MEETING OF NOVEMBER 9, 1959

940th MEETING

The nine hundred fortieth regular meeting of the Council of Milwaukie was held on the ninth day of November, 1959.

The meeting was called to order by Mayor Clay.

Present: Mayor Clay; Councilmen Aebi, Sedgwick and Howard; Manager Mullan, Attorney Sheldahl and Clerk Martin. Absent: Councilman Mortensen.

The minutes of the nine hundred thirty-ninth regular meeting of the Council, held on the twelfth day of October, 1959, were approved as written.

The minutes of a special meeting of the Council, held on the sixteenth day of October, 1959, were approved as written.

Mrs. W. J. Greeley, 9147 S. E. 29th Ave. near Malcolm Street, came before the Council and stated that for two years there had been a trailer house on her property, that her mother-in-law occupied the trailer house and that it was connected to a septic tank, and made inquiry as to if or not the trailer house could remain as is. Mrs. Greely was advised that inasmuch as the property has not yet been zoned, the trailer house could be left there at least until the property is zoned.

A petition, signed by eighty-nine property owners, requesting that sewers be laid in Filbert Street, Olsen Avenue, Rockwood Avenue, 41st Street, Hazel Street and a part of Harvey Street, was laid before the Council. It was moved by Howard and seconded by Sedgwick that the City Manager be authorized to have the Engineer's survey made for this improvement. Motion carried and so ordered.

The Mayor opened the hearing on the annexation of Lots 20 to 27, Block 88, Minthorn Addition and called for objections to the same. There was no citizen present who made objection and no written remonstrance had been received. The Mayor closed the hearing.

Ordinance Number 766 was read for ist first reading. It was moved by Howard and seconded by Sedgwick that Ordinance Number 766 be passed to its second reading. Motion carried and so ordered.

Applications for recommendations of renewals of liquor licenses were laid before the Council as follows:

Vic's Tavern, C.V. Crispin, for renewal of R.M.B.A. (Retail Malt Beverage) and "P.B." (Package Stroe Class "B")

Mac's Pit Ski Room, M. A. Rolfson and Winnifred Rolfson, "D.A." (Class "A" Dispenser's)

Main Street Cafe, Herman W. Suehlsen and Evelyn Lorraine Suehlsen; "D. A." (Class "A" Dispenser's)

It was moved by Howard and seconded by Aebi that the Council recommend the renewal of the licenses as listed above. Motion carried and so ordered.

Ordinance Number 767 was read for its first reading. It was moved by Sedgwick and seconded by Aebi that Ordinance No. 767 be passed to its second reading. Motion carried and so ordered.

The question of excusing the penalty on a sewer assessment was laid before the Council. It appears that Tax Lots 9 and 10, Kellogg D.L.C., owned by John and Amelia Stalonne was assessed on a square foot basis for the trunk line sewer in Lake Road and on a lineal foot basis for the sewer lateral in 37th Street. The Stalonnes did not bond their property. The dead line for bonding was in September, 1958. The assessment had been figured seperately. One for the trunk line, one for the 37th Street lateral, and had been posted in the Lien Docket on separate pages. In June, 1958, the Stalonnes paid part of each assessment. On September 22, 1958, they paid the balance in full on one of the assessments. The clerk who received the payment, not noticing that there were two assessments on the same property, marked the receipt "Paid In Full". In October, 1959, the Recorder sent notice of the penalty for non-payment of the assessment. The Stalonnes answered the notice and produced their receipt marked "Paid in Full" and stated that at the time of payment they understood that they were paying both assessments. The Stalonnes were now requesting that the penalty and interest be excused on these basis. It was moved by Howard and seconded by Aebi that inasmuch as the Stalonnes had shown good faith and had paid the assessment believing they were paying both assessments, that the penalty and interest be excused on the remaining portion of the assessment. Motion carried and so ordered.

