, to the southeast corner of the Julia Parker tract, also known as Tax Lot 18, said Hathaway Claim.
34. Thence North along the east boundary of said Tax Lot 18 to the northeast corner thereof.
35. Thence West 95.0 feet, more or less, to the southeast corner of Lot 32 of Block 22 of the heretofore mentioned vacated portion of MINTHORN ADDITION;
36. Thence North 460.0 feet to the heretofore described place of beginning.

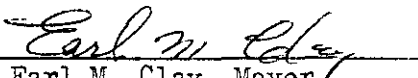
AND WHEREAS, the above described real properties lie within the boundaries of the Milwaukie Rural Fire Protection District, a---fire protection district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

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.

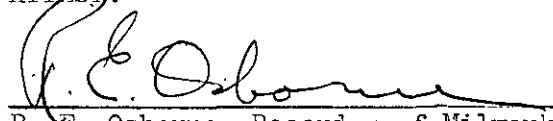
BE IT FURTHER RESOLVED BY the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 23rd day of April, 1962 is hereby fixed as the date, the hour of 8:00 o'clock Pacific Standard Time is hereby fixed as the time, and the Council Chamber of the City, Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the Milwaukie Rural Fire Protection District and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

BE IT FURTHER RESOLVED THAT THE City Recorder of the City of Milwaukie, Oregon, be and he hereby is ordered and directed to cause a notice of the date, time and place and purpose of said hearing to be published once each week for two successive weeks prior to the date of such hearing, in the MILWAUKIE REVIEW, a newspaper of general circulation in said City, and that he further cause notice of the date, time, place and purpose of said hearing to be posted in four places within the City of Milwaukie, Oregon, for a like period of time.

ADOPTED THIS 26th DAY OF MARCH, 1962.


Earl M. Clay, Mayor
CITY OF MILWAUKIE, OREGON

ATTEST:


R. E. Osborne, Recorder of Milwaukie, Oregon

RESOLUTION NUMBER 13-1962

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

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

17. Thence, following said division line, north 301.8 feet more or less to its north terminus;
 18. Thence East 100.0 feet, more or less to the southwest corner of Tract 24 of the last mentioned plat;
 19. Thence North 420.6 feet to the northwest corner of said Tract 24;
 20. Thence East 400.0 feet to the northeast corner of Tract 23 of the last mentioned plat;
 21. Thence South 420.6 feet to the southeast corner of said Tract 23;
 22. Thence East 500.0 feet more or less to the north end of the division line dividing Tract 37 of the last mentioned plat into East and West halves;
 23. Thence South following said division line and its southerly extension 491.8 feet more or less to the south boundary of King Road;
 24. Thence along said road boundary West 620.0 feet more or less to the northeast corner of Lot 15, Block 9 of the Plat of Minthorne Addition;
 25. Thence South 150.0 feet to a point 50.0 feet north of the southeast corner of Lot 34 of Block 9, Minthorne Addition;
 26. Thence West 75.0 feet to a point in the west boundary of Lot 32 of said Block 9, 50.0 feet north of the southwest corner thereof;
 27. Thence North 150.0 feet to the northwest corner of Lot 17 of said Block 9 in the south boundary of King Road;
 28. Thence West 175.0 feet to the northwest corner of said Block 9;
 29. Thence South 200.0 feet to the southwest corner of said Block 9;
 30. Thence West 285.0 feet to the southwest corner of Lot 40 Block 10, Minthorne Addition;
 31. Thence North 200.0 feet to the northwest corner of Lot 9, Block 10, Minthorne Addition in the south boundary of King Road;
 32. Thence following said road boundary West to the northwest corner of Block 10, Minthorne Addition;
 33. Thence South 260.0 feet to the Northwest corner of Block 19 of said Minthorne Addition;
 34. Thence West 310 feet to the northwest corner of Lot 10, Block 18, Minthorne Addition;
 35. Thence North 260 feet to the northwest corner of Lot 10, Block 11, Minthorne Addition;
 36. Thence West to the northwest corner of Block 11, Minthorne Addition to the point of beginning.
- In the foregoing descriptions where tax lot numbers are used they are Tax Lot numbers assigned by the Clackamas County Assessor and are valid as of January 1, 1962.

LOTS 1 and 2, and the West 4 feet of LOT 3, BLOCK 10, MARCHBANKS ADDITION. which properties are contiguous to the present boundaries of the City of Milwaukie, Oregon.

LOTS 10, 11, 12, BLOCK 10, MINTHORN ADDITION TO THE CITY OF PORTLAND

LOTS 37, 38, 39, BLOCK 10, MINTHORN ADDITION TO THE CITY OF PORTLAND

TAX LOT 71-2, HECTOR CAMPBELL D.L.C. A tract of land located in the Hector Campbell D.L.C. No. 41, in T. 1S., R. 2E., of the W.M. and being more particularly described as follows: Beginning at the intersection of the North line of King Street with the west line of White Lake Road, said last mentioned road being that tract conveyed to Clackamas County by deed recorded June 11, 1942, in Book 294, page 506, Deed Records which intersection is North 88° 29' West 136.7 feet distant from the Southwest corner of Tract 29, GIBSON'S SUBDIVISION OF TRACTS 10, 11, 12, 13, and the west 480 feet of Tracts 1 and 2 of the Logus Tracts, a Townplat recorded in Book 7, page 47, Record of Townplats for Clackamas County, Oregon; from said beginning point thence, following the West right-of-way boundary of said White Lake Road, North 0° 10' 30" East 100.00 feet; thence, parallel with the North boundary of King Street, North 88° 29' West 96.31 feet; thence South 0° 24' West 100.00 feet to the north boundary of King Street; thence following said last mentioned boundary, South 88° 29' East 96.7 feet to the place of beginning, Clackamas County, Oregon.

