

SPECIAL MEETING OF JULY 21, 1959

A special meeting of the Council of the City of Milwaukie, Oregon, was held on the twenty-first day of July, 1959, for the purpose of canvassing the votes of a special election and such other business necessary to come before the Council at this time.

The meeting was called to order by Mayor Clay.

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

The votes of a special annexation election, held in Ardenwald Precincts 3 and 4, in accordance with the provisions of Ordinance Number 750 of the City of Milwaukie, were canvassed with results being as follows:

Ballots for annexation	65
Ballots against annexation	12

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Ballots rejected	none
Total Ballots	<u>77</u>

The Mayor proclaimed and declared that the majority of votes were in favor of annexing the territory, bounded and described as follows:

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 $88^{\circ} 48'$ East 298.46 feet;
2. Thence South $0^{\circ} 13'$ 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 $1^{\circ} 20'$ 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;
10. Thence south $89^{\circ} 49'$ 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 $3^{\circ} 48'$ 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 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;

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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 of DERRY ACRES No. 1 as recorded in Town-plats 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, 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 $0^{\circ} 49' 30''$ west 182.46 feet 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 boundary of JOHNSON CREEK BOULEVARD;
25. Thence following said road boundary south $80^{\circ} 34' 30''$ 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 25, East to the northwest corner of Section 30, T. 1 S., R. 2 E., W. M. the place of beginning of the above description.

to the City of Milwaukie, Oregon, and that in accordance with the provisions of Ordinances Number 744 and Number 750, of the City of Milwaukie, Oregon, the hereinabove described territory was annexed to the City of Milwaukie, Clackamas County, Oregon.

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

RESOLUTION NUMBER 15-1959

WHEREAS, the Council of the City of Milwaukie, Oregon, heretofore by Ordinance Number 744 of the said city duly passed and signed by the Mayor on the 22nd day of May, 1959, did initiate proceedings to annex the territory hereinafter described, which is contiguous to the present boundaries of the City of Milwaukie, Oregon, pursuant to the provisions of Sections 22.120, 22.130, 22.140, 22.150 and 22.170 of Oregon Revised Statutes, and

WHEREAS, the Council of the City of Milwaukie, Oregon, by Ordinance Number 744 of said city duly passed and signed by the Mayor on the 22nd day of May, 1959, did dispense with submitting the question of such annexation to the registered voters of the City of Milwaukie, Oregon, and did fix the date, place and time for a public hearing before it at which the registered voters of the city might appear and be heard upon the question of such annexation at the hour of 8:00 o'clock P. M. on the 15th day of June, 1959, in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, and

WHEREAS, notice of said public hearing was published in the Milwaukie,

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Oregon, on May 27th, 1959 and on June 4, 1959, and written notice of such hearing was posted in four public places in the City of Milwaukie, Oregon, for two successive weeks prior to the date of said hearings, and

WHEREAS, on the 15th day of June, 1959, at the hour of 8:00 P.M. in the Council Chamber of the City Hall, 926 Main Street, Milwaukie, Oregon, a public hearing was held by the Council of said city at which hearing the registered voters of said city were given an opportunity to appear and be heard on the question of such annexation of territory to the City of Milwaukie, Oregon, and

WHEREAS, at such hearing, no registered voter of the City of Milwaukie, Oregon, appeared and made any objection to such annexation of said territory, and

WHEREAS, by Ordinance Number 750 of the City of Milwaukie, Oregon, duly passed by the City Council of said city and signed by the Mayor of said city on the 16th day of June, 1959, the territory hereinafter bounded and described was declared to be annexed to the City of Milwaukie, Oregon, upon the condition that the majority of the votes cast by the registered voters residing within the territory be in favor of such annexation, and

WHEREAS, by Ordinance Number 750 of the City of Milwaukie, Oregon, duly passed by the Council of the City of Milwaukie, Oregon, and duly signed by the Mayor of said city on the 16th day of June, 1959, an annexation election was ordered to be held within such territory on the 20th day of July, 1959, submitting to the registered voters residing within said territory the question of whether or not said territory be annexed to the City of Milwaukie, Oregon, and

WHEREAS, pursuant to the provisions of said Ordinance Number 750 of the City of Milwaukie, Oregon, an annexation election was held in the said territory on the 20th day of July, 1959, between the hours of 8:00 A. M. and 8:00 P.M. on said day, and

WHEREAS, at a special meeting called for that purpose on the 21st day of July, 1959, the Council of the City of Milwaukie, Oregon, did proceed to canvass the votes cast at such annexation election, and

