

ORDINANCE NO. 122325

An Ordinance withdrawing from Rural Fire Protection District No. 10, Powell Butte area near SE 145th and Foster, to the extent said annexation area is located within Multnomah County and RFPD #10; Tax Lots 96 and 97, in the NW 1/4 of Section 23, T1S, R2E, W.M., near SE 122nd and Knapp; and property in Sycamore Acres at SE 158th and Foster; annexed to the city.

The City of Portland ordains:

Section 1. The Council finds that Powell Butte area near SE 145th and Foster, has been annexed to the city by Ordinance No. 121129, effective November 2, 1965; that Tax Lots 96 and 97, in the NW 1/4 of Section 23, T1S, R2E, W.M., near SE 122nd and Knapp, have been annexed to the city of Portland by Ordinance No. 121565, effective February 8, 1966; that property in Sycamore Acres at SE 158th and Foster has been annexed to the city of Portland by Ordinance No. 121678, effective February 8, 1966, pursuant to ORS 222.180; that under ORS 222.520 and 222.524 the City may cause the annexed area to be withdrawn from a fire protection district; that Rural Fire Protection District No. 10 has no outstanding bonded indebtedness and therefore no assumption of such debt is involved; that the City Council fixed a date, time and place for hearing on the said withdrawal of said area from said district for April 6, 1966, at 9:30 a.m. in the Council Chamber of the City Hall, and notice thereof was duly published for two successive weeks in a newspaper of general circulation in said city, namely, the Daily Journal of Commerce, the official newspaper of the City of Portland, and notice thereof was posted in four public places in the city for a like period, all in accordance with provisions of ORS 222.524; that a hearing was duly held at said time and place on the question of withdrawal of said area from said district, at which time no objection was made to said withdrawal; that said district was duly informed of said proposed action to withdraw and has made no objection thereto; now, therefore, that portion of the following-described property which lies within Multnomah County and Rural Fire Protection District No. 10, hereby is withdrawn from said District:

POWELL BUTTE AREA

IN SECTIONS 12, 13, 23, 24, 25, 26, T. 1 S., R. 2 E., W. M.,
W. M., AND SECTIONS 7 and 18, T. 1 S., R. 3. E. W. M.

Beginning at the northwest corner of Section 26; thence leaving said section corner and traveling east, along the north line of said section and the common line between Clackamas and Multnomah Counties, 40 rods to a point; thence south 50 rods; thence east 40.0 feet to a point; thence south 24 rods to the true point of beginning being a point on the southwest corner of parcel 2 of the Inez Arend property as described in deed recorded in Clackamas County deed records December 2, 1964, in Book 650 on page 99; thence leaving said point and traveling east to the southeast corner of said parcel 2; thence south to the southwest corner of parcel 1 of said property; thence east, along the south line of said property 48 rods to a point; thence north 20 rods; thence east 32 rods to the initial point of said parcel 1, being also a point on the north-south center line of said Section 26, T. 1 S., R. 2 E., W. M.; thence following said center line north 20 rods to a point; thence west 16 rods; thence north 20 rods; thence west 64 rods; thence north 40 rods to a point on the common line between Clackamas and Multnomah Counties; thence easterly following said common county line to the section corner common to 25 and 26, T. 1 S., R. 2 E.; thence south 728.7 feet to the southwest corner of the William and Frances Leveton property recorded July 22, 1959, in Book 558 on Page 545 in Clackamas County deed records; thence easterly 723.1 feet to the southeast corner of said property; thence northerly 721.9 feet to the northeast corner of said property; being also a point on the aforementioned common county line; thence following said county line easterly to a point that is the most southerly southeast corner of the V. H. and Frances V. Sanasac property as recorded on November 9, 1945, in Book 985 on Page 444 in the County of Multnomah; thence N. 1° 05' 30" W. 510.0 feet to a point; thence S. 89° 53' E. 900.0 feet to a point on the north-south center line of said Section 24 which is N. 0° 08' E. 510.0 feet from the south quarter corner of said Section 24; thence N. 0° 08" E. 344.5 feet along said north-south quarter line to a point; thence

