

RESOLUTION NO. 15-1987

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE
APPROVING A REQUEST FOR ANNEXATION TO THE CITY OF MILWAUKIE
(AN-87-02)

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 owners of the property have 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199.510(1), be automatically withdrawn from that district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;

AN-87-02
Resolution No 15-1987
Page Two

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 April 7, 1987.

Roger Hall
Roger Hall, Mayor

ATTEST:

Jerri I. Widner
Jerri Widner, City Recorder

Approved as to form:

Greg Eades
Greg Eades, City Attorney

AN-87-02

59th & Harrison St. ANNEXATION

PARCEL ONE

A parcel of land in Section 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 12, Block 1, ELDORA ADDITION, a duly recorded subdivision in Clackamas County, Oregon; said corner being on the South right-of-way line of SE Harrison Street;

Thence East along the South right-of-way line of SE Harrison Street, 200.0 feet to the Northeast corner of Lot 14 in said Block 1 and the Southwest corner of the intersection of 59th Avenue and Harrison Streets;

Thence South along the East line of said Lot 14, 61.67 feet, more or less, to a point on the westerly extension of the North line of Lot 6, Block 3 in said ELDORA ADDITION;

Thence East along said westerly extension and the North line of said Lot 6, 254.0 feet to the Northeast corner of said Lot 6;

Thence South along the easterly line of said Lot 6, 44.33 feet to the Southwest corner of a parcel of land conveyed to Linwood Mobile Estates in Instrument No. 86-24105, Clackamas County Deed Records, also being the Northwest corner of a parcel of land conveyed to Michael H. and Annetta M. Heyer in Instrument No. 77-113, Deed Records;

Thence East along the North line of said Heyer tract, 125.0 feet to the Northeast corner of said Hayer tract;

Thence South along the East line of said Heyer tract, 143.6 feet to the Southeast corner of said Heyer tract;

Thence West along the South line of said Heyer tract, 125.0 feet to the East boundary of Lot 4, Block 3, of said ELDORA ADDITION;

Thence South along the East line of said Lot 4, 37.07 feet to the Southeast corner of said Lot 4;

Thence West along the South line of said Lot 4 and its westerly extension, 254.0 feet to the westerly right-of-way line of SE 59th Avenue and the easterly line of Block 1 of said ELDORA ADDITION;

EXHIBIT A

Page 2

Thence North along the easterly line of said Block 1, 95.50 feet, more or less, to a point on the easterly line of Lot 14 in said Block 1 which is 7.0 feet North of the Southeast corner of said Lot 14;

Thence West parallel with the southerly line of said Lot 14, 100 feet to the westerly line of said Lot 14;

Thence South along the westerly line of said Lot 14, 7.0 feet to the Southwest corner of said Lot 14;

Thence West along the southerly line of Lot 13 in said Block 1, 100 feet to the Southwest corner of said Lot 13;

Thence North along the westerly line of said Lot 13 and the easterly line of Lot 12 in said Block 1, 200 feet to the Northeast corner of said Lot 12, and the point of beginning.

AN-87-02

59th & Harrison St. ANNEXATION

PARCEL TWO

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

Lots 6 & 7, Block 2, ELDORA ADDITION, a duly recorded subdivision in Clackamas County, Oregon.

PARCEL THREE

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

Beginning at a point on the North line of Block 6, MINTHORN ADDITION TO THE CITY OF PORTLAND, also being on the South right-of-way line of SE King Road and 425.0 feet East of the Northwest corner of said Block 6;

Thence East along the North line of said Block 6, 45.0 feet;

Thence South 125.0 feet;

Thence West 45.0 feet;

Thence North 125.0 feet to the point of beginning.

FINDINGS:

1. Provisions for City Council Resolution annexation, as allowable under 199.450(1a), have been met. All property owners involved have signed petitions to annex.
2. The territory contains 4.74 acres, 11 single-family residences, 1 duplex and 2 vacant lots, with an estimated population of 26 and an assessed value of \$673,750. A small section of 59th 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.
4. The City of Milwaukie Police Department currently drives King Road to Linwood Avenue, in established patrol districts. The City operates 3-5 patrol cars in 4.5 square miles of the City and employs 22 sworn personnel. The average non-emergency response time is 3.5 to 5 minutes. 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.
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.