WHEREAS, it was determined by the Council of the City of Milwaukie, Oregon, at said special meeting that 77 votes were cast at said annexation election within said territory, of which 65 were cast in favor of the annexation of said territory to the City of Milwaukie, Oregon, and of which 12 ballots were cast against the annexation of said territory to the City of Milwaukie, Oregon, and that a majority of all votes cast at said annexation election favored annexation of said territory to the City of Milwaukie, Oregon, and

WHEREAS, the Council of the City of Milwaukie, Oregon, finds that all of the said proceedings relating to said annexation have been had and done pursuant to and in conformity with the provisions of Chapter 222 Oregon Revised Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MILWAUKIE, OREGON, that by virtue of the foregoing and by virtue of the provisions of Chapter 222, Oregon Revised Statutes, that the Council of the City of Milwaukie, Oregon, do, and it hereby does, PROCLAIM THAT THE TERRITORY BOUNDED AND DESCRIBED AS FOLLOWS, to-wit:

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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

SPECIAL MEETING OF JULY 21, 1959 (Continued)

and the southerly extension thereof to the southeasterly boundary of Derry Road number 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;

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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 100.00 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;

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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 boundary of JOHNSON CREEK BLVD;

25. Thence following said road boundary south $80^{\circ} 34' 30''$ 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 25, East to the northwest corner of Section 30, T. 1 S., R. 2 E., W. M. the place of beginning of the above description.

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BEING TERRITORY CONTIGUOUS TO THE PRESENT BOUNDARIES OF THE CITY OF MILWAUKIE, OREGON, IS ANNEXED TO THE CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON.

E. M. Clay
E. M. Clay, Mayor

ATTEST:

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

Dated this 21st day of July, 1959

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STATE OF OREGON)
)ss
County of Clackamas)

I, R. E. OSBORNE, the duly appointed and acting Recorder of the City of Milwaukie, Oregon, hereby certify that I have read the foregoing Resolution Number 15-1959 and that the same is a true and correct copy of RESOLUTION NUMBER 15-1959, of the City of Milwaukie, Oregon, passed by the Council of the City of Milwaukie, Oregon, and signed by the Mayor on the 21st day of July, 1959

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

Motion carried and so ordered.

It was moved by Mortensen and seconded by Sedgwick that each of the Election Board members be paid \$1.00 per hour for services rendered. Motion carried and so ordered.

Ordinance Number 754 was taken up and read for its first reading. It was moved by Howard and seconded by Mortensen that Ordinance Number 754 be passed to its second reading. Motion carried and so ordered.

It was moved by Mortensen and seconded by Howard that hereafter no building permit be issued which includes a septic tank or cesspool where sewers or trunk line sewers are available to the property. Motion carried and so ordered.

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

RESOLUTION NO. 16-1959

WHEREAS, by virtue of Ordinance No. 530 of the City of Milwaukie, Oregon, the City Council is authorized to make changes in parking and traffic regulations by resolution to become effective when proper markers and signs have been installed; and

WHEREAS, a congested parking situation has developed on that part of Monroe Street extending from 21st Street to McLoughlin Boulevard; and

WHEREAS, it is now deemed necessary and expedient to make the following change in the parking regulations governing the use of said Monroe Street from 21st Street to McLoughlin Boulevard; now therefore,

BE IT RESOLVED that a parking limit of one hour be imposed on all vehicles parked on Monroe Street from its intersection with 21st Street to its intersection with McLoughlin Boulevard in the City of Milwaukie, Oregon;

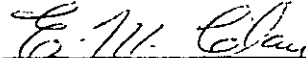
BE IT FURTHER RESOLVED That the City Manager be and he hereby is directed to cause the proper markers and signs to be erected indicating

SPECIAL MEETING OF JULY 21, 1959 (Continued)

the parking provisions on said Monroe Street as effectuated by this Resolution, and that the provisions of this Resolution shall be and become effective from and after the erection of said markers and signs;

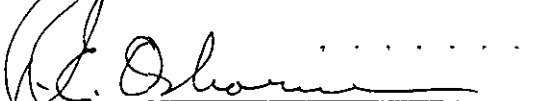
BE IT FURTHER RESOLVED that all resolutions and parts of resolutions heretofore in effect that are in conflict with any of the provisions of this Resolution be and the same are hereby repealed and annulled.

Adopted this 21st day of July, 1959.



 E. M. Clay, Mayor

ATTEST:




 R. E. Osborne, Recorder

Motion carried and so ordered.

The Mayor announced that the Council would meet on the morrow for the purpose of taking up Ordinance Number 754 for its second reading.

On motion duly made and carried the meeting adjourned.



 Ellen Martin, Clerk