The Mayor opened the hearing on the question of sewers in the Re-plat of Cole Addition and Walnut Park, and called for objections or remonstrances. A petition, signed by thirteen property owners along 34th Street, Kathryn Court and Mary Court in the Re-plat of Cole Addition, objecting to sewers along these streets, was read. Several owners of property along these streets protested verbally, stating that they had septic tanks in good working condition and good drainaga conditions and that they were purchasing their properties and did not want the added expense of sewers at this time. It was moved by Sedgwick and seconded by Aebi, that new estimates be made and that the following Resolution be adopted.

RESOLUTION NUMBER 29-1959

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, TO CONSTRUCT SANITARY SEWERS IN THE REPLAT OF COLE ADDITION AND IN WALNUT ADDITION.

WHEREAS, the City Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct sanitary sweres along.

33rd AVENUE, from Sherrett Street to Mary Court,
34th AVENUE, from Mary Court to Barba Street
MARY COURT, from 33rd Avenue to 34th Avenue,
BARBA STREET, from 33rd Avenue to 34th Avenue.
33rd AVENUE, from Roswell Street to Barba Street.

AND WHEREAS, the Council of the City of Milwaukie, Oregon, has requested from the City Engineer, plans and specifications for appripriate improvement to accomplish the above, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore filed such plans, specifications and estimates in the office of the City Recorder,

BE IT THEREFORE RESOLVED by the Council of theCity of Milwaukie, Oregon, that the above mentioned plans, specifications and estimates of the City Engineer, now on file with the City Recorder are found to be satisfactory and are hereby approved.

BE IT FURTHER RESOLVED that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, and the location and kind of improvement being as follows:

BY THE CONSTRUCTION OF SANITARY SEWERS, AND ALL THINGS NECESSARY IN THE CONSTRUCTION THEREOF, all to be done in accordance with theplans and specifications now on file with the City Recorder, which plans and specifications are hereby referred to and made a part of this Resolution.

Said Sanitary Sewers to be constructed along the following lines and between the following termini:-

33rd AVENUE, from Sherrett Street to Mary Court.
34th AVENUE, from Mary Court to Barba Street.
MARY COURT, from 33rd Avenue to 34th Avenue.
BARBA STREET, from 33rd Avenue to 34th Avenue.
33rd AVENUE, from Roswell Street to Barba Street.

That the Engineer's estimate of the probable cost of the Sanitary Sewers is the sum of $6,276.00

That the Engineer's estimate of the probable cost per front foot of property abutting the aforementioned streets where said Sanitary Sewers will be laid is the sum of $2.07 per Lineal foot.

THAT THE DISTRICT LIABLE TO BE ASSESSED FOR THE FOREGOING IMPROVEMENT IS AS FOLLOWS:

All lots or parts of lots, in the Replat of Cole Addition, lying within 100 feet of either side of the streets where such Sanitary Sewers will be laid, as listed above.

All lots or parts of lots, in the plat of Walnut Addition, lying within 100 feet of either side of the streets where such Sanitary Sewers will be laid,as listed above.

That an assessment will be levied on all lots and parcels of land within such proposed assessment district, in proportion to the amount to which each lot or parcel of land will be benefitted.

BE IT FURTHER RESOLVED, that a written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 30th day of November, 1959

BE IT FURTHER RESOLVED, that the Chief of Police of Milwaukie, shall, within ten days from the passage of this Resolution, give notice of the passage of this Resolution by posting notices headed with the title "NOTICE OF SEWER CONSTRUCTION WORK" in three conspicuous places along the said above named streets; which said notice shall contain a copy of this Resolution, and shall specify the time in which a remonstrance against said proposed improvement may be filed with the City Recorder.

AND WHEREAS, it is necessary that said improvement be made as soon as possible, on account of sewage disposal and drainage conditions in said district; NOW THEREFORE, an emergency is declared to exist and this Resolution shall go into fullforce and effect immediately upon its adoption.

ADOPTED THIS 9th day of NOVEMBER, 1959.

Earl M. Clay

Earl M. Clay, Mayor of Milwaukie, Oregon

ATTEST:

R. E. Osborne

R. E. Osborne, Recorder.

Motion carried and so ordered.

