

RESOLUTION NO. 108

WHEREAS School District No. 5, Columbia County, Oregon, located in Clatskanie, is the owner of certain property hereinafter described which is located contiguous to the Corporate Limits of the City of Clatskanie, and

WHEREAS the said School District No. 5 has petitioned the Common Council of the City of Clatskanie for annexation of their said property to the City of Clatskanie, and said School District having given its consent to said annexation within said petition, and

WHEREAS, it would be of a substantial benefit to the City of Clatskanie to have the entire property of said School District within the City Limits of the City of Clatskanie, now therefore

BE IT RESOLVED:

1. That a public hearing before the Common Council of the City of Clatskanie is hereby fixed and called to be heard on the 7th day of January, 1963, at the hour of 8:00 p.m., in the Council Chambers of the City of Clatskanie, to consider the question of whether the following described real property should be annexed by the City of Clatskanie, to-wit:

Beginning at a point in the center of the County Road that is South 21.08 chains and East 20.935 chains from the Northwest corner of the E. W. Conyers Donation Land Claim in Sections 8 and 17 of Township 7 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence along center of said County Road North 23° East 460.34 feet to the place of beginning for the parcel of land herein described; thence from this place of beginning South 83°58' East 803.85 feet; thence North 7° West 320 feet; thence West 680.46 feet to the center of said County Road; thence along center of said County Road South 18°30' West 223.08 feet; thence South 23° West 23.44 feet to the place of beginning, containing 4.52 acres after deducting and excluding therefrom the included area of the said County Road.

Beginning at a point on the center line of the County Road which point is 20.935 chains East and 21.08 chains South of the Northwest corner of the Enoch W. Conyers Donation Land Claim in Sections 8 and 17, Township 7 North, Range 4 West, Willamette Meridian, Columbia County, Oregon, thence East 16.09 chains to a point; thence North 9° East 5.36 chains to the Southeast corner of the Present Maplewood Cemetery; thence tracing the South line of said Maplewood Cemetery in a Northwesterly direction to a point on the East line of a parcel of land used for school purposes and known as School District No. 5; thence tracing the East line of said School District No. 5 South 7° East 85.7 feet to the Southeast corner thereof; thence North 83°58' West 803.85 feet, more or less, to a point on the center line of a County Road; thence tracing the center line of said County Road South 23° West 460.34 feet more or less to the point of beginning, excepting therefrom the following tracts:

(a) The tract described in deed from Albert D. Weaver & wife to Frank T. Willson and Margaret A. Willson, dated June 13, 1946, and recorded June 24, 1946, in Book 86, page 426 of Deed Records, Columbia County, Oregon.

(b) The tract described in deed from Albert D. Weaver (unmarried) to Charles Theodore Mathews and Serena Gertrude Mathews, dated February 28, 1947, and recorded May 23, 1947, in Book 94, page 35 of Deed Records, Columbia County, Oregon.

RESOLUTION NO. 108 - Continued

That all objections to said proposed annexation will be considered by said Council on the above date, time and place, all registered voters of the City are invited to appear and be heard on the said question of annexation.

2. That the City Recorder is hereby instructed to cause notice of the hearing to be published once each week for two successive weeks prior to the date of the hearing in The Clatskanie Chief, a newspaper of general circulation; and the City Recorder is further instructed to post four notices of said hearing in four public places in the City for a like period of time prior to the hearing.

3. That this resolution is passed for the purpose of dispensing with the necessity of the registered voters of the City of Clatskanie voting upon said annexation of the property above described, and for the purpose of informing said voters of the proposed annexation, all of which is done pursuant to ORS 222.120.

PASSED BY THE COMMON COUNCIL this 5th day of November, 1962.

Approved and signed by the Mayor this 6th day of November, 1962.

/s/ J. D. Puzey
Mayor

ATTEST:

/s/ R. J. Pascoe
Recorder

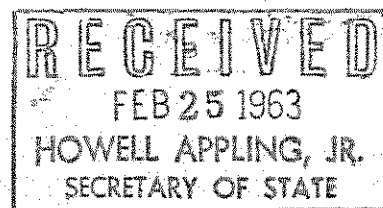


Exhibit B

PETITION

TO: The Honorable City Council of Clatskanie, Oregon.

I

The petitioner is the sole owner of the following described premises which is contiguous to the City of Clatskanie, Columbia County, Oregon, to-wit:

Beginning at a point in the center of the County Road that is South 21.08 chains and East 20.935 chains from the Northwest corner of the E. W. Conyers Donation Land Claim in Sections 8 and 17 of Township 7 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence along center of said County Road North 23° East 460.34 feet to the place of beginning for the parcel of land herein described; thence from this place of beginning South 83°58' East 803.85 feet; thence North 7° West 320 feet; thence West 680.46 feet to the center of said County Road; thence along center of said County Road South 18°30' West 223.08 feet; thence South 23° West 23.44 feet to the place of beginning, containing 4.52 acres after deducting and excluding therefrom the included area of the Said County Road.

