

RESOLUTION NO. 6-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE
APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE
(AN-86-06).

WHEREAS, a request has been made for annexation of the
territory described below, and

WHEREAS, annexation to the City of the territory so bounded
would constitute a "minor boundary change" under the Boundary
Commission law, ORS 199.410 to 199.510; and

WHEREAS, 5 of the 5 property owners have formally
petitioned for annexation, thereby constituting a "triple
majority" and meeting requirements set by ORS 199.490(2); and

WHEREAS, the part of the territory that lies in the
Clackamas Fire District No. 1 would, by operation of ORS
199.510(1), be automatically withdrawn from that district
immediately upon consummation of the annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of
Milwaukie that the Council approves annexation of the property
described on Exhibit A (attached), adopts the findings listed on
Exhibit B (attached) and requests the Boundary Commission to
approve it and effect it as soon as possible;

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BE IT FURTHER RESOLVED that the City Recorder is directed to file certified copies of the statement of consent and of this Resolution with the Portland Metropolitan Area Local Government Boundary Commission at once.

Introduced and adopted by the City Council on Feb. 2, 1987.

Roger Hall
Roger Hall, Mayor

ATTEST:

Jerri L. Widner
Jerri Widner, City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney

EXHIBIT B ATTACHMENT

ANNEXATION FILE NO. AN-86-06

FINDINGS:

1. Provisions for Triple Majority annexation, as allowable under 199.450(2), have been met. All property owners involved have signed petitions to annex. All properties are owner occupied or vacant lands, thereby addressing recent court concerns.
2. The territory contains approximately 8 acres, a developing mobile home park, 2 single-family homes, 2 commercial properties with an estimated population of 5 and an assessed value of around \$1.5 million. A small section of Harrison Street is also included.
3. The City of Milwaukie currently provides both water and sewer services to this area. Milwaukie city policy requires annexation to the city in order to receive water and sewer services. Milwaukie currently has both sewer and water capacity to serve the properties. This action will bring the properties into compliance with city policies.
4. The City of Milwaukie Police Department currently drives King Road to Linwood Avenue, in established patrol districts. Police services can readily and efficiently be provided.
5. Milwaukie's "time-run" studies indicate that Fire Engine 55, housed at 40th and Harvey, can arrive at this corner within 2.38 minutes, well within the established 4 minute response time. Fire services can efficiently and effectively be provided with existing personnel and equipment. Milwaukie has 1.5 sworn personnel/1000 population as compared with 1.0 sworn personnel/1000 population of Clackamas County RFPD #1.
6. Milwaukie can immediately provide for all urban services to this area.
7. This annexation is compatible with the Comprehensive Plan in that it allows for the logical extension of services without added costs, for more efficient delivery of services, and for better coordination of all urban services. It also allows housing needs to be addressed by precipitating the development of 24 new homes.
8. This area is within the City/County Dual Interest Area Agreement. The action is compatible with this agreement because land use designations are not altered.

9. The City's Urban Services Policy has been satisfied by the following:
- a. Milwaukie acknowledges its role as primary provider of urban services in this area by currently serving both sewer and water needs.
 - b. Milwaukie can readily and efficiently deliver all urban services without increased costs to the City.
 - c. The City initiated a public information process informing residents of the needs, benefits and costs of the City delivering services to them.
 - d. It is mutually advantageous to both the property owners and the City.

LINWOOD ANNEXATION
PARCEL THREE

A tract of land in the Daniel Hathaway Donation Land Claim in Section 31 of Township 1 South, Range 2 East, of the Willamette Meridian, more particularly described as follows:

Beginning at a point in the south boundary line of the Daniel Hathaway D.L.C., 319.0 feet west of the center line of Linwood Avenue; running thence North parallel with the center line of said Linwood Avenue, 142.5 feet to a point;

Thence East parallel with the south boundary line of said Daniel Hathaway D.L.C., 19.0 feet to a point;

Thence North parallel with the center line of said Linwood Avenue 142.5 feet to a point;

Thence West parallel with the south boundary line of the Daniel Hathaway D.L.C., 155.0 feet to a point;

Thence South parallel with the center line of said Linwood Avenue 295.0 feet, more or less, to the south right-of-way line of Monroe Street:

Thence East along said south line of Monroe Street, 136.0 feet to a point;

Thence North 10.0 feet to the point of beginning.