west 360.0 feet to a point; thence N. 31° 48' W. 1001.53 feet to a point in the center line of a 50-foot road; thence along the center line of said road N. 36° 12' E. 28.62 feet to the beginning of a curve to the right; thence along said curve right having a radius of 200.0 feet through a central angle of 17° 20' a distance of 60.51 feet to a point of tangency; thence N. 53° 32' E. 321.30 feet along said road center line to the beginning of a curve left; thence on said curve left having a radius of 200.0 feet through a central angle of 17° 57' a distance of 62.65 feet to a point of tangency; thence N. 35° 35' E. 65.72 feet along said road center line tangency to the beginning of a curve right; thence on said curve right having a central line radius of 200.0 feet through a central angle of 10° 51' a distance of 37.86 feet to a point of tangency; thence along said road center line N. 46° 26' E. 132.67 feet to the beginning of a curve right; thence along said center line curve right having a radius of 50.0 feet through a central angle of 69° 13' a distance of 60.40 feet to a point of tangency; thence along said road center line tangent S. 64° 21' E. a distance of 99.35 feet to the beginning of a curve to the left; thence following said road center line curve left having a radius of 35.0 feet through a central angle of 121° 33' a distance of 74.75 feet to a point of tangency; thence along said road center line N. 5° 54' W. a distance of 75.77 feet to the beginning of a curve to the right; thence along said road center line on said curve right having a radius of 50.0 feet through a central angle of 59° 35' a distance of 52.0 feet to a point of tangency; thence N. 53° 41' E. 158.14 feet along said road center line to its intersection with the center line of Barbara Welch Road; thence following the center line of Barbara Welch Road S. 39° 52' E. a distance of 50.0 feet to a point on the north-south center line of Section 24; thence N. 0° 08' E. 227.0 feet along said section center line to the center of said section; thence S. 89° 25' E. 562.5 feet along the east-west center line of said Section 24 to a point; thence N. 0° 05' E. 369.5 feet to an iron pipe at the northeast corner of a tract conveyed to Meier by deed recorded in Book 1219 on Page 218 of Multnomah County deed records; thence S. 89° 25' E. 734.0 feet more or less to an existing fence line; thence southerly along said fence line and the southerly extension thereof 1182.4 feet to a point; thence S. 89° 18' 30" E. 340.0 feet to a point that is the northeast corner of that certain tract of land deeded to Robert A. and Teresa Lashbrook and recorded in Book 1556 on Page 351 September 4, 1952, in Multnomah County deed records; thence southerly along the east line of the said Lashbrook property to the southeast corner of same; thence westerly on the common line of the aforementioned Lashbrook property and the John J. and Fay L. Mitchell property as recorded in Book 1394 on Page 259, March 30, 1950, in Multnomah County deed records, to the northwest corner of the above-mentioned Mitchell property; thence southerly along the west line of said Mitchell property to the southwest corner of same being also a point on the south line of Section 24 and the common line between Multnomah and Clackamas Counties; thence westerly along the last aforesaid section and county line to the

