

RESOLUTION NO. 7-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE
APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE
(AN-87-01).

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, by authority of ORS 199.490(1)(a) the Common
Council of the City of Milwaukie may initiate the annexation; and

WHEREAS, the owner of the property has formally petitioned
for annexation; 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199.510(1), be automatically withdrawn from that district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. 3, 1987.

Roger Hall
Roger Hall, Mayor

ATTEST:

Jeri Widner
Jeri Widner, Finance Director/City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney

EXHIBIT B ATTACHMENT

ANNEXATION FILE NO. AN-87-01

FINDINGS:

1. Under ORS 199.450(2) a City Council may initiate an annexation request. The property owner signed a petition requesting annexation.
2. The territory contains 3.11 acres, with one developed mobile home park. It has an estimated population of 65 and an assessed value of \$429,020.
3. This property is contiguous to property being annexed to the City (See AN-86-06).
4. The City of Milwaukie currently provides both water and sewer services to this property. Milwaukie city policy requires annexation to the city in order to receive water and sewer services. Annexation will bring property into compliance with City policies.
5. 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.
6. 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.
7. Milwaukie can immediately provide for all urban services to this area.
8. 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.
9. This area is within the City/County Dual Interest Area Agreements. The action is compatible with this agreement because land use designations are not altered.

10. The City's Urban Services Policy has been satisfied by the following:
 - a. Milwaukie acknowledges its role as primary provider of urban services by currently serving both sewer and water needs to this property.
 - 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 ONE

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

Beginning at the Northeast corner of Lot 7, Block 3, ELDORA ADDITION, a duly recorded subdivision in Clackamas County, Oregon;

Thence West along the North line of said Lot 7 and said North line extended, a distance of 234.0 feet to the center line of 59th Avenue (aka Cherry Street) in the Plat of ELDORA;

Thence North, 10.67 feet, to the East and West center line of Block 34 Minthorn Addition, now vacated if produced easterly;

Thence East, 29.0 feet to the Southwest corner of the Mackey tract described in Book 107, page 276, Deed Records;

Thence North along the West line of said Mackey tract, 620.0 feet to a point in the south right-of-way line of King Road which is 630.0 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 at King Road, 217.0 feet to a point which is 413.0 feet West of said Northeast corner of Block 5;

Thence South parallel to the westerly line of Linwood Avenue, 455.5 feet to a point in the west line of a parcel described in Exhibit A of Instrument No. 86-24106, Deed Records;

Thence West parallel to the south line of King Road, 7.0 feet to a point;

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

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

Thence South parallel to westerly line of Linwood Avenue, 158.17 feet to the northeast corner of Lot 7, Block 3, of said ELDORA ADDITION and the point of beginning.