

RESOLUTION NO. LXXI (71)

CITY RESOLUTION FOR ANNEXATION NO. 5 AND CONCURRENCE FOR  
TRIPLE MAJORITY  
(Application of Gilbert H. Ridder, et al)

WHEREAS, an "APPLICATION FOR BOUNDARY CHANGE" has been filed with the Wilsonville City Recorder by the following property owners for annexation of their land to the City of Wilsonville, Washington and Clackamas Counties, Oregon. The applicant—property owners and their respective parcels are as follows, to-wit:

1 - GILBERT H. RIDDER - Tax Lot 1800 described as follows:

The Southwest quarter of the Northeast quarter (SW1/4 of the NE1/4) and the Southeast quarter of the Northwest quarter (SE1/4 of the NW1/4) of Section Eleven (11), in T.3S.,R.1W., of the Willamette Meridian, EXCEPT: the Northerly forty-four (44) rods of the aforescribed property, which are being deeded contemporaneously herewith to Edwin C. Ridder, said Northerly 44 rods being cut off by a line parallel with the northerly boundary of the entire tract, situate in the County of Clackamas and State of Oregon.

2 - EDWIN C. RIDDER and LILLIAN C. RIDDER - Tax Lot 1900 described as follows:

The Northerly forty-four (44) rods of the Southwest quarter of the Northeast quarter (SW1/4 of the NE1/4) and the Southeast quarter of the Northwest quarter (SE1/4 of the NW1/4) of Section 11 in T.3S.,R.1W., of the W.M., cut off by a line parallel with the Northerly boundary of the heretofore described tract, situate in the County of Clackamas and State of Oregon.

3 - EDWIN C. RIDDER and LILLIAN C. RIDDER - Tax Lot 1901 described as follows:

The North 300 feet of the Southwest quarter of the Northeast quarter of Section 11, T.3S.,R.1W. of the W.M., situate in the County of Clackamas and State of Oregon.

4 - EDWIN C. RIDDER and LILLIAN C. RIDDER - Tax Lot 2000 described as follows:

The northeast quarter of the northwest quarter and the northwest quarter of the northeast quarter of Section 11, T.3S.,R.1W., of the W.M., in the County of Clackamas and State of Oregon, subject to right of way acquired by the United States of America by condemnation proceedings against Abbo S. Peters, et al, a certified copy of the decree in said proceedings was recorded March 27, 1940, in Book 267, page 308, Deed Records, to which reference is hereby made, and subject to the rights of the public in that portion of said land lying within the boundaries of public roads.

- 5 - EDWIN C. RIDDER, TRUSTEE - Tax Lot 200 described as follows:

The following described property in the County of Washington and State of Oregon, to-wit: Part of Section 2, T. 3 S., R. 1 W. of the W.M., more particularly described as beginning at the quarter section corner on the south side of said Section; thence North  $89^{\circ}45'$  East 10.99 chains to a stake on the section line from which an oak 10 inches in diameter bears South  $48^{\circ}10'$  East  $40\text{-}7/8$  links distant, also an oak 10 inches in diameter bears North  $73^{\circ}25'$  West  $12\text{ }3/4$  links distant; thence North 15' West 3.00 chains to an oak stake; thence South  $81^{\circ}13'$  West 20.20 chains to the place of beginning, subject to the rights of the public in that portion thereof within the boundaries of county roads.

- 6 - EDWIN C. RIDDER and LILLIAN C. RIDDER - Tax Lot 2001 described as follows:

The Northwest quarter of the Northeast quarter of Section 11, T.3S.,R.1W., of the W.M., Clackamas County, Oregon, excepting therefrom the South 405 feet.

- 7 - JOHN D. GRAY, PAUL H. HEBB, CAROLE L. HEBB and RUTH D. WILLIAMS - Tax Lot 3000; and JOHN D. GRAY, PAUL H. HEBB, CAROLE L. HEBB, RUTH D. WILLIAMS, RALPH E. WILLIAMS, TRUSTEE FOR GRACE N. WILLIAMS - Tax Lot 100 (Section 10) described as follows:

To John D. Gray an undivided  $66/132$ ; to Paul H. Hebb and Carole L. Hebb, joint tenancy with right of survivorship, an undivided  $33/132$ ; to Ruth D. Williams an undivided  $16/132$ ; to Ralph E. Williams, Trustee UWO Grace N. Williams, an undivided  $17/132$  of part of the West one-half of the Northwest quarter of Section 11, and the East one-half of the Northeast quarter of Section 10, T.3S.,R.1W., W.M., in the County of Clackamas and State of Oregon, described as: Beginning at the corner common to Sections 2, 3, 10 and 11, said Township and Range; thence South  $89^{\circ}21'$  West 670.61 feet to an iron pipe; thence South  $15^{\circ}51'$  West 325.58 feet to the center of the Oregon Electric Railway; thence South  $46^{\circ}28'$  East along the center of the aforesaid railway 230.97 feet; thence South  $15^{\circ}43'$  West 1757.11 feet to the center of a ditch; thence tracing the center of said ditch, South  $27^{\circ}12'$  East 147.12 feet to a bend in said ditch; thence tracing the center of said ditch, South  $33^{\circ}30'$  East 150 feet; thence along the center of said ditch, South  $37^{\circ}30'$  East 282.23 feet to the center line of Section 10 in said Township and Range; thence along the center line of said Section 10, and continuing along the center line of Section 11 in said Township and Range, 2068.5 feet, more or less, to the Southeast corner of the West half of the Northwest quarter of said Section 11; thence North along the East line of the West half of the Northwest quarter of said Section 11, 1320 feet; thence South  $89^{\circ}5'$  West 970 feet; thence North  $0^{\circ}3'$  West 1320 feet to the North line of said Section 11; thence West along the North line of said Section 11, 350 feet to the point of beginning, EXCEPTING the Oregon Electric Railway right of way.

