

RESOLUTION NO. 1-1988

A RESOLUTION INITIATING ANNEXATION OF TERRITORY TO THE CITY OF MILWAUKIE.

This matter is before the Common Council of the City of Milwaukie hereinafter referred to as Council; and

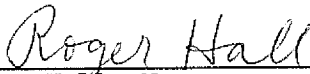
It appearing that:

- 1) The Council is authorized by ORS 199.490(2)(B) to initiate an annexation upon receiving consent in writing from a majority of the electors registered in the territory proposed to be annexed and written consent from owners of more than half the land in the territory proposed to be annexed.
- 2) The Council has received the necessary "consents" in sufficient numbers to meet so-called "double majority" annexation requirements listed above.
- 3) The Council identified to the Boundary Commission the boundaries of the annexation in advance of the September 1987 approval of an Extraterritorial Extension for sewer service within the same boundaries.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MILWAUKIE AS FOLLOWS:

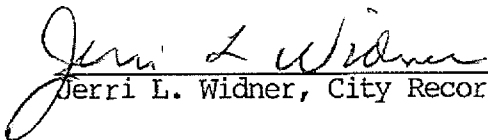
- 1) that the Council by this resolution approves, based on the attached findings (Exhibit "C") the proposed annexation with the boundaries described in Exhibit "A" and depicted in Exhibit "B" attached hereto:
- 2) that the City Recorder is hereby directed to file certified copies of the statements of consent and this Resolution with the Portland Metropolitan Area Local Government Boundary Commission at once.

Introduced and adopted by the City Council of the City of Milwaukie on January 5, 1988.



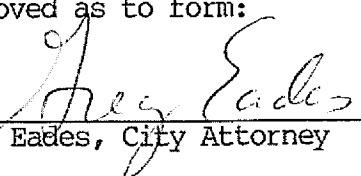
Roger Hall, Mayor

ATTEST:



Jerri L. Widner, City Recorder

Approved as to form:



Greg Eades, City Attorney

EXHIBIT A
STANLEY/WILLOW ANNEXATION
AN-87-06
LEGAL DISCRIPTION

A parcel of land in Section 30, Township 1 South, Range 2 East, W.M., more particularly described as follows:

Beginning at the mid point of the south line of Tract 1, GIBSON'S SUBDIVISION OF TRACTS 10, 11, 12 AND 13, AND THE WEST 480 FEET OF TRACTS 1 AND 2 OF THE LOGUS TRACTS, a duly recorded subdivision;

Thence East along the south line of said Tract 1 and it's easterly extension, which is also the north right-of-way line of S.E. Firwood Avenue, 287.00 feet to a point on the east line of Tract 2 of THE LOGUS TRACTS, a duly recorded subdivision, 10.0 feet north of the southeast corner of said Tract 2;

Thence South along the east line of said Tract 2 and the east line Tract 3 in said LOGUS TRACTS, which is also the east line of the George Wills D.L.C., and it's southerly extension, 681.30 feet to a point on the south right-of-way line of S.E. Willow Street;

Thence East along the south right-of-way line of S.E. Willow Street and it's easterly extension, 308.42 feet to the easterly right-of-way line of S.E. Stanley Avenue;

Thence northerly along said easterly right-of-way line of S.E. Stanley Avenue and the west line of Lot 14, Block 5, HOLLYWOOD PARK, a duly recorded subdivision, 100.0 feet, more or less, to the northwest corner of said Lot 14;

Thence East along the north line of Lots 14-8 of said Block 5, 462.5 feet to the northeast corner of said Lot 8, Block 5;

Thence easterly across S.E. Hollywood Avenue, 12.5 feet, more or less, to the northwest corner of a parcel of land conveyed to George D. and Susie N. Miller in Book 448, Page 423, Clackamas County Deed Records, said point also being on the easterly line of said HOLLYWOOD PARK;

