

RESOLUTION NO. 19-1985

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE INITIATING ANNEXATION TO THE CITY (A-85-03).

WHEREAS, annexation to the City of the territory described on Exhibit A (attached) 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 City Council of the City may initiate the 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of the territory that lies in the Clackamas Fire District No. 1 would, by operation of ORS 199.510(1), be automatically withdrawn from that district immediately upon consummation of the annexation; and,

WHEREAS, the part of the territory that also lies in the Clackamas Water District the Council intends, in the event the annexation is consummated, to withdraw from the District by authority of ORS 222.520,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, that:

Section 1. The Council, pursuant to ORS 199.490(1)(a) hereby initiates proceedings for annexation of the territory to the City.

Section 2. The Council hereby approves the proposed annexation, adopts the findings listed on Exhibit B (attached) and requests the Portland Metropolitan Area Local Government Boundary Commission to approve it.

Section 3. The City Recorder is hereby directed to file a certified copy of the Resolution with the Commission at once.

Introduced and adopted by the City Council of the City of Milwaukie Oregon, on July 16, 1985.



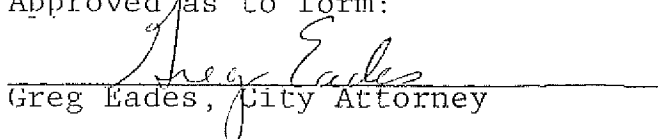
Ronald D. Kinsella, Mayor

ATTEST:



Margaret A. Post, Finance Director

Approved as to form:



Greg Eades, City Attorney

EXHIBIT A

Part of Tract 13, ATKINSON, a duly recorded subdivision in the County of Clackamas and State of Oregon, more particularly described as follows:

Beginning at a point on the westerly line of said Tract 13, 1717.0 feet southerly from the northwest corner thereof; thence South $16^{\circ} 43'$ West, tracing said westerly line of Tract 13, 32.0 feet; thence South $74^{\circ} 33'$ East. 50.0 feet thence North $16^{\circ} 43'$ East, 32.0 feet, more or less, to a point on a line which is drawn at right angles to the westerly line of said Tract 13 at the point of beginning; thence South $73^{\circ} 17'$ East along said line drawn at right angles to the westerly line of Tract 13 from the point of beginning, 215 feet, more or less, to the easterly line of said Tract 13 at a point 1714.50 feet southerly from the northwesterly corner thereof; thence North $9^{\circ} 30'$ East, along said easterly line of Tract 13, 125.58 feet, more or less, to a point which is 125.00 feet, when measured at right angles from the aforementioned line drawn at right angles to the westerly line of said Tract 13; thence North $73^{\circ} 17'$ West, parallel to the aforementioned line drawn at right angles to the west line of said Tract 13, 253.0 feet, more or less, to the westerly line of said Tract 13; thence southerly tracing the westerly line of said Tract 13, 125.0 feet to the point of beginning.

EXHIBIT B
RESOLUTION
A-85-03

This annexation was approved by the City Council of the City of Milwaukie on July 16, 1985, based on the following findings:

1. ORS 199.490 (1)(a) provides the City with the right to annex property.
2. The City attempted to secure the Water District Board's approval for consent petition.
3. This annexation complies with the Comprehensive Plan as it allows for logical city growth for implementation of the Future Facilities Plan.
4. The area is in the City/County Dual Interest Coordination area. The interest agreement is satisfied in that the Land Use Designation and zoning will remain the same -- Residential R-10.
5. The annexation satisfies Resolution 5-1985 which mandates annexation in order to obtain City services.
6. The Urban Services Policy has been complied with by the following:
 - a. The City, in cooperation with a neighboring jurisdiction, Oak Lodge Water District, has begun to define a more rational service area.
 - b. The City will deliver services to this area through annexation.
 - c. The City provided for a process of public participation by informing and inviting comment from the Oak Lodge Water Board about this annexation.