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northwest corner of the Victor H. and Signe A. Leeding property as recorded in Book 437 on Page 664, October 26, 1950, in Clackamas County deed records; thence south along the west line of the aforementioned Leeding property to the southwest corner of same, being also a point on the east-west center line of Section 25, T. 1 S., R. 2 E.; thence easterly along said center line of Section 25 and the south line of the above-mentioned Leeding property to the southeast corner of same being also the east line of said Leeding property; thence northerly along the east section line to the northeast corner of both being also a point on the common county line between Multnomah and Clackamas; thence westerly along the north line of said Leeding property being also the north line of said Section 25 and the common county line to a point on the afore-last-mentioned line being also the southeast corner of the aforementioned Mitchell property; thence northerly along the east line of said Mitchell property to a point being also the northwest corner of the property deeded to Ernest and Helene Hari and recorded July 15, 1955, in Book 1733 on Page 393 in Multnomah County deed records; thence east along the north line of said Hari property to the northeast corner thereof being also a point on the east section line of Section 24, T. 1 S., R. 2 E.; thence northerly along said east line of said Section 24 to the northeast corner thereof being also the common southwest corner of Section 18, T. 1 S., R. 3 E.; thence easterly along the south line of said Section 18, 923.65 feet to the southeast corner of the George A. Jones property as recorded in Book 1859 on Page 428 in Multnomah County deed records; thence northerly along the east line of the said Jones property and the northerly extension thereof 1352.9 feet to a point; thence southwesterly 143 feet more or less to a point in the relocation center-line of the Johnson Creek drainage project, said point being also the end of a curve at Station 55 + 36.47; thence northerly along said center line to a point on a curve at Station 45 + 52.93; thence leaving said center line and traveling northwesterly 32.54 feet along a radial line to its intersection with the southerly line of O.W.P. and Ry. Co. right of way; thence southwesterly along said south line of said Railway to its intersection with the west line of Jennelynd Acres, a plat recorded in Plat Book 870 on Page 47, February 15, 1922, in Multnomah County; thence northerly to the northwest corner of said plat which is a point on the south line of the Nathaniel Hamlin D.L.C.; thence westerly to the southwest corner of said Nathaniel Hamlin D.L.C.; thence northerly along the west line of said Hamlin D.L.C. to a point which is southerly 214.5 feet from the southeast corner of the Alonzo Gates D.L.C.; thence N. 64° 51' W. 40.90 feet; thence N. 46° 54' W. 226.5 feet; thence N. 61° 08' W. 190.78 feet; thence N. 67° 10' W. 316.38 feet to a point; thence N. 62° 49' W. 458.2 feet to a point; thence N. 75° 14' W. 173.6 feet to a point; thence N. 75° 26' W. 216.8 feet to a point; thence N. 25° 46' W. 56.5 feet to a point; thence N. 07° 10' E. 673.9 feet to a point in the center line of S. E. Powell Blvd.; thence N. 73° 58' W. 40.5 feet along said center line to a point; thence S. 07° 10' W. 689.85 feet to a point; thence S. 25° 46' E. 88.3 feet to a point; thence S. 75° 26' E. 87.30 feet to a point; thence S. 0° 05' W. 317.37 feet to a point; thence N. 82° 10' W. 132.0 feet to a point; thence N. 87° 14' W. 193.0 feet

to a point; thence S. 69° 30' W. 85.4 feet to a point; thence S. 48° 40' W. 159.4 feet to a point on the Alonzo Gates D.L.C.; thence westerly along said D.L.C. line to its intersection with the west line of Section 12, T. 1 S., R. 2 E.; thence south along the section line to the southerly S. E. corner of the Alonzo Gates D.L.C.; thence east to the northeast corner of the German and Lindstrom property recorded in Book 2299 on Page 143, October 17, 1963, in Multnomah County mortgage records; thence southerly along the east line of the aforementioned German and Lindstrom property being also the northerly extension of the center line of S. E. 145th Avenue, and the center line of S. E. 145th Avenue to its intersection with the westerly extension of the south line of Lot 6, of Johnson Creek Park, thence easterly along said westerly extension and the south line of said Lot 6 of Johnson Creek Park to the southeast corner thereof; thence northerly along the east line of said Lot 6 to its intersection with the center line of Johnson Creek; thence northeasterly and southeasterly along said Creek center line to its intersection with the east line of Tax Lot 5 within Lot 4, Johnson Creek Park; thence south along last mentioned east line to its intersection with the north line of Tax Lot 1 within said Lot 4; thence N. 89° 51' W. along said north line of said Tax Lot 1 to the northwest corner thereof; thence S. 0° 09' W. 180.00 feet to the center line of S. E. Foster Road; thence westerly along the center line of said Foster Road to its intersection with the center line of Barbara Welch Road; thence southwesterly along the center line of Barbara Welch Road to its intersection with the north line of Section 24, T. 1 S., R. 2 E., W. M.; thence easterly along said north section line to its intersection with the northerly extension of the west line of Lot 20 of Johnson Creek Park; thence southerly along said northerly extension of said west line and the west line to the southwest corner of said lot; thence easterly along the south line of said lot 30.0 feet to the center line of S. E. 146th Avenue; thence southerly along said center line to its intersection with the easterly extension of the southerly south line of the Ebenezer Creswell D.L.C.; thence westerly along said line and its easterly extension to the southwest corner of Lot 14 of Johnson Creek Park; thence northerly along the west line of said Lot 14, 587.0 feet to its intersection with the center line of S. E. Cooper Street; thence westerly along said center line 105.32 feet to its intersection with the southerly extension of the east line of Lot 18, Cedar Brook Acres; thence northerly along said southerly extension and east line of said Lot 18, 242.0 feet to the northeast corner thereof; thence westerly along the north line of said Lot 18 and the westerly extension of said line 150.0 feet to the west line of S. E. 142nd Avenue; thence N. 82° 03' W. 140.0 feet to a point; thence S. 57° 57' W. 78.25 feet to a point on the west line of Cedar Brook Acres; thence northerly along said west line to a point being also the southeast corner of the John property as recorded in Book 1030, Page 470 on March 21, 1946, in deed records of Multnomah County, Oregon; thence westerly along the south line of the John property to the southwest corner thereof, being