The Mayor opened the hearing for curbs and sidewalks along 33rd Street Quincy Addition, and called for remosntrances or portests to the same. There was a group of property owners present who objected to sidewalks, stating that in many places there would have to be a fill under the salks, also that, in palces, buildings were so close to the property lines that the walks would be laid within a few feet of same. It appeared that the majority of the property owners were in favor of curbs only. It was moved by Sedgwick and seconded by Aebi that the following resolution be adopted.

RESOLUTION NUMBER 30-1959

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF MIL-

MEETING OF NOVEMBER 9, 1959 (Continued)

RESOLUTION NUMBER 30-1959 (Continued)

WAUKIE, OREGON, TO CONSTRUCT CURBS ALONG BOTH SIDES OF 33rd STREET, WHERE NONE NOW EXIST, OR WHERE THEY DO EXIST BUT DO NOT CONFORM TO CITY STANDARDS AS TO ALIGNMENT, GRADE OR QAULITY, FROM ITS INTERSECTION WITH WASHINGTON STREET TO ITS INTERSECTION WITH WISTER STREET.

WHEREAS, the Council of the City of Milwaukie, Oregon, deems it expedient and necessary to construct curbs along both sides of 33rd Street, from its intersection with Washington Street, southerly to its intersection with Wister Street, where none now exist or where such as do exist do not conform to City Standards as to alignment grade or quality, and

WHEREAS, the Council of the City of Milwaukie, Oregon, has required from the City Engineer, plans and specifications for the appropriate improvement to accomplish the above, and an estimate of the cost of the work to be done, and

WHEREAS, the City Engineer has heretofore filed such plans and specifications and estimates in the office of the City Recorder,

BE IT THEREFORE RESOLVED, that the Council of the City of Milwaukie, Oregon, does hereby declare its intention and purpose to make such improvement, the location and kind of improvement being as follows:

By the construction of curbs along both sides of 33rd Street where none now exist or where such as do exist do not conform to City standards as to grade, quality or alignment, along the following lines and termini:

Beginning at the intersection of 33rd Street with Washington Street, thence; Southerly to its intersection with Wister Street, and to do all things necessary in the construction of said curbs, all to be done in accordance with the plans and specifications now on file in the office of the City Recorder, which plans and specifications are hereby referred to and made a part of this Resolution.

That the Engineer's estimate of the probable cost of such improvement is the sum of $2,612.00

That the district liable to be assessed for the said improvement is as follows:

Beginning at the northwest corner of Lot 18, Block 3, Quincy Addition; thence South, along the cneter line of Blocks 3, 7 and 12, Quincy Addition, to the north boundary line of Wister Street; thence following the said north boundary line of Wister Street, East to the center line of Block 13, Quincy Addition; thence North along the center line of Blocks 13, 6 and 4, Quincy Addition to its intersection with the southwest boundary of Washington Street; thence northwesterly along the southwest boundary line of Washington Street to the point of beginning.

The City Engineer's estimated cost per lineal foot for curbs is $1.45

That an assessment will be levied on all lots and parcels of land within said proposed district, where said curbs will be constructed, in proportion to the amount to which each lot or parcel of land is benefitted.

BE IT FURTHER RESOLVED that written remonstrance against said proposed improvement may be filed with the City Recorder on or before the 30th day of November, 1959.

BE IT FURTHER RESOLVED, that the Chief of Police of the City of Milwaukie Oregon, shall, within ten days from the adoption of this Resolution, give notice of the adoption thereof by posting notices headed with the title "NOTICE OF CURB CONSTRUCTION WORK" in three public and conspicuous places along said portion of 33rd Street, which said notices shall contain a copy of this Resolution and shall specify the time in which remonstrances against the preposed improvement may be filed with the City Recorder; and that the City Council will hear such remonstances as may be filed on the 30th day of November, 1959, at the hour of eight-thirty (8:30) o'clock P.M., in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, and

WHEREAS, it is necessary that said improvement be made as soon as possible so as to take advantage of weather and other conditions in the construction of said improvement, NOW THEREFORE, AN EMERGENCY IS DECLARED TO EXIST, and this Resolution shall go into full force and effect immediately after its passage.

ADOPTED THIS 9th DAY OF NOVEMBER, 1959

Earl M. Clay

Earl M. Clay, Mayor of Milwaukie, Oregon

ATTEST:

R. E. Osborne

R. E. Osborne, Recorder.

Motion carried and so ordered.

