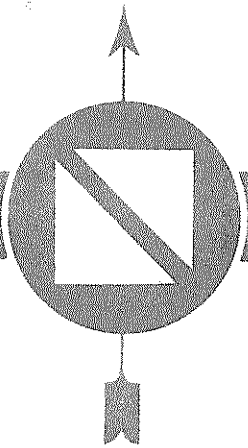


COLUMBIA
MULTNOMAH
WASHINGTON

1973-03 195-4
Portland Metropolitan Area Local
Government Boundary Commission
6400 S. W. Canyon Court
Portland, Oregon 97221
Tel: 297-2237



PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION

February 14, 1973

Frank H. LeMont, Assessor
Columbia County Courthouse
St. Helens, Oregon 97051

Dear Sir:

Enclosed please find copies of the final order(s)
adopted by the PORTLAND METROPOLITAN AREA LOCAL
GOVERNMENT BOUNDARY COMMISSION ON:

February 7, 1973

Final Order(s) No. 539 - City of Rainier

Sincerely,

Donald E. Carlson
Executive Officer

DEC/jk
Enc.

STAFF:

Executive Officer
DONALD E. CARLSON,
JEAN KRETZER, Secretary
KEN MARTIN, ADMIN. ANALYST

COMMISSIONERS:

DR. RONALD C. CEASE
MRS. CAROLYN GASSAWAY
DONOVAN E. BLAIR
RICHARD M. BROWN
ANTHONY N. FEDERICI

H. JOSEPH FERGUSON
MRS. BROOKS GUNSUL
LOUIS C. LAVACHEK
JERRY TIPPENS
CAMPBELL RICHARDSON
DR. PAUL J. SLOMINSKI

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT BOUNDARY COMMISSION
6400 S. W. Canyon Court - Portland, Oregon 97221 - Tel: 297-2237

FINAL ORDER

RE: BOUNDARY CHANGE PROPOSAL NO. 539 - Annexation of the following territory to the City of Rainier

Legal Description

POB
Beginning at the North quarter corner of Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, in the Charles E. Fox Donation Land Claim, said point being on the South line of the City limits of the City of Rainier; thence West along the North line of said Section 21 and the South line of the City limits of said City of Rainier, to the Westerly line of the M.F. Loring tract as described in deed recorded August 25, 1917 in Book 25, page 221, Deed Records of Columbia County, Oregon and the true point of beginning of this description; thence Southerly, along the Westerly line of said Loring tract and its Southerly prolongation, to the North line of the Silas B. Plympton Donation Land Claim; thence East, along the North line of said Silas B. Plympton Donation Land Claim, to a point which is North 4 degrees 33'30" East 27.6 feet from the Northeast corner of tract described in Parcel 2 of deed to Walton Jones et ux recorded October 17, 1960 in Book 143, page 713, Deed Records of Columbia County, Oregon; thence South 4 degrees 33'30" West 27.6 feet to the Northeast corner of tract described in said Parcel 2 of the Walton Jones tract recorded in said Book 143, page 713, Deed Records of Columbia County, Oregon, said point also being the Northeast corner of Block N of the unrecorded plat of Rainier Heights; thence along the East line of said Parcel 2 described in said Book 143, page 713, Deed Records of Columbia County, Oregon, South 4 degrees 33'30" West a distance of 83.38 feet to a point; thence continuing along the East line of said Parcel 2 described in said Book 143, page 713, Deed Records of Columbia County, Oregon, along the arc of a 1392.7 foot radius curve to the right (the long chord of which bears South 4 degrees 12' West 16.79 feet) a distance of 16.79 feet; thence continuing along the East line of said Parcel 2 described in said Book 143, page 713, Deed Records of Columbia County, Oregon, along the arc of a 1392.7 foot radius curve to the right (the long chord of which curve bears South 6 degrees 57' West 100.55 feet) a distance of 100.55 feet; thence Southwesterly to the Northeast corner of Block O of the unrecorded plat of Rainier Heights; thence along the West line of Railroad Street as shown on the unrecorded plat of Rainier Heights a distance of 202.2 feet to the Southeast corner of said Block O; thence Southeasterly on a straight line crossing Railroad Street and Valley Street as shown on the unrecorded plat of Rainier Heights, to the Northwest corner of Block K of the unrecorded plat of Rainier Heights; thence along the Northerly line of said Block K and its Easterly prolongation to the Northwest corner of Block H in said unrecorded plat of Rainier Heights; thence Easterly along the North line of said Block H and its Easterly prolongation to the Northwest corner of Block C in said unrecorded plat of Rainier Heights; thence East along the North line of said Block C to the West line of the Isaac Voorhees Donation Land Claim; thence North along the West line of said Voorhees Donation Land Claim to a point that is South 356 feet from the Northwest corner of said Voorhees Donation Land Claim, said point being due West of the Southwest

corner of the plat of Vogel Tract; thence due East to the Southwest corner of said Vogel Tract; thence East along the South line of Vogel Tract and its Easterly prolongation to the East line of said Voorhees Donation Land Claim; thence North along the East line of said Voorhees Donation Land Claim to the most Southerly Southwest corner of the John S. Hawkins Donation Land Claim, said point being the Southwest corner of Ordinance #727 as described in Proclamation recorded October 13, 1966 in Book 163, page 150, Deed Records of Columbia County, Oregon; thence North along the West line of Ordinance #727 as described in said book 163, page 150, Deed Records of Columbia County, Oregon to the Northwest corner of said Ordinance #727; thence East, along the North line of said Ordinance #727 as described in said Book 163, page 150, Deed Records of Columbia County, Oregon, to the Northeast corner of said Ordinance #727; thence North to the North line of said Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence West, along the North line of said Section 21, to the true point of beginning.