also a point in the east line of Lot 8 of Creswell Subdivision; thence southerly along the said east line and the extension thereof to a point which is 15.0 feet south of the southeast corner of said Lot 8; thence west parallel to the south line of said Lot 8 a distance of 123.49 feet to a point on the west line of the Bundy Tract as recorded May 29, 1934, in P. S. deed book 252 on Page 119 in Multnomah County, Oregon; thence south along the west line of said Bundy Tract 551 feet to the southwest corner thereof; thence easterly 314.55 feet along the south line to the southeast corner thereof being also the northeast corner of the Berg property as recorded in Book 528 on Page 313 on February 25, 1911, in Multnomah County deed records; thence southerly along the east line of said Berg property 502.0 feet to the southeast corner thereof being also a point on the south line of the Ebenezer Creswell D.L.C.; thence west along the south line of the Creswell D.L.C. 943.80 feet to a concrete monument at the southwest corner of said D.L.C.; thence northerly along the west line of the said Creswell D.L.C. 360.8 feet to a point, said point being also the southeast corner of the Ezra Johnson D.L.C.; thence westerly along the south line of said Johnson D.L.C. to its intersection with the center line of the relocated Johnson Creek; thence following said center line in a southwesterly direction to its intersection with the west line of Deardorff Road; thence northerly along said west line of said Road to its intersection with the north bank of Johnson Creek; thence following said north bank in a southwesterly direction to a point which is 126.0 feet easterly of a point on the south bank of Johnson Creek;

thence westerly 126.0 feet to a point in the south bank of Johnson Creek, said point being also the northwesterly corner of the Hazel M. English property recorded in Book 836 on Page 386, May 16, 1944, in Multnomah County deed records; thence south along the west line of said English property to the southwest corner thereof being also a point on the south line of Jacob Johnson D.L.C.; thence westerly along said south line of Jacob Johnson D.L.C. to its intersection with the center line of an abandoned road; thence along said center line on the following courses S. 13° 35' W. 339.90 feet; S. 46° 07' 03" W. 351.35 feet; S. 42° 26' 03" W. 254.51 feet; S. 10° 04' 03" W. 319.90 feet; S. 01° 50' 29" E. 256.44 feet; S. 03° 40' 37" W. 130.6 feet to a point; thence leaving said road center line and traveling west 1085.88 feet to a point; thence S. 0° 24' 37" W. 120.73 feet to a point; thence N. 89° 30' 39" W. 593.85 feet; thence southerly to the place of beginning. EXCEPT THEREFROM the following described property which is an island within the aforementioned properties; beginning at the intersection of the west line of Sycamore Acres and the center line of S. E. Foster Road; thence southeasterly along said center line to its intersection with the southerly extension of the east line of Lot 91 of Sycamore Acres; thence north along said southerly extension and east line to the northeast corner of said Lot 91; thence N. 47° 02' 30" E. 327.55 feet to a point which is the southeasterly corner of Lot 80 of Sycamore Acres; thence north along said east line of said Lot and the northerly extension thereof to the south line of the Oregon Water Power Railway; thence southwesterly on a curve to the right along said south line to its

intersection with the center line of S. E. 158th Avenue, a county road; thence south along said center line to its intersection with the center line of Johnson Creek; thence westerly along the center line of Johnson Creek to its intersection with the west line of Lot 52, Sycamore Acres; thence north along said west line and the northerly extension thereof to its intersection with the south line of aforementioned railway; thence westerly along said south line of said railway to its intersection with the west line of the John O. and Jeanette Klaus property as recorded in Book 2044 on Page 414, January 16, 1961, in Multnomah County deed records; thence south along said west line and the extension thereof to its intersection with the center line of S. E. Foster Road; thence southeasterly along said center line to the place of beginning.