TAX LOT 155, HECTOR CAMPBELL, D.L.C. A tract of land located in the Hector Campbell Claim No. 41 in Section 30, T. 1S., R. 2E., of the W.M., and more particularly described as follows, to-wit: Beginning at an iron pipe located South 0° 03' East 20.00 feet distant from an iron pipe located at the Southeast corner of the plat of Berwyn Villas, a townplat recorded in Book 17, on page 14, Record of Townplats for Clackamas County, Oregon; from said beginning point; thence South 0° 03' east 386.52 feet following the east boundary of the land of the grantors herein to an iron pipe in the north boundary of the Milwaukie-Sandy Road No. 132; thence North 88° 29' West 96.70 feet following said last mentioned boundary to an iron pipe; thence North 0° 10' 30" East 386.80 feet to an iron pipe; thence South 88° 19' East 95.18 feet parallel with the south boundary of said Berwyn Villas to the place of beginning of the tract herein described, containing 0.8516 acres, more or less.

The West half of tract number thirty-three (33) in GIBSON'S SUBDIVISION of Tracts 10, 11, 12, and 13, and the West 480 feet of Tracts 1 & 2 of Logus Tracts as shown on the duly recorded maps and plats thereof.

That Part of Tract 7, LOGUS TRACTS lying East of the County Road, except the South 333.3 feet thereof, and all of Tract 8, LOGUS TRACTS, except the South 2 acres of the West half Thereof and except the North 142.15 feet of the West half thereof, cut off parallel to the North tract line; and

That part of the West one-half of Tract 8, LOGUS TRACTS, more particularly described as: Beginning at the Southeast corner of the West one-half of Tract 8 in the center of Logus Road; thence West along the center line of said Logus Road, 122.79 feet to a point; thence North, parallel with the West line of Tract 8, 198.92 feet to a point; thence West, parallel with the South line of said Tract 8, 139.00 feet to the West line of said Tract 8; thence North along said West line 120.00 feet to the Southwest corner of that certain tract conveyed to Richard R. Falk et ux, by Deed recorded in Deed Book 373, page 552; thence East along the South line of said Falk tract, 260.83 feet to the East line of the West one-half of Tract 8; thence South along said East line, 318.92 feet to the point of beginning.

Situated in the County of Clackamas and State of Oregon.

A tract of land located in the Southeast $\frac{1}{4}$ of Section 30 and the Northeast $\frac{1}{4}$ of Section 31, both sections being in T. 1S., R. 2E., of the W.M. and being more particularly described as follows:

NOTE: Where Tax Lot numbers are used in the following description they are the Tax Lot numbers assigned by the Clackamas County Assessor and are valid as of March 1, 1962.

Beginning in the south boundary of King Road (Street) at the northeast corner of Lot 17 of Block 7 of the heretofore vacated portion of the plat of MINTHORN ADDITION TO THE CITY OF PORTLAND.

1. Thence along said boundary of King Road (Street) West 100.0 feet to the northwest corner of Lot 20, Block 7 of the said vacated portion of MINTHORN ADDITION.
2. Thence South 460 feet to the southwest corner of Lot 29 of Block 22 of the said vacated portion of MINTHORN ADDITION;
3. Thence West 100.0 feet to the east boundary of Sherman Avenue.
4. Thence South 730.0 feet, more or less, to the south boundary of Monroe Street;
5. Thence West 20.0 feet, more or less, to a point in the west boundary of the John and Sarah Ruttle tract as described in deed recorded in Clackamas County Deed Record Book 197 on Page 349 and also known as Tax Lot 32 of the John D. Garrett D.L.C.
6. Thence following the west boundary of the said Ruttle Tract South 114.0 feet more or less to the northwest corner of Block 3 of the plat of BRIARWOOD.
7. Thence East 100.0 feet to the northeast corner of said Block 3;
8. Thence Northeasterly in a direct line to the northwest corner of Block 2 of said BRIARWOOD;
9. Thence East 155.74 feet to the northeast corner of said Block 2 in the west boundary of the Gustave R. and Lillian E. Carlson tract known as Tax Lot 149 of the said Garrett D.L.C.
10. Thence following the west boundary of the said Carlson tract South 340.0 feet more or less, to the southwest corner thereof being the northwest corner of the plat of CHERRY KNOLL.
- 11, 12, 13. Thence following the north boundary of CHERRY KNOLL through the next three courses and distances: East 120.0 feet, South 20.0 feet and East 180.0 feet to the northeast corner of Lot 3, of Block 1, of said CHERRY KNOLL.
14. Thence North 40.0 feet, more or less, to the northwest corner of Lot 2 of Block 1, said CHERRY KNOLL and which corner is the southwest corner of the Allen and Lucia Burt tract known as Tax Lot 34 of the said Garrett D.L.C.
15. Thence East 100.0 feet to the southeast corner of the said Burt tract;
16. Thence following the east boundary of the said Burt tract North 208.91 feet, more or less, to the southwest corner of the Bernard E. Kruger tract also known as Tax Lot 35-3 of the said Garrett Claim;
17. Thence East 75.0 feet to the southeast corner of the said Kruger tract;
18. Thence following the east boundary of the said Kruger tract North 200.0 feet, more or less to the south boundary of Monroe Street;
19. Thence following said Monroe Street boundary East 315.0 feet, more or less, to the northwest corner of the Virgil E. Himes tract also known as Tax Lot 36-1-3 of the said Garrett Claim;
20. Thence South 215.0 feet, more or less, to the southwest corner of said Himes tract;
21. Thence East 332.95 feet, more or less, to the southeast corner of the Wichita Water District tract also known as Tax Lot 37 of the said Garrett Claim;
22. Thence following the east boundary of the said Wichita Water District tract and the northerly extension thereof, North 265.0 feet, more or less, to the north boundary of Monroe Street, the said northerly extension intersecting the north boundary of the said Garrett Claim West 561.31 feet distant from the northeast