A group of owners of property along Kellogg Lake came before the Council and made inquiry as to why the $250.00, promised for enlarging the outlet of the lake into the Willamette River, had been withdrawn. They were informed that the City Attorney had advised the Council that inasmuch as the 20 inch opening had been in use for years and had proved sufficient to drain the lake, there was no emergency at this time and therefore the City's emergency fund could not be used for this purpose.

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

RESOLTUION NUMBER 31-1959

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

NOTE: FOR the sake of brevity in the following description, all Townplat books and pages, have reference to RECORD OF TOWNPLATS for Clackamas County, Oregon, and all Deed Books and Pages have reference to RECORD OF DEEDS for Clackamas County, Oregon.

Beginning at the northwest corner of Section 30, T. 1 S., R. 2 E., of the W.M.;

1. Thence South 88° 48' East 298.46 feet;

2. Thence South 0° 13' West 360.0 feet more or less to the northwest corner of the Arnold O. Hatfield et ux tract described in Deeds 441, Page 343;

3. Thence Southeasterly 110.0 feet to the northeast corner of said Hatfield tract;

4. Thence South along the east boundary of the said Hatfield Tract and the southerly extension thereof to the southeasterly boundary of Derry Road #964;

5. Thence Northeasterly along the southeasterly boundary of the last mentioned road 400 feet, more or less, to its intersection with the northeasterly boundary of the Walter N. Paulson et ux tract described in Deeds 423, page 663;

6. Thence Southeasterly along the northeasterly boundary of the said Paulson tract to its most easterly northeast corner;

7. Thence South 1° 20' West 170.0 feet, more or less, to the southwest corner of the O. I. Jansen et ux tract described in Deeds 327, page 512;

8. Thence East along the south boundary of the said Jansen tract and the easterly extension thereof 1710 feet, more or less, to the west boundary of the townplat of GIBSON'S SUBDIVISION of Tracts 10, 11, 12, 13 and the west 480.0 feet of Tracts 1 & 2 LOGUS TRACTS as recorded in Townplats 7 on page 27;

9. Thence South along the west boundary of the last mentioned townplat to the southwest corner thereof;

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RESOLUTION 31-1959 (Continued)

10. Thence south 89° 49' West 1050.20 feet to the east boundary of the Townplat of ARDEN PARK, Blocks 5, 6 and 7 as recorded in Townplats Book 27, Page 12;

11. Thence North 3° 48' West 15.0 feet more or less to the northeast corner of the last mentioned townplat;

12. Thence following the north boundary of the said last mentioned townplat Westerly 736.18 feet;

13. Thence North 250.0 feet more or less to the south boundary of the townplat of FIELDCREST as recorded in Townplats Book 30, Page 19;

14. Thence following the south and east boundaries of the last mentioned Plat to the northeast corner thereof

15. Thence Easterly 100.0 feet more or less, along the easterly extension of the most northerly boundary of said FIELDCREST to its intersection with the southerly extension of a line that is 132.0 feet east of the most westerly boundary of the Mary Massen tract described in Deeds U. on page 218;

16. Thence North 627.0 feet to the northeast corner of the DELLA M. EVANS tract described in Deeds 142 on Page 416;

17. Thence West 132.0 feet to the northwest corner of the last mentioned Evans tract located in the aforesaid most westerly boundary of the Mary Massen Tract;

18. Thence following the last mentioned Mary Massen boundary North 110.0 feet, more or less, to an intersection with the easterly extension of the south boundary of the Townplat od Derry Acres No. 1 as recorded in Townplats 17, page 2;

19. Thence West along the easterly extension of and the south boundary of said DERRY ACRES No. 1, to the west boundary of said Section 30;

20. Thence following the west boundary of Section 30, South 100.0 feet more or less to intersect the easterly extension of the south boundary of Lot 13, Block 1, of the Townplat of GARNER ACRES as recorded in Townplats, Book 16, Page 32;