TAX LOTS 96 and 97, IN THE NW 1/4 OF SECTION 23, T1S, R2E, W.M.

A parcel of land in the NW 1/4 of Section 23, T1S, R2E, W.M., described as follows:

Beginning at a point on the center line of SE 122nd Avenue, said point being 591.28 feet N. 0° 00' 34" W. and 1518.41 feet N. 89° 19' 15" E. from the southwest corner of the Jacob Johnson D.L.C.; thence N. 89° 15' E. 199.12 feet; thence N. 0° 00' 34" W. 81 feet; thence S. 89° 15' W. 199.12 feet to the center line of SE 122nd Avenue; thence south along said center line to the point of beginning.

PROPERTY IN SYCAMORE ACRES

AT S. E. 158TH AND FOSTER

A tract of land in the south half of Section 13, T.1S., R.2E., W.M., described as follows: Beginning at the intersection of the west line of Sycamore Acres and the center line of S. E. Foster Road; thence southeasterly along said center line to its intersection with the southerly extension of the east line of Lot 91 of Sycamore Acres; thence north along said southerly extension and east line to the northeast corner of said Lot 91; thence N. 47° 02' 30" E. 327.55 feet to a point which is the southeasterly corner of Lot 80 of Sycamore Acres; thence north along the east line of said Lot and the northerly extension thereof to the south line of the Oregon Water Power Railway; thence southwesterly on a curve to the right along said south line to its intersection with the center line of S. E. 158th Avenue, a county road; thence south along said center line to its intersection with the center line of Johnson Creek; thence westerly along the center line of Johnson Creek to its intersection with the west line of Lot 52, Sycamore Acres; thence north along said west line and the northerly extension thereof to its intersection with the south line of aforementioned railway; thence westerly along said south line of said railway to its intersection with the west line of the John O. and Jeanette Klaus Tract as recorded in Book 2044 on Page 414, January 16, 1961, in Multnomah County deed records; thence south along said west line and the extension thereof to its intersection with the center line of S. E. Foster Road; thence southeasterly along said center line to the place of beginning.

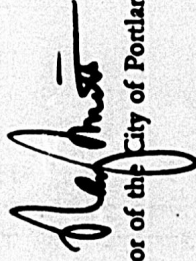
ORDINANCE No.

Section 2. The City of Portland hereby expresses its intention to assume any obligations of the territory described in Section 1 hereof by exercising the option set forth in ORS 222.520(b) so as to assume a proportionate share of any outstanding bonded indebtedness of said District, in accordance with the proportions set forth in said statute, which bonded indebtedness is found to be zero at the present time, and therefore no obligations are known to exist subject to such assumption.

Passed by the Council, APR 20 1966


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bowes	/	
Earl	/	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Calendar No. **1389**
1499

ORDINANCE No. 122325

Title

An Ordinance withdrawing from Rural Fire Protection District No. 10, Powell Butte area near SE 145th and Foster to the extent said annexation area is located within Multnomah County and RFPD #10; Tax Lots 96 and 97, in the NW 1/4 of Section 23, T1S, R2E, W.M., near SE 122nd and Knapp; and property in Sycamore Acres at SE 158th and Foster; annexed to the city.

APR 13 1966

PASSED TO THIRD READING 9:30 A. M. APR 20 1966

Filed..... APR 7 1966

RAY SMITH
Auditor of the CITY OF PORTLAND
By..... *Robert C. Gyle* Deputy

INTRODUCED BY
Order of Council

DRAWN BY
MCR:jw
Date April 7, 1966

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorn

NOTED FOR CITY AUDITOR
R. C. H.
MC

APPROVED
Date
By
City Engineer
Date
By