LINWOOD ANNEXATION
PARCEL TWO

A parcel of land in Sections 29, 30, 31 and 32 of Township 1 South, Range 2 East of the Willamette Meridian, being more particularly described as follows:

Beginning at the Northeast corner of Lot 12, Block 1, ELDORA ADDITION, a duly recorded subdivision in Clackamas County, Oregon; said corner being on the South right-of-way line of S.E. Harrison Street;

Thence northwesterly in a straight line across Harrison Street 50 feet, more or less, to the Southeast corner of Lot 5, Block 2 of said ELDORA ADDITION;

Thence East along the North right-of-way line of said Harrison Street, 270 feet to the Southeast corner of Lot 7 in said Block 2;

Thence South parallel to the westerly line of Linwood Avenue, 20.0 feet to the North line of a parcel conveyed to M.K.M. King's Court Mobile City in Instrument No. 78-35848, Deed Records;

Thence West along said North line, 29.0 feet to the Northwest corner of said Mobile City parcel;

Thence South, 10.67 feet to the Southwest corner of said Mobile City parcel;

Thence East along the South line of said Mobile City parcel to the Northeast corner of Lot 7, Block 3, in said ELDORA ADDITION;

Thence North parallel to the westerly line of Linwood Avenue, 158.17 feet to a point;

Thence East parallel to the South line of King Road, 5.0 feet to a point;

Thence North parallel to the westerly line of Linwood Avenue, 17.0 feet to a point;

Thence East parallel to the South line of King Road, 7.0 feet to the West line of a parcel of land described in Exhibit A of Instrument No. 86-24106;

Thence North along the West line of said parcel of land, and parallel with the westerly line of Linwood Avenue, 455.5 feet to a point in the South right-of-way line of King Road which is 413.0 feet West of the Northeast corner of Block 5, MINTHORN ADDITION TO THE CITY OF PORTLAND, now vacated, said Northeast corner of Block 5 being the Southwest corner of King Road and Linwood Avenue;

Thence East along said South right-of-way line of King Road, 306.75 feet to a point which is 106.25 feet West of said Northeast corner of Block 5;

Thence South parallel with the West line of Linwood Avenue, 125.0 feet;

Thence East parallel with the South line of King Road, 106.75 feet to the West line of Linwood Avenue;

Thence South along said West line of Linwood Avenue, 625.0 feet to the Southeast corner of a parcel of land conveyed to Paul G. and Miriam M. Mueller in Book 247, Page 212, Deed Records;

Thence West along the South line of said Mueller tract and the South line of a parcel of land conveyed to Linwood Mobile Estates in Instrument No. 86-24105 to the Southwest corner of said Linwood Mobile Estates parcel, which is on the East line of Block 3 of ELDORA ADDITION;

Thence North along the East line of said Block 3, 44.33 feet, more or less, to the Southeast corner of Lot 7 of said Block 3;

Thence West along the South line of said Lot 7 and its westerly extension, 254.0 feet to the West right-of-way line of 59th Avenue, which is also the East line of Lot 14, Block 1 of said ELDORA ADDITION;

Thence North along the East line of said Lot 14, 61.67 feet, more or less, to the Northeast corner of said Lot 14 and the Southwest corner of the intersection of 59th Avenue and Harrison Streets;

Thence West along the South right-of-way line of Harrison Street, 200 feet to the Northeast corner of Lot 12 of said Block 1 and the point of beginning.