21. Thence West following the easterly extension of the south boundary of said Lot 13, of Block 1 and continuing West to the southwest corner of Lot 5 of Block 2, of said GARNER ACRES;

22. Thence following the west boundary of said Lot 5, Block 2, and the northerly extension thereof North 0° 49' 30" west 182.46 to the north boundary of Roswell Avenue;

23. Thence following said Roswell Avenue boundary East to the southwest corner of the Townplat of MASONMEAD as recorded in Townplats Book 18, Page 8;

24. Thence following the west boundary of MASONMEAD and the northerly extension thereof North to the northeasterly boudary of JOHNSON CREEK BOULEVARD;

25. Thence following said road boundary south 80° 34' 30" East 34.40 feet to the east boundary of the Russell D. Whelan et ux tract described in Deeds 552 on page 46;

26. Thence following the east boundary of the said Whelan Tract North to its intersection with the north boundary of Section 25, T. 1 S., R. 1 E., W. M.;

27. Thence following the north boundary of said Section 26, East to the northwest corner of Section 30, T. 1 S., R. 2 E., W. M. the place of beginning of the above description.

TAX LOT 14, Geo. Wills D.L.C. more particularly described as follows:

Beginning at the S. W. corner of the Geo. Wills D.L.C., T. 1 S.,

R. 1 E., W.M.; thence N. 0° 30' west, 697.64 feet; thence south 89° 14' East 1062.44 feet; thence North 0° 33' West 528.45 feet; thence South 89° 14' East 303.28 feet to the true point of beginning; thence S. 89° 14' E. 77.15 feet; thence N. 0° 10' W. 190.22 feet; thence N. 88° 38' W. 78.48 feet; thence S. 0° 33' E. 191.35 feet to the point of beginning, the same being situated in the N. E. ¼ of Section 25, T. 1 S., R. 1 E., W.M. The same is also described as Lot 14 of the as yet unrecorded Plat of Olsen's Acres.

LOT 13, BLOCK 1, MAPLECREST ADDITION

LOT 11, BLOCK 1, " "

LOT 10, BLOCK 1, " "

LOT 9, BLOCK 1, " "

LOT 8, BLOCK 1, " "

LOT 7, BLOCK 1, " "

LOT 2, BLOCK 2, " "

LOT 3, BLOCK 2, " "

LOT 5, BLOCK 1, GARNER ACRES

LOT 7, BLOCK 1, " "

WESTERLY 40 feet of LOT 8, BLOCK 1, GARNER ACRES

LOT 3, BLOCK 3, PLIMPTON TRACTS, Plat 483

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.

LOTS 14, 15, 16, 17, 18, BLOCK 1, FIELDCREST

LOTS 27, 28, 29, 30 BLOCK 3, FIELDCREST

LOTS 19, 18, 17, 16 and the W'ly 5 feet of LOT 15, BLOCK 88, MINTHORN ADDITION TO THE CITY OF PORTLAND.

SECTION 25, T. 1 S., R. 1 E., W. M. Beginning at the intersection of the east boundary of 41st Street with the easterly extension of the south boundary of Lot 13, Block 1, GARNER ACRES.

1. Thence following the east boundary of 41st Street, South ot its intersection with the east extension of the south boundary of Tract 26, THOMAS R. WEST SUBDIVISION:

2. Thence following the east extension of the said south boundary of the WEST SUBDIVISION and the South boundary of WEST SUBDIVISION, which is also the North boundary of PLIMPTON TRACTS, West to the northwest corner of Lot 6, Block 1, PLIMPTON TRACTS;

3. Thence South to the southwest corner of said Lot 6 in the north boundary of Olsen Street (Ave.);

4. Thence East to an intersection with the northerly extension of the boundary common to Lots 6 and 7, Block 3, PLIMPTON TRACTS;

5. Thence following the northerly extension of and the common boundary of Lots 6 and 7, Block 3, PLIMPTON TRACTS South to a point that is north 83.23 feet distant from the southeast corner of said Lot 7;

6. Thence West, parallel with the south boundary of said Lot 7, 100 feet;

7. Thence South 83.23 feet, parallel with the east boundary of said

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RESOLUTION NUMBER 31-1959 (Continued)