EXCEPTING that portion of the foregoing description already within the existing City boundaries.

Proceedings on Proposal No. 539 commenced upon receipt by the Boundary Commission of a petition from property owners on January 8, 1973 requesting that the property described above be annexed to the City. The petition meets the requirements for initiating a proposal set forth in ORS 222.170 and paragraph (a) Section (3) of ORS 199.490.

Upon receipt of the petition the Boundary Commission published and posted notice of the public hearing in accordance with ORS 199.463 and conducted a public hearing on the proposal on February 7, 1973. The Commission also caused a study to be made on this proposal which considered economic, demographic and sociological trends and projections and physical development of the land.

On the basis of the public hearing and the study, the Boundary Commission made a number of findings:

- a) the territory to be annexed contains 17.92 acres, 18 single family dwellings and an estimated population of 54 persons;
- b) the property owners request annexation to obtain sanitary sewerage service to alleviate a potential health hazard situation;
- c) the County Sanitarian has indicated after making a survey of the territory that at least 12 of the 18 residences have malfunctioning subsurface disposal systems; and
- d) the City of Rainier operates a sanitary sewerage system and has sewer mains in the vicinity of the territory which can be extended into the territory to alleviate the health hazard.

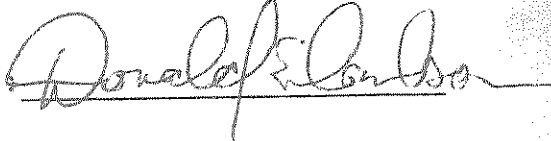
On the basis of the findings listed above, the Boundary Commission approved BOUNDARY CHANGE PROPOSAL NO. 539 on February 7, 1973.

NOW THEREFORE IT IS ORDERED THAT the territory described above be annexed to the City of Rainier as of this date.

PORTLAND METROPOLITAN AREA LOCAL GOVERNMENT
BOUNDARY COMMISSION

DATE: February 7, 1973

By: 
Jerry Tipples
Chairman

Attest: 

A.D. WRIGHT T. VA.

TO

M.F. LORING

KNOW ALL MEN BY THESE PRESENTS, That We A.D. Wright and Lusyd Magee Wright, husband and wife, of Buffalo N.Y. being of lawful age, in consideration of Fifty (\$50.00) Dollars to us paid by M.F. Loring, of Rainier, of Columbia County, in the State of Oregon, do hereby grant, bargain, sell and convey unto said M.F. Loring his heirs and assigns, all the following bounded and described real property, situated in the county of Columbia, and State of Oregon.

The following described real property, commencing at the Southwest corner of Block "O" the point of beginning; thence running easterly on the south side and on the south line of said Block "O" Seventy-five (75) feet; thence northerly on a straight line to a point Ten (10) feet from the Northwest corner of Lot One (1) Block "W" and on the north side of said Lot One (1); thence Ten (10) feet North $73^{\circ} 10'$ west (the bearing of the north side of said Lot One) to the Northwest corner of said lot One (1) Block "W"; thence southerly on the east lines of the land own by M.F. Loring to the point of beginning, said Block "O" and Block "W" being located in and part of Fox Park an Addition to the City of Rainier, plat and dedication on file in Book One (1) of plats page 40 in the office of the County Clerk of Columbia County, State of Oregon.

PROCLAMATION

WHEREAS, there has been heretofore filed with the City of Rainier, a written petition for annexation of the following described property, to-wit:

Parcel 1: That portion of the John S. Hawkins Donation Land Claim that falls within the boundaries of the following described parcel of land: Beginning at a point that is 71.33 feet East and 13.11 feet North of the Southeast corner of Block U in Roxy Park, an Addition to the City of Rainier, said corner of Block U being indicated on the plat of Roxy Park by a 1 1/2 inch by 4 foot galvanized iron pipe set 6 inches below surface; thence South 86°33' East 309.03 feet to a point, thence North 86°33' East 178.71 feet to point of beginning, all being in Section 21, Township 7 North Range 2 West, Willamette Meridian, Columbia County, Oregon.