EXCLUDING THEREFROM that portion sold to W. C. Delbrueck & Co., Inc., described as Tax Lot 3001, as of October 6, 1975. And also exclude all of the above in Section 10 T. 3 S., R. 1 W. of the W.M.

- 8 - RICHARD BOECKMAN and E. BOECKMAN - Tax Lot 3100 described as follows:

Beginning in the Northeast corner of the Southwest quarter of Section 11, T.3S.,R.1W., of the W.M.; thence West 160 rods; thence South 40 rods; thence East 160 rods; thence North 40 rods to the place of beginning, save and except that part of the right of way at the Salem Electric car-line intersecting the above described tract, containing 39 acres, more or less, and

A strip of land 25 feet in width off the North and of the West half of the Southeast quarter of Section 11, in T.3S., R.1W. of the W.M., in the County of Clackamas and State of Oregon.

- 9 - RICHARD BOECKMAN and E. BOECKMAN - Tax Lot 3200 described as follows:

PARCEL A: Part of the N. half of the S.W. quarter of Section 11, in T.3S.,R.1W., of the W.M., described as: Beginning at a point 40 rods S. of the N.E. corner of the S.W. quarter of Section 11, T.3S.,R.1W., of the W.M.; thence W. 160 rods; thence S. 40 rods; thence E. 160 rods; thence N. 40 rods to the place of beginning; EXCEPT that part conveyed to Oregon Electric Railway Company, a corporation of Oregon, by deed recorded February 20, 1907, in Book 98, page 264, Clackamas County Records.

PARCEL B: An interest in part of the S. half of the S.W. quarter and part of the S.W. quarter of the S.E. quarter of Section 11, in T.3S.,R.1W., of the W.M., described as: Beginning at a point 80 rods N. of the S.E. corner of the S.W. quarter of Section 11, in T.3S.,R.1W., of the W.M., from said beginning point running thence W. 1 rod; thence S. 42 rods; thence E. 5 rods; thence N. 2 rods; thence W. 4 rods; thence N. 40 rods to the place of beginning.

PARCEL C: An interest in part of the S.W. quarter of the S.E. quarter of Section 11, in T.3S.,R.1W. of the W.M., described as: Beginning at a point 20 feet N. and 4 rods E. of the S.E. corner of the S.W. quarter of Section 11, in T.3S.,R.1W., of the W.M., and from said point of beginning thence N. 38 rods 13 feet to a point; thence E. 2 rods to a point; thence S. 38 rods 13 feet to a point; thence W. 2 rods to the place of beginning.

RESERVING unto the grantors an easement for road and utility purposes over the whole of Parcels B and C, and over the following described portion of Parcel A, to-wit:

Part of the N. half of the S.W. quarter of Section 11, T.3S.,R.1W., of the W.M., described as: Beginning at a point on the one-quarter section line running N. and S. through the center of said Section 80.0 rods S. of the center of said Section; thence N. 340.0 feet along said section line; thence W. 16.5 feet; thence S. 340.0 feet parallel with said section line; thence E. 16.5 feet to the point of beginning. Without any duty of maintenance on the part of grantors.

WHEREAS, the Wilsonville City Council and the Wilsonville City Planning Commission have both considered the Application of the property owners for annexation to the City of Wilsonville and have investigated the matter and are of the opinion that it would be in the best interests of the City of Wilsonville and the inhabitants thereof if all of the above described tracts of land and territory were annexed to the City of Wilsonville for the purpose of increasing the City's tax base, providing sewer, water and other utilities and other City services to the territory in question, and also for the purpose of assuring a proper and orderly development of said property; and

WHEREAS, the annexation of the territory to the City has been initiated by the land owners' Application for Boundary Change which includes their express consent in accordance with ORS 222.170 and would therefore constitute a so-called "triple majority" annexation under ORS 222.170 and a "minor boundary change" under the Boundary Commission Law ORS 199.410 to 199.510; now, therefore,

BE IT RESOLVED by the Common Council of the City of Wilsonville, a municipal corporation of the State of Oregon, that:

Section 1: The Council hereby approves the proposed annexation and requests the Portland Metropolitan Area Local Government Boundary Commission to approve it and effect it as soon as possible.

Section 2: The City Recorder is hereby directed to file certified copies of the statements of consent and of this Resolution with the said Commission at once.

Adopted by the Wilsonville City Council at a regular meeting thereof this 19th day of January, 1976.

  
PHILLIP R. BALSIGER - Mayor

ATTEST:

  
DEANNA J. THOM - City Recorder