Thence East along the north line of said Miller tract and it's easterly extension, 77.0 feet to the northeast corner of a parcel of land described in Instrument No. 82-12268, Clackamas County Deed Records;

Thence southerly in a straight line 120.07 feet, more or less, to a point on the south line of the afore mentioned Miller tract which is 2.0 feet west of the southeast corner of said Miller tract, said point also being the southwest corner of a parcel of land described in Instrument No. 82-12269, Clackamas County Deed Records;

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Thence West along the south line of said Miller tract, 73.0 feet to the southwest corner of said Miller tract, said point also being on the easterly line of said HOLLYWOOD PARK;

Thence South along the east line of said HOLLYWOOD PARK, 10.0 feet to the northwest corner of a parcel of land convey to Fred and Louise Gedlich in Book 422, Page 496, Clackamas County Deed Records;

Thence East along the north line of said Gedlich tract, 110.0 feet to the northeast corner of said Gedlich tract;

Thence South along the east line of said Gedlich tract, 110.0 feet to the southeast corner of said Gedlich tract;

Thence West along the south line of said Gedlich tract, 110.0 feet to the southwest corner of said Gedlich tract, said point also being on the easterly line of the afore mentioned HOLLYWOOD PARK;

Thence westerly, 12.5 feet, more or less, across S.E. Hollywood Avenue to the southeast corner of Lot 6, Block 6 of said HOLLYWOOD PARK;

Thence West along the south line of Lots 6-2, of said Block 6, 355.0 feet, more or less, to the northeast corner of Lot 12 in said Block 6;

Thence South, 100.0 feet to the southeast corner of said Lot 12 and a point on the north right-of-way line of S.E. Hill Street;

Thence West, 32.5 feet along the north right-of-way line of S.E. Hill Street;

Thence South, 140.0 feet to a point which lies on the south line of Lot 1, Block 7, of said HOLLYWOOD PARK, 25.0 feet west of the southeast corner of said Lot 1;

Thence East along the south line of said Lot 1, 25.0 feet to the northeast corner of Lot 14 in said Block 7;

Thence South along the east line of said Lot 14, across S.E. Maple Street and along the east line of Lot 1, Block 8, of said HOLLYWOOD PARK, 250.0 feet to the southeast corner of said Lot 1;

Thence East along the south line of Lots 2, 3 and 4, Block 8, HOLLYWOOD PARK, 131.25 feet to the northeast corner of a tract of land conveyed to Harry Charles Miller and Della C. Miller in Book 503, Page 259, Clackamas County Deed Records;

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Thence South parallel with the easterly line of S.E. Stanley Avenue, a county road, 137.50 feet;

Thence West, 231.25 feet to a point which lies on the east right-of-way line of S.E. Stanley Avenue;

Thence South along the east right-of-way line of S.E. Stanley Avenue, 51.0 feet, more or less, to a point which lies on the easterly projectory of the south line of S.E. Logus Road;
Thence West along the south right-of-way line of S.E. Logus Road, 481.955 feet to a point which lies 1.55 feet west of the northeast corner of Tract 18, GIBSON'S SUBDIVISION OF TRACTS 10, 11, 12 AND 13 AND THE WEST 480 FEET OF TRACTS 1 AND 2 OF THE LOGUS TRACTS;

Thence North, 294 feet;

Thence East, 189.375 feet;

Thence South 0° 17' East, 11.3 feet;

Thence East, 127.84 feet;

Thence North, 134.5 feet, more or less, to the south right-of-way line of S.E. Drefshill Road;

Thence East along said south right-of-way line of Drefshill Road, 126.0 feet to a point on the west right-of-way line of S.E. Stanley Avenue;

Thence North, 123.0 feet along the west right-of-way line of S.E. Stanley Avenue;

Thence West parallel with the north right-of-way line of said S.E. Drefshill Road, 163.74 feet;

Thence North, 1.47 feet;