Lot 7 to the south boundary of Lot 8, Block 3, PLIMPTON TRACTS;

8. Thence East, along the south boundary of said Lot 8, to the northeast corner of Lot 11, Block 3, PLIMPTON TRACTS.

9. Thence South, following the east boundaries of Lots 11, 12, 13, 14, Block 3, PLIMPTON TRACTS and the south extension thereof to the south boundary of a dedicated alley adjacent south to said Lot 14;

10. Thence West to the northwest corner of Lot 1, Block 4, GLOVERLAND;

11. Thence South to the south boundary of the George Wills D.L.C. No. 58;

12. Thence West along the said Claim boundary to its intersection with the east boundary of Tract 13, ROCKWOOD ACRES;

13. Thence South to a point that is 60 feet north of the southeast corner of said Tract 13;

14. Thence West to the west boundary of said Tract 13;

15. Thence South 60 feet to the southwest corner of said Tract 13;

16. Thence West to the southeast corner of Tract 24, ROCKWOOD ACRES;

17. Thence North to the northeast corner of said Tract 24;

18. Thence West to the northwest corner of said Tract 24;

19. Thence West along the west projection of the north boundary of said Tract 24 to the west boundary of 32nd Street.

20. Thence North to the northeast corner of Block 9, BONNIE VIEW ACRES;

21. Thence West to the northwest corner of Lot 1, said Block 9;

22. Thence North 170 feet, more or less, to the northwest corner of Lot 21, Block 8, BONNIE VIEW ACRES:

23. Thence East 68.19 feet;

24. Thence South 60 feet to the South boundary of said Lot 21;

25. Thence East to the Southeast corner of said Lot 21;

26. Thence North to the southeast corner of Block 5, BONNIE VIEW ACRES;

27. Thence West 90.00 feet;

28. Thence North 120.0 feet to the north boundary of Lot 21 said Block 5;

29. Thence East 90.0 feet to the east boundary of said Block 5;

30. Thence North to the southeast corner of Lot 17, Block 4, BONNIE VIEW ACRES;

31. Thence West to the southwest corner of said Lot 17;

32. Thence North 120.0 feet to the northwest corner of Lot 16, said Block 4;

33. Thence East to the northeast corner of said Lot 16;

34. Thence North to intersect the westerly extension of the north boundary of Block 1, APPLEBY ACRES.

35. Thence East to the northeast corner of Lot 7 said Block 1;

36. Thence South to the southeast corner of said Lot 7;

37. Thence East to the southwest corner of Lot 13, said Block 1;

38. Thence North to the northwest corner of said Lot 13;

39. Thence East to the northwest corner of Lot 17, said Block 1;

40. Thence South to the southwest corner of said Lot 17;

41. Thence East to the southeast corner of Lot 27, said Block 1;

42. Thence continuing East 151.64 feet;

43. Thence North to the north boundary of Wake Street.

44. Thence East along the north boundary of Wake Street to the southeast corner of Lot 4, Block 2, MAPLECREST ADDITION;

45. Thence North to the northeast corner thereof;

46. Thence West to the southwest corner of GARNER ACRES;

47. Thence North to the northwest corner of Lot 2, Block 2, GARNER ACRES;

48. Thence East to the northeast corner of Lot 3, Blockl, GARNER ACRES;

49. Thence North to the northeast corner of Lot 5, said Block 1;

50. Thence East to the place of beginning

ALSO

The Easterly 42 feet of Lot 20 and the westerly 63.75 feet of Lot 19, Block 2, FLOSS ACRES.

Lot 22, Block 9, BONNIE VIEW ACRES.

The Easterly 70 feet of Lot 1, Block 6, GLOVERLAND.

ALSO the tracts of land bounded and described as follows:

Beginning at the southwest corner of the Plat of Derry Acres in the N. W. $\frac{1}{4}$ of Section 30, T. 1 S., R. 2 E., W. M.