Beginning at a point on the center line of the County Road which point is 20.935 chains East and 21.08 chains South of the Northwest corner of the Enoch W. Conyers Donation Land Claim in sections 8 and 17, Township 7 North Range 4 West, Willamette Meridian, Columbia County, Oregon, thence East 16.09 chains to a point; thence North 9° East 5.36 chains to the Southeast corner of the present Maplewood Cemetery; thence tracing the South line of said Maplewood Cemetery in a Northwesterly direction to a point on the East line of a parcel of land used for School purposes and known as School District No. 5; thence tracing the East line of said School District No. 5 South 7° East 85.7 feet to the Southeast corner thereof; thence North 83°58' West 803.85 feet, more or less, to a point on the center line of a County Road; thence tracing the center line of said County Road South 23° West 460.34 feet more or less to the point of beginning, excepting therefrom the following tracts:

(a) The tract described in deed from Albert D. Weaver & wife to Frank T. Willson and Margaret A. Wilson, dated June 13, 1946, and recorded June 24, 1946 in Book 86, page 426 of Deed Records, Columbia County, Oregon.

(b) The tract described in deed from Albert D. Weaver (unmarried) to Charles Theadore Mathews and Serena Gertrude Mathews, dated February 28, 1947 and recorded May 23, 1947, in Book 94, page 35 of Deed Records, Columbia County, Oregon.

II

That on the 2nd day of October, 1962, the School Board of School District No. 5, Columbia County, Oregon, by a resolution duly made, seconded and carried, does hereby request that the above described property be annexed by the City of Clatskanie and made a part of the City pursuant to ORS 222.120, and 222.170.

III

That your petitioner respectfully petitions that the City annex the above described property by a hearing and an ordinance as is set forth in ORS 222.120.

IV

That by the nature of the sole ownership of the above described property and pursuant to ORS 222.120, such annexation can be made by public hearing and ordinance without an election since there is no express prohibition of such procedure in the City Charter of the City of Clatskanie. This petition constitutes an express consent to the common council of the City of Clatskanie to the annexation of the above described property.

WHEREFORE your petitioner respectfully prays that the common council of the City of Clatskanie annex the following described property by a public hearing and ordinance pursuant to ORS 222.120, to-wit:

Beginning at a point in the center of the County Road that is South 21.08 chains and East 20.935 chains from the Northwest corner of the E. W. Conyers Donation Land Claim in Sections 8 and 17 of Township 7 North or Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence along center of said County Road North 23° East 460.34 feet to the place of beginning for the parcel of land herein described; thence from this place of beginning South 83°58' East 803.85 feet; thence North 7° West 320 feet; thence West 680.46 feet to the center of said County Road; thence along center of said County Road South 18°30' West 223.08 feet; thence South 23° West 23.44 feet to the place of beginning, containing 4.52 acres after deducting and excluding therefrom the included area of the said County Road.

Beginning at a point on the center line of the County Road which point is 20.935 chains East and 21.08 chains South of the Northwest corner of the Enoch W. Conyers Donation Land Claim in sections 8 and 17, Township 7 North Range 4 West, Willamette Meridian, Columbia County, Oregon, thence East 16.09 chains to a point; thence North 9° East 5.36 chains to the Southeast corner of the present Maplewood Cemetery; thence tracing the South line of said Maplewood Cemetery in a Northwesterly direction to a point on the East line of a parcel of land used for School purposes and known as School District No. 5 thence tracing the East line of said School District No. 5 South 7° East 85.7 feet to the Southeast corner thereof; thence North 83°58' West 803.85 feet, more or less, to a point on the center line of a County Road; thence tracing the center line of said County Road South 23° West 460.34 feet more or less to the point of beginning, excepting therefrom the following tracts:

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School District #5, Columbia County, Oregon

by Harold G. Davis

of Attorneys for Petitioner

STATE OF OREGON)
: ss.
County of Columbia)

I, Hareld A. Davis, being first duly sworn say that I am the Chairman of the Board of Directors of School District #5, Columbia County, Oregon, the petitioner above named and that the foregoing Petition is true as I verily believe.

Hareld A. Davis

Subscribed and sworn to before me this 2nd day of October, 1962.

R. J. Lamm
Notary Public for Oregon
My Commission Expires ~~October 21, 1963~~
Dec. 21, 1964

ORDINANCE NO. 306

AN ORDINANCE DISPENSING WITH AN ELECTION OF ANNEXATION AND PROCLAIMING THE ANNEXATION OF A CERTAIN CONTIGUOUS TERRITORY, AND PROVIDING THE FILING OF DOCUMENTS WITH THE SECRETARY OF STATE; AND DECLARING AN EMERGENCY.

