

SPECIAL MEETING OF SEPTEMBER 15, 1961

A special meeting of the Council of the City of Milwaukie, was held on the fifteenth day of September, 1961 for the purpose of a hearing on the annexation of contiguous properties to the City of Milwaukie, and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor 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. Absent: Clerk Ellen Martin.

Ordinance No. 851 AN ORDINANCE withdrawing from the Milwaukie Rural Fire Protection District those parts of said District heretofore annexed to and incorporated within the boundaries of the City of Milwaukie, Oregon was taken up and read for its second reading and put on its passage with the following results being had. Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance No. 851 passed the Council and was so declared by the Mayor.

Ordinance No. 852 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 852 be passed to its second reading and that it be read at this time. Motion carried and so ordered. Ordinance No. 852 AN ORDINANCE providing for the procedure, without election, to annex certain territory, contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon, fixing a day for public hearing before the City Council of the City of Milwaukie, Oregon, on the question of such annexation, directing publication of notice of such hearing and declaring an emergency, was taken up and read for its second reading and put on its passage with the following result. Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance No. 852 passed the Council and was so declared by the Mayor.

Ordinance No. 853 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 853 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 853 AN ORDINANCE relating to the dumping, depositing or throwing away of rubbish, debris, litter, lighted tobacco, cigars, cigarettes and other lighted materials on lands or public highways within the City; providing penalties; and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance No. 853 passed the Council and was so declared by the Mayor.

The time having arrived, the Mayor opened the hearing on the question of annexation, without election, of properties bounded as described in Ordinance No. 850 and called for any objections or remonstrances to the same. There was no citizen present who made objection and no written objection had been received. The Mayor declared the hearing closed.

Ordinance No. 854 was taken up and read for its first reading. It was moved by Howard and seconded by Aebi that Ordinance No. 854 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 854 AN ORDINANCE annexing certain territory contiguous to the present boundaries of the City of Milwaukie, Clackamas County, Oregon and fixing the effective date of such annexation, was again taken up and read for its second reading and put on its passage with the following result being had. Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance No. 854 passed the Council and was so declared by the Mayor.

Ordinance No. 855 was taken up and read for its first reading. It was moved by Howard and seconded by Sedgwick that Ordinance No. 855 be passed to its second reading and that it be read at this time. Motion carried and so ordered.

Ordinance No. 855 AN ORDINANCE prohibiting unaccompanied minors from being in public places during certain hours; prohibiting parents, guardians or custodians from allowing minors to be in public places during certain hours; providing for the taking charge and disposition of minors violating curfew hours; prescribing the duties of parents, guardians and custodians as to minors violating curfew hours; providing penalties; repealing ordinances in conflict herewith and declaring an emergency, was again taken up and read for its second reading and put on its passage with the following result being had; Ayes: Howard, Renard, Aebi, Sedgwick and Clay. Nays: None. Ordinance No. 855 passed the Council and was so declared by the Mayor.

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

RESOLUTION NUMBER 24-1961

WHEREAS, the City of Milwaukie, by appropriate statutory procedure, has heretofore annexed the following described tracts of real property bounded as follows:

Beginning at the most southerly corner of the plat of KELLOGG CREEK ACRE TRACTS in the center of Kellogg Creek in Section 1, T. 2S., R. 1E. of the W.M.

Thence following the southeasterly boundary of said Plat and the northeasterly extension thereof to an intersection with the northeasterly boundary of Lake Road;

Thence following said last mentioned road boundary South 67°0' East 1100.00 feet, more or less, to a point that is North 67°0' West 200.00 feet distant from the southwest corner of TRACT 7 of WHITTON TRACTS;

Thence North 264.56 feet;

Thence North 67°0' West 200.00 feet;

Thence North 253.00 feet;

Thence East 200.00 feet, more or less, to the southeast corner of Tax Lot No. 30 of the JOSEPH KELLOGG D.L.C.:

Thence North along the east boundary of said Tax Lot to the northeast corner thereof in the south boundary of the plat of MINTHORN ADDITION TO THE CITY OF PORTLAND

Thence East along the said boundary of MINTHORN ADDITION to intersect the east boundary of the Joseph Kellogg D.L.C. or the west boundary of the John D. Garrett D.L.C.

Thence South along the last mentioned D.L.C. boundary to the most northerly corner of Tax Lot No. 98 of the John D. Garrett D.L.C.

Thence along the northeasterly boundary of said Tax Lot 98 to the northeast corner thereof;

Thence following the east boundary of said Tax Lot 98, and the southerly extension thereof South 0°87' East 1085.0 feet, more or less, to the southwesterly boundary of Lake Road;

Thence following said last mentioned Road boundary North 68°30' West 80.00 feet, more or less, to the most easterly corner of Tax Lot 53 of the Joseph Kellogg D.L.C.;

Thence Southwesterly along the southeasterly boundary of said Tax Lot 53 to the most southerly corner thereof;

Thence Northwesterly along the southwesterly boundary of said Tax Lot 53 to the most westerly corner thereof;

Thence Southwesterly 200.00 feet, more or less, along the southwesterly extension of the northwesterly boundary of said Tax Lot No. 53 to the most southerly corner of Tax Lot No. 51-4 of the Joseph Kellogg D.L.C.

Thence Northwesterly along the southwesterly boundary of said Tax Lot 51-4 to the most westerly corner thereof in the southeasterly boundary of S.E. Vernie Ave.

Thence following the said S.E. Vernie Avenue boundary and the southwesterly extension thereof to the northeasterly boundary of Tax Lot No. 50 of the Joseph Kellogg D.L.C.

Thence Northwesterly along the said northeasterly boundary of Tax Lot No. 50, 43.0 feet to the most northerly corner thereof in the southeasterly boundary of Tax Lot No. 17 of the Joseph Kellogg D.L.C.

Thence Southwesterly along the southeasterly boundary of said Tax Lot 17 to the center of Kellogg Creek;

Thence down stream along the center of Kellogg Creek 1700.0 feet, more or less, to the most southerly corner of KELLOGG CREEK ACRE TRACTS, the place of beginning of the description herein.

This description drawn on the 28th day of August, 1961.

AND WHEREAS, THE ABOVE DESCRIBED REAL PROPERTIES lie within the boundaries of the MILWAUKIE RURAL FIRE PROTECTION DISTRICT, a fire protection district in the County of Clackamas and State of Oregon, duly organized and existing under and by virtue of the laws of the State of Oregon

NOW THEREFORE BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that it does hereby elect to cause the withdrawal from the said MILWAUKIE RURAL FIRE PROTECTION DISTRICT, all that part of said Fire District hereinabove lying within the boundary 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, the 9th day of October, 1961 is hereby fixed as the date, the hour of 8:15 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 Council of the City of Milwaukie, Oregon, to hear objections to the withdrawal of the above described tracts lying within the above described boundaries, of real properties from the MILWAUKIE RURAL FIRE PROTECTION DISTRICT and to determine whether such withdrawal is for the best interests of the City of Milwaukie, Oregon, and

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

Adopted this 11th day of September, 1961.

Earl M. Clay
Earl M. Clay, Mayor.

ATTEST:

R. E. Osborne
R. E. Osborne, Recorder.

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.

Leonard B. Mullan
Leonard Mullan, Acting Clerk.