1. Thence East along the south boundary of said Plat and the easterly extension thereof to the west boundary of the Mary Massen Tract described in Book U. on Page 218 Record of Deeds for Clackamas County, Oregon;

2. Thence South 110.00 feet to the northwest corner of the Della M. Evans tract described in Book 142 on Page 416, said Deed Records;

3. Thence East 132.0 feet to the northeast corner of said Evans tract;

4. Thence South 627.00 feet to a point in the north boundary of FIELDCREST.

5. Thence Westerly and Southerly following the northerly boundary of Fieldcrest to the east boundary of 41st Street;

6. Thence North on the east boundary of 41st Street to the place of beginning.

All of the plat of ARDEN PARK, a Townplat recorded in Book 27 on Page 1, RECORD OF TOWNPLATS for Clackamas County, Oregon, allof 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 the westerly extension thereof to the west boundary of 45th

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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.

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 allof 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 30th day of November, 1959, is hereby fixed as the date, the hour of eight o'clock P. M. is hereby fixed as the time, and the Council Chamber of the City Hall, 926 Main Stree, 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 FireProtection 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 9th day of November

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

ATTEST:

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

Motion carried and so ordered.

Manager Mullan read Stephens and Thompson's report on Sewers in Ardenwald. The report showed $18,340.02 now due Don Thornton, Contractor. It was moved by Sedgwick and seconded by Howard that Don Thornton be paid $18,340.02. Motion carried and so ordered.

Manager Mullan read the Engineer's report on work on streets done by Horton Construction Co. and the amount owing the contractor. It was moved by Sedgwick and seconded by Howard that Horton Construction Co. be paid $2,035.80. Motion carried and so ordered.

Manager Mullan read a report of Engineering done by Stephens & Thompson showing the amount owing them to be $1,727.30. It was moved by Howard and seconded by Aebi that Stephens & Thompson be paid $1,727.30. Motion carried and so ordered.

The Police report was read and ordered filed.

MINUTES OF MEETING OF NOVEMBER 9, 1959 (Continued)

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

VENDOR	TOTAL
J. M. Bernard's Garage	$ 57.40
Bowers, Davis & Hoffman	875.00
Bureau of Water Works	79.50
Brooks Products, Inc.	62.40
J. Carpenter & L. Cooper	595.14
Clackamas County	19.50
Clackamas Court Order of Amaranth	2.55
Bert Crosswhite	9.20
L. S. Devoe, M. D.	6.00
Feenaughty Machinery Co.	312.00
Franck's Color Center	15.84
J. I. Holcomb Co., Inc.	76.00
Horton Construction Co.	793.80
Kimmel's Hometown Hardware	2.85
McCready Lumber Yard	3.23
McElpatrick's H & M Ribbon & Carbon Co.	31.00
R. S. Milln	110.00
Milwaukie Automotive Service	218.68
Milwaukie Electric	17.05
Milwaukie Fire Department	94.00
Milwaukie Volunteer Fire Dept.	23.00
Milwaukie Hardware	9.53
Milwaukie Landscape (Ditching)	870.50
Milwaukie Lumber Co.	2.15
Milwaukie Oil Burner Sales	10.00
Milwaukie Plumbing & Heating	18.70
Milwaukie Review	229.31
Milwaukie Transfer	87.88
Milwaukie Upholstering	20.00
Leonard B. Mullan	20.00
Northwest Industrial Laundry	3.60
Nudelman Brothers	116.75
L. R. Ohlson	120.00
Olson Bros. Shell Service	75.12
Overall Laundry	7.76
Pacific Telephone	156.90
Paulsen & Roles Laboratories	6.90
Pioneer Mercantile Co.	.75
Portland General Electric Co.	1,070.26
Portland Road & Driveway	358.50
Price Rite Grocery	1.02
Rockwell Manufacturing Co.	1,400.50
Stevens & Thompson	781.52
F. E. Stein	37.48
Sutton Manufacturing Co.	14.00
William Tate	10.00
Tidewater Oil Co.	316.02
Utilities Supply Co.	4,660.49
Richard P. Walsh, Sheriff	5.25
Waterworks Supplies	177.60
Western Drug Label Co.	41.25
Fred Wildy (Hedge at 32nd & Harvey)	57.00

Motion carried and so ordered.

On motion duly made and carried the meeting adjourned.