

## ORDINANCE NO. 19-1003

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### **AN ORDINANCE OF THE CITY OF OREGON CITY UPDATING THE PROPERTY DESCRIPTION OF THE MOUNTAIN VIEW CEMETERY PREVIOUSLY DESIGNATED AS A PARK UNDER OREGON CITY CHARTER CHAPTER X**

**WHEREAS**, originally dedicated as the “Mt. View Park Cemetery” through the adoption of Ordinance 714 presented to the City Commission for its second reading on January 6, 1915, and renamed “Mountain View Cemetery” through the adoption of Ordinance 1093 presented to the City Commission for its second reading on March 3, 1926; and

**WHEREAS**, Ordinance 86-1006 designated the Mountain View Cemetery as a City Park which gave it charter park protection under Oregon City Charter Chapter X; and

**WHEREAS**, Ordinance 86-1006 became effective on June 4, 1986, and identified the Mountain View Cemetery as all contiguous real property owned by the City of Oregon City abutting upon and lying southerly of Duane Street; and

**WHEREAS**, Ordinance 86-1006 included the original or primary cemetery tax lot of 3-2E-05A -01000, which is comprised of all or portions of deeds recorded at Clackamas County in 1863 as Book D, Page 475; in 1897 as Book 65, Page 174; in 1909 as Book 108, Page 21; and in 1929 as Book 196, Page 456; and

**WHEREAS**, Ordinance 86-1006 also included eight additional tax lots, identified as 3-2E-05A -00800&00900&01100 recorded as 1974-023274, 1974-023273, and 1972-000452, respectively; 3-2E-05BA-02800&02900&03000 recorded as Book 565, Page 395, Book 507, Page 462, and Book 519, Page 252, respectively; and 3-2E-05BD-00100&02500 recorded as Book 489, Page 21 and 1972-031711, respectively; and

**WHEREAS**, after the adoption of Ordinance 86-1006, one parcel (3-2E-05BA-02700) bounded on three sides by the Mountain View Cemetery and adjacent to the Cemetery office was acquired for \$509,940 by the Parks and Recreation Department using Parks System Development Charges; and

**WHEREAS**, the City Commission Report identified that the parcel was needed to expand the Park Operations Facility located at the Mountain View Cemetery; and

**WHEREAS**, said deed was recorded on October 16, 2017, as 2017-070664; and

**WHEREAS**, the 1999 Parks Master Plan identified the Mountain View Cemetery as a 54-acre partially developed “Special Use Area”; and

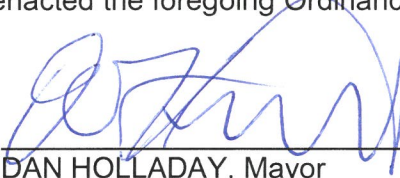
**WHEREAS**, updating the description of the Mountain View Cemetery to include this additional tax lot protects all the parcels contained in the cemetery complex as a park under Chapter X of the City Charter and ensures protection of the cemetery by preventing the transfer, sale, vacation or major changes to the Mountain View Cemetery without a legal vote of the people; and

**WHEREAS**, the status of Oregon City's parks as charter parks has been discussed by the Parks & Recreation Advisory Committee (PRAC) and at a regular meeting held on October 15, 2018, PRAC recommended that staff prepare an ordinance for adoption by the City Commission updating the charter park description of the Mountain View Cemetery.

**NOW, THEREFORE, OREGON CITY ORDAINS AS FOLLOWS:**

**Section 1.** The Mountain View Cemetery, updated to be identified as 3-2E-05A - 00800&00900&01000&01100, 3-2E-05BA-02700&02800&02900&03000, and 3-2E-05BD-00100&02500 with the boundaries as shown on the map attached to this Ordinance as Exhibit A, is hereby designated as a park in accordance with the Charter of Oregon City, Chapter X, Section 43, creating a permanent park for the enjoyment of the citizens of Oregon City.


Read for the first time at a regular meeting of the City Commission held on the 20th day of February 2019, and the City Commission finally enacted the foregoing Ordinance this 6th day of March 2019.

  
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DAN HOLLADAY, Mayor

Attested to this 6th day of March 2019:

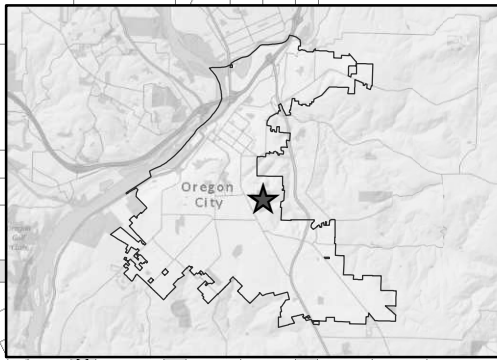
  
\_\_\_\_\_  
Kattie Riggs, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
Carrie Rich  
City Attorney

Attachment:  
Exhibit A –Map of Park

# Exhibit A



3-2E-05BA-02800  
Book 565, Page 395

3-2E-05BA-02900  
Book 507, Page 462

3-2E-05BA-03000  
Book 519, Page 252

3-2E-05BD-00100  
Book 489, Page 21

3-2E-05BA-02700  
Plat: C.T. Tooze Addition  
To Oregon City  
Deed: 2017-070664

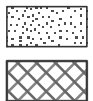
3-2E-05BD-02500  
Deed: 1972-031711

3-2E-05A -00900  
Deed: 1974-023273

3-2E-05A -00800  
Deed: 1974-023274

3-2E-05A -01000  
Book D, Page 475  
Book 65, Page 174  
Book 108, Page 21  
Book 196, Page 456

3-2E-05A -01100  
Deed: 1972-000452



Added to Charter Park Overlay through Ord. 86-1006

Added to Charter Park Overlay through Ord. 19-1003

The City of Oregon City makes no representations, express or implied, as to the accuracy, completeness and timeliness of the information displayed. This map is not suitable for legal, engineering, or surveying purposes. Notification of any errors is appreciated.



## Mountain View Cemetery Ordinance 19-1003

0 250 500 Feet

1 inch = 350 feet

City of Oregon City  
P.O. Box 3040  
625 Center St  
Oregon City, OR 97045  
503-657-0891 phone  
503-657-6629 fax  
www.orcity.org



Plot date: January 24, 2019  
Plot name: Mountain View Cemetery - Ordinance - 8\_5x11P - 20190124.pdf  
Map name: Mountain View Cemetery - Ordinance - 8\_5x11P.mxd