Parcel 2: That portion of the John S. Hawkins Donation Land Claim that falls within the boundaries of the following described parcel of land: Beginning at a point that is 71.33 feet East, 13.11 feet North and South 86°33' East 309.03 feet and South 178.71 feet from the Southeast corner of Block U in Roxy Park, an Addition to the City of Rainier, said corner of Block U being indicated on the plat of Roxy Park by a 1 1/2 inch by 4 foot galvanized iron pipe set 6 inches below surface; thence South 30 feet to a point; thence South 86°33' East to point of intersection with westerly boundary line of the present county road; thence Northerly along the westerly boundary line of the present county road to point of intersection with a line drawn South 86°33' East from the true point of beginning; thence North 86°33' West to point of beginning, all being in Section 21, Township 7 North Range 2 West, Willamette Meridian, Columbia County, Oregon. Subject to right of way granted to Earl L. Welch, et al., in deed recorded in Book 97, page 376, Deed Records.

Parcel 3: That portion of the John S. Hawkins Donation Land Claim that falls within the boundaries of the following described parcel of land: Beginning at a point that is 71.33 feet East, 13.11 feet North and South 86°33' East 309.03 feet from the Southeast corner of Block U in Roxy Park, an Addition to the City of Rainier, said corner of Block U being indicated on the plat of Roxy Park by a 1 1/2 inch by 4 foot galvanized iron pipe set 6 inches below surface; thence South 178.71 feet to a point; thence South 86°33' East to point of intersection with westerly boundary line of the present County road; thence Northerly along the westerly boundary line of the present County road to point of intersection with a line drawn South 86°33' East from point of beginning; thence North 86°33' West to point of beginning, all being in Section 21, Township 7 North, Range 2 West, Willamette Meridian, Columbia County, Oregon, EXCEPTING any portion of said premises that lies within the boundaries of County road.

AND WHEREAS, all of the owners of the above described property have in writing joined in and consented to said petition for annexation;

AND WHEREAS, the Council for the City of Rainier duly passed a Resolution at a regular meeting of the Council held July 12, 1966,

KNOW ALL MEN BY THESE PRESENTS, That We, EUGENE CHOLEWINSKI & ALICE CHOLEWINSKI, husband and wife,

in consideration of Ten & 00/100 ----- Dollars,

to us paid by WALTON JONES & ALVINA JONES, husband and wife,

do hereby grant, bargain, sell and convey unto said Walton Jones & Alvina Jones,

and to

their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Columbia and State of Oregon, bounded and described as follows, to-wit:

A part of the Silas B. Plympton Donation Land Claim in Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon, described as follows:

Parcel 1: Beginning at a point which is South 165 feet and South 87°43'30" East 412.5 feet and South 0°53'30" West 20 feet and North 89°06'30" West 700.4 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; thence South 89°06'30" East 50 feet; thence South 0°53'30" West 100 feet; thence North 89°06'30" West 103.4 feet; thence Northeastorly in a straight line to the point of beginning.

Parcel 2: Beginning at a point which is South 165.0 feet and North 87°43'30" West 176.80 feet and South 4°33'30" West 27.5 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; said point being the Northeast corner of Block "M" of the unrecorded plat of Rainier Heights; thence North 89°01½' West a distance of 59.2 feet; thence South 0°53'30" West a distance of 100.0 feet; thence North 89°01½' West a distance of 103.4 feet; thence South 8°21½' West a distance of 5.7 feet; thence along the arc of a 100 foot radius curve to the right (the long chord of which curve bears South 34°47' West 82.26 feet) a distance of 84.76 feet; thence South 0°53'30" West a distance of 26.0 feet to the Southwest corner of said Block "M"; thence South 89°01½' East a distance of 192.3 feet; thence along the arc of a 1392.7 foot radius curve to the left (the long chord of which curve bears North 6°57' East 100.55 feet) a distance of 100.55 feet; thence along the arc of a 1392.7 foot radius curve to the left (the long chord of which curve bears North 4°12' East 16.79 feet) a distance of 16.79 feet; thence North 4°33'30" East a distance of 83.38 feet to the point of beginning. The parcel described being all of Lots 3, 4, 5 and 6 of the said Block "M".

Parcel 3: Beginning at a point which is South 165.0 feet and South 87°43'30" East 412.5 feet and South 0°53'30" West 270 feet, and North 89°06'30" West 614.5 feet from the North quarter corner of Section 21, Township 7 North, Range 2 West of the Willamette Meridian, Columbia County, Oregon; said point being the Northeast corner of Block "O" of the unrecorded plat of Rainier Heights; thence North 89°06'30" West a distance of 185 feet; thence South 0°53'30" West a distance of 200 feet to the Southwest corner of said Block "O"; thence South 89°06'30" East a distance of 150 feet to Southeast corner of said Block "O"; thence along the West line of Railroad Street as shown on the unrecorded plat of Rainier Heights a distance of 202.2 feet to true point of beginning.

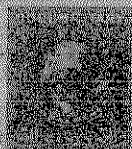
To Have and to Hold the above described and granted premises unto the said Walton Jones & Alvina Jones,

and to their heirs and assigns forever.

And we, Eugene Cholewinski & Alice Cholewinski,

the grantors

above named do hereby covenant to and with the above named grantees and to their heirs and assigns that we lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, EXCEPTING mineral and petroleum reservations, etc., as contained and set forth in deed recorded in Book 13, page 502, Book 69, page 63 and in Book 63, page 293, respectively, all in Deed Records of Columbia County, Oregon,



and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever, except as above set forth.