- corner thereof. The terminus of this last course and distance being in the south boundary of Lot 1 of Block 3 of the plat of ELDORA;
23. Thence following the north boundary of Monroe Street West 460.0 feet, more or less, to the southeast corner of Lot 3 of Block 1 of said ELDORA;
 24. Thence North to the northeast corner of said Lot 3, Block 1, ELDORA;
 25. Thence West 271.0 feet, more or less, to the northwest corner of Lot 2, Block 1, of said ELDORA in the east boundary of Stanley Avenue;
 26. Thence South 56.0 feet, more or less, to intersect the easterly extension of the south boundary of Tax Lot 24-5 of the Daniel Hathaway Claim;
 27. Thence West 190.0 feet, more or less, to the southeast corner of Tax Lot 24-5-2 of said Hathaway claim and being a part of the Lyle A. Meads tract;
 28. Thence North 100.0 feet to the northeast corner of said Tax Lot 24-5-2;
 29. Thence West 170.0 feet to the northwest corner of Tax Lot 24-4 of the said Hathaway claim and being a part of the David Voll tract;
 30. Thence North 150.0 feet, more or less, to the northeast corner of Tax Lot 24-4-1 of the said Hathaway Claim, being a part of the Reynold Anderson tract; and being a point in the south boundary of the Roy and Eunice Myers tract, also known as Tax Lot 20 of the Daniel Hathaway Claim;
 31. Thence East along the south boundary of Tax Lot 20, said Hathaway Claim, and the easterly extension thereof, 360 feet more or less, to the east boundary of Stanley Avenue;
 32. Thence North along the east boundary of Stanley Avenue 160 feet, more or less, to a point of intersection with the easterly extension of the north boundary of said Tax Lot 20;
 33. Thence West along the north boundary of said Tax Lot 20 and its easterly extension, 365 feet, more or less, to the southeast corner of the Julia Parker tract, also known as Tax Lot 18, said Hathaway Claim;
 34. Thence North along the east boundary of said Tax Lot 18 to the northeast corner thereof
 35. Thence West 95.0 feet, more or less, to the southeast corner of Lot 32 of Block 22 of the heretofore mentioned vacated portion of MINTHORN ADDITION;
 36. Thence North 460.0 feet to the heretofore described place of beginning.

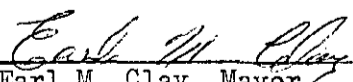
AND WHEREAS, the above described real properties lie within the boundaries of the Wichita Zoning District, a zoning district, in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon.

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.

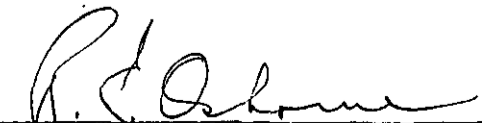
BE IT FURTHER RESOLVED by the City Council of the City of Milwaukie, that by virtue of the foregoing and by virtue of the provisions of Chapter 401, Oregon Laws, 1957, the 23rd day of April, 1962 is hereby fixed as the date, the hour of 8:10 o'clock Pacific Standard Time is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, is hereby fixed as the place for a public hearing to be held by the Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts of real property from the 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 26th day of March, 1962.


 Earl M. Clay, Mayor
 CITY OF MILWAUKIE, OREGON

ATTEST:


 R. B. Osborne, Recorder of Milwaukie, Oregon

Motion carried and so ordered.

After discussion on the question and advise from the City Attorney, it was moved by Sedgwick and seconded by Howard that Omark Industries be permitted to connect their new building on Ochoco Street to the Milwaukie sewer.
Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Ellen Martin
Ellen Martin, Clerk