Thence westerly, 166.90 feet to a point that is 95.0 feet north of the north right-of-way line of S.E. Drefshill Road;

Thence North, 147.28 feet;

Thence West, 60 feet;

Thence South, 57.28 feet;

Thence West, 115.63 feet to a point on the east line of Tract 8 of THE LOGUS TRACTS, a duly recorded subdivision;

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Thence North along the east line of said Tract 8, 214.9 feet to the northeast corner of said Tract 8;

Thence West along the north line of said Tract 8, 260.9 feet to the centerline of said Tract 8;

Thence South along said centerline, 142.15 feet to the southeast corner of a parcel of land described by Instrument No. 71-32153, Deed Records;

Thence West along the south line of said parcel of land parallel to the north line of said Tract 8, 100 feet;

Thence North, 162.15 feet to a point on the north right-of-way line of S.E. Willow Street;

Thence West along the north right-of-way line of S.E. Willow Street, 54.58 feet, more or less, to a point on the west line of Tract 3 of THE LOGUS TRACTS;

Thence North along the west line of said Tract 3, 262 feet to the northwest corner of a tract described in Book 372, Page 42, Deed Records;

Thence easterly along the north line of said tract described in Book 372, Page 42, Deed Records, 249 feet to the east line of a parcel of land described in Instrument No. 74-20842, Deed Records;

Thence North 0° 25' East along said parcel described in Instrument No. 74-20842, 212.5 feet, more or less, to the southwest corner of a parcel of land described by Instrument No. 72-34744, Deed Records;

Thence East along the south line of said parcel of land, 100 feet to the west line of S.E. 55th Avenue;

Thence North along the west line of S.E. 55th Avenue and it's extension, 160 feet to the south line of Tract 1 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, a duly recorded subdivision;

Thence East along the south line of said Tract 1, 21.0 feet, more or less, to the mid point of the south line of said Tract 1 and the POINT OF BEGINNING.

PROJECT	STANLEY AREA SEWER LID		CALCULATED BY	DATE
FILE NO.	DRAWING NO 151	CHRCASO BY	24	AUG 87

EXHIBIT "C"

FINDINGS:

1. This proposal meets the newly legislated Double Majority criteria as stated in ORS 199.490(2). The City expressed its intent to annex at the time of the extraterritorial extension, has 56% of the registered voters and 80% of the property signed for. (See Exhibit 7 - Double Majority Worksheet.)
2. This territory contains 16.2 acres, 52 single family residential lots, an assessed value of \$2,039,090, with an estimated population of 154.
3. The City of Milwaukie is currently executing a sewer LID in the proposed area.
4. Milwaukie has the water capacity to serve the area and has water lines running parallel to Clackamas Water District lines in all streets affected. However, because of the public facilities planning (water, sewers, transportation) taking place, and because a new agreement between Milwaukie and Clackamas Water District must be negotiated, the City will not withdraw the area at this time.
5. The City of Milwaukie can immediately and efficiently provide the full range of urban services, including fire and police services.
6. This action is compatible with the Comprehensive Plan in that the area is located in a logical growth area for the City, it established the responsibility for reviewing and coordinating public facilities, and it allows the City to plan for and develop a timely and efficient arrangement for sewer services. The area is also within a territory recognized as Milwaukie's area of interest by a proposed IGA between Gladstone, Happy Valley, and Milwaukie, and within a sub-drainage basin identified in CSD #1 long-range sewer plans as being served by Milwaukie.
7. The area is within the City/County Dual Interest Area. This action is compatible with the agreement as it does not alter land use or zoning designations.
8. The City Urban Services Policy has been satisfied by the following:
 - a. Milwaukie acknowledged its role as primary provider of urban services by assisting an area outside its City Limits in obtaining a needed service - sewers.
 - b. Milwaukie can readily and efficiently deliver urban services to the area.
 - c. The City has initiated a public information process informing residents of the impact of this request on their services and costs.