WHEREAS, on the 5th day of November, 1962, a resolution of the Common Council of the City of Clatskanie was passed, wherein the Common Council set the date of January 7, 1963, at the hour of 8:00 p.m. as the time and the Council Chambers in the City Hall within the City of Clatskanie as the place for a public hearing to consider the question of whether the hereinbelow described property should be annexed by the City of Clatskanie, to-wit:

Beginning at a point in the center of the County Road that is South 21.08 chains and East 20.935 chains from the Northwest corner of the E. W. Conyers Donation Land Claim in Sections 8 and 17 of Township 7 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence along center of said County Road North 23° East 460.34 feet to the place of beginning for the parcel of land herein described; thence from this place of beginning South 83°58' East 803.85 feet; thence North 7° West 320 feet; thence West 680.46 feet to the center of said County Road; thence along center of said County Road South 18°30' West 223.08 feet; thence South 23° West 23.44 feet to the place of beginning, containing 4.52 acres after deducting and excluding therefrom the included area of the said County Road.

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(b) The tract described in deed from Albert D. Weaver (unmarried) to Charles Theadore Mathews and Serena Gertrude Mathews, dated February 28, 1947, and recorded May 23, 1947, in Book 94, page 35 of Deed Records, Columbia County, Oregon.

and WHEREAS, it appears that the consent of the owners of all the said property and territory to be annexed have heretofore been made and filed with the City Recorder of the City of Clatskanie; and

WHEREAS, it appears to the Common Council that an election of the legal voters within the territory to consider the proposed annexation is immaterial for the reason of the consent of all the owners, and pursuant to ORS 222.120; and

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WHEREAS, it appears that notice of said annexation was properly published for two successive weeks prior to the day set for the public hearing, in a newspaper of general circulation in the City of Clatskanie, to-wit: the Clatskanie Chief, and it further appearing that the said notice was posted in four public places for a like period, and that no objections were made at the public hearing to the annexation of the proposed area;

NOW, THEREFORE,

THE CITY OF CLATSKANIE DOES ORDAIN AS FOLLOWS:

Section 1. That no election of the registered voters within the City of Clatskanie or within the territory to be annexed, as hereinafter described, be required and the said election is declared dispensed with by this section for the reason that the written consent of the owners of all the territory to be annexed hereinafter described has been filed with the City Recorder of the City of Clatskanie, prior to the date of the public hearing of January 7, 1963.

Section 2. That the following described real property be and the same is hereby declared and proclaimed annexed to the City of Clatskanie, to-wit:

Beginning at a point in the center of the County Road that is South 21.08 chains and East 20.935 chains from the Northwest corner of the E. W. Conyers Donation Land Claim in Sections 8 and 17 of Township 7 North of Range 4 West of the Willamette Meridian, Columbia County, Oregon, thence along center line of said County Road North 23° East 460.34 feet to the place of beginning for the parcel of land herein described; thence from this place of beginning South 83°58' East 803.85 feet; thence North 7° West 320 feet; thence West 680.46 feet to the center of said County Road; thence along center of said County Road South 18°30' West 223.08 feet; thence South 23° West 23.44 feet to the place of beginning, containing 4.52 acres after deducting and excluding therefrom the included area of said County Road.

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(b) The tract described in deed from Albert D. Weaver (unmarried) to Charles Theodore Mathews and Serena Gertrude Mathews, dated February 28, 1947, and recorded May 23, 1947 in Book 94, page 35 of Deed Records, Columbia County, Oregon.

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and from the date of the filing of the required documents with the Secretary of State of the State of Oregon showing such annexation and the proceedings thereof, the annexation shall be effective and the annexed territory shall be and remain a part of the City of Clatskanie thereafter for all purposes.

Section 3. That the City Recorder be and he is hereby instructed to file with the Secretary of State the following documents:

a. A copy of the Resolution setting the time and place for the public hearing of the proposed annexation.

b. A copy of the written consent of all the owners of all the territory annexed.

c. A copy of this ordinance declaring that no election is required and proclaiming the annexation.

Section 4. That whereas conditions in the City of Clatskanie are such that this ordinance is necessary to the public welfare immediately, an emergency is declared to exist, and this ordinance shall take effect and be in full force and effect immediately upon its approval by the Mayor and the fulfillment of the requirements of this ordinance.

Passed by the Common Council this 7th day of January, 1963.

Approved by the Mayor this 7th day of January, 1963.

/s/ J. D. Puzey
Mayor

ATTEST:

/s/ R. J. Pascoe
Recorder

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 306 of the City of Clatskanie, Oregon, as duly recorded on pages 261, 262 and 263 of the Book of Ordinances of said city.

R. J. Pascoe
R. J. Pascoe
City Recorder
City of Clatskanie, Oregon

