

Ex. "A"

148283

1/4 Section Map No.: 2546
Tax Lot No.: 111

United States National Bank of Oregon
By Home Garden Tracts
5240 N.E. 158th Ave.
Portland, Oregon 97230

A PERMANENT EASEMENT

The herein described property located in Section 24, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Beginning on the South line of said Section 24, a distance of 474.5 feet East of the Northwest corner of the Hiram Barker D.L.C.; thence North 4586 feet to the center of the North Columbia Slough; thence South 72° 45' East following the center of said Slough 563.5 feet; thence North 780 feet, more or less, to the South line of N.E. Marine Drive; thence Southeasterly along said South line 1850 feet, more or less, to the West line of N.E. 158th Avenue (40 feet wide), thence South 0° 06' West along said West line 198.50 feet to the True Point of Beginning of the herein described parcel; thence continuing South 0° 06' West along said West line 610 feet, more or less, to the North line of the George Hamilton D.L.C.; thence North 89° 27' 15" West along said North line 10.00 feet; thence North 0° 06' West parallel to the West line of N.E. 158th Avenue, 610 feet, more or less, to a point West of the true point of beginning; thence East 10.00 feet to the True Point of Beginning; containing 0.14 acres, more or less.

APPROVED AS TO DESCRIPTION:

Ex. "B"

148283

1/4 Section Map No.: 2546
Tax Lot No.: 111

United States National Bank of Oregon
By Home Garden Tracts
5240 N.E. 158th Ave.
Portland, Oregon 97230

PARCEL TO BE ACQUIRED IN FEE

The herein described property located in Section 24, Township 1 North, Range 2 East of the Willamette Meridian, Multnomah County, Oregon, more particularly described as follows:

Beginning on the South line of said Section 24, a distance of 474.5 feet East of the Northwest corner of the Hiram Barker D.L.C.; thence North 4586 feet to the center of the North Columbia Slough; thence South 72° 45' East following the center of said Slough 563.5 feet; thence North 780 feet, more or less, to the South line of N.E. Marine Drive; thence Southeasterly along said South line 1850 feet, more or less, to the West line of N.E. 158th Avenue (40 feet wide), the True Point of Beginning of the herein described parcel; thence South 0° 06' West along the West line of N.E. 158th Avenue, 198.50 feet; thence West 10.00 feet; thence North 0° 06' East parallel to the West line of N.E. 158th Avenue 200.00 feet to the South line of N.E. Marine Drive; thence Southeasterly along said South line 10 feet more or less to the True Point of Beginning; containing 0.05 acres, more or less.

APPROVED AS TO DESCRIPTION:

Ex. "C"
1/4 Section Map No.: 2546
Tax Lot No.: 106

148283

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

A PERMANENT EASEMENT

A parcel of land in Section 24, Township 1 North, Range 2 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records, said parcel more particularly described as follows:

Beginning at the Northwest corner of the J. Fleming D.L.C.; thence North 1° 36' 08" East 737.32 feet to a 5/8-inch iron pipe set in the East line of N.E. 158th Avenue, and the True Point of Beginning of the herein described parcel; thence South 81° 08' 01" East 1148.09 feet to a 5/8-inch iron pipe in the East line of Section 24; thence South along said East line of Section 24, 50.60 feet; thence Westerly parallel to and 50.00 feet Southerly at right angles from the above described Easterly course 1148.00 feet to the East line of N.E. 158th Avenue; thence North 0° 06' West along the East line of N.E. 158th Avenue 50.62 feet to the True Point of Beginning; containing 1.32 acres, more or less.

APPROVED AS TO DESCRIPTION:

Ex. "D"

148283

¼ Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 6

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

A PERMANENT EASEMENT

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records; said parcel more particularly described as follows:

Beginning at the Northwest corner of the J. Fleming D.L.C.; thence North 1° 36' 08" East 737.32 feet to a 5/8-inch iron pipe set in the East line of N.E. 158th Avenue; thence South 81° 08' 01" East 2847.48 feet to a 5/8-inch iron pipe and the True Point of Beginning of the herein described parcel; thence South 81° 08' 01" East 982.00 feet to a 5/8-inch iron pipe set in the East line of said Home Garden tract; thence South 50.60 feet; thence North 81° 08' 01" West 982.00 feet; thence North 50.60 feet to the True Point of Beginning; containing 1.13 acres, more or less.

APPROVED AS TO DESCRIPTION: _____

Ex. "E"

148283

¼ Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 5

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

A PERMANENT EASEMENT

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records; said parcel more particularly described as follows:

Beginning at the Northeast corner of the J. Fleming D.L.C.; thence North colinearly with the property line of said Home Garden tract 900.00 feet; thence West 25.00 feet; thence South 893.59 feet; thence South 75° 36' 50" East 25.81 feet to the Point of Beginning; containing 0.51 acres, more or less.

APPROVED AS TO DESCRIPTION: _____

Ex. "F"

148283

1/4 Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 3

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

A PERMANENT EASEMENT

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records, said parcel more particularly described as follows:

Beginning at the Northwest corner of the J. Fleming D.L.C.; thence North 1° 36' 08" East 737.32 feet to a 5/8-inch iron pipe set in the East line of N.E. 158th Avenue; thence South 81° 08' 01" East 1370.68 feet to a 5/8-inch iron pipe and the True Point of Beginning of the herein described parcel; thence continuing South 81° 08' 01" East 1264.23 feet to a 5/8-inch iron pipe; thence South 50.60 feet; thence North 81° 08' 01" West 1264.23 feet; thence North 50.60 feet to the True Point of Beginning; containing 1.45 acres, more or less.

APPROVED AS TO DESCRIPTION: _____

Ex. "G"

148283

1/4 Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 1

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

A PERMANENT EASEMENT

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records, said parcel more particularly described as follows:

Beginning at the Northeast corner of the J. Fleming D.L.C.; thence Westerly along the South line of said Home Garden tract 1730 feet, more or less, to the West line of Section 19 and the True Point of Beginning of the herein described parcel; thence North along said West line of Section 19, 670.00 feet; thence East 25.00 feet; thence South parallel to said West line of Section 19, 676.41 feet; thence North 75° 36' 50" West along the South line of said Home Garden tract 25.81 feet to the True Point of Beginning; containing 0.39 acres, more or less.

APPROVED AS TO DESCRIPTION: _____

Ex. "H"

148283

1/4 Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 2

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

PARCEL TO BE ACQUIRED IN FEE

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records, said parcel more particularly described as follows:

Beginning at the Northeast corner of the J. Fleming D.L.C.; thence Westerly along the South line of said Home Garden tract 1730 feet, more or less, to the West line of Section 19; thence North along said West line of Section 19, 670.00 feet to the True Point of Beginning of the herein described parcel; thence continuing North along said West line of Section 19, 240 feet, more or less, to the South line of N.E. Marine Drive; thence Easterly along said South line of N.E. Marine Drive to a point which is 220.00 feet East of said West line of Section 19; thence South 210 feet, more or less, to a point East of the True Point of Beginning; thence West 220.00 feet to the True Point of Beginning; containing 1.14 acres, more or less.

APPROVED AS TO DESCRIPTION:

Ex; "I"

148283

¼ Section Map No.: 2547
Tax Lot No.: 5
Parcel No.: 4

United States National
Bank of Oregon
c/o Home Garden Tracts
318 S.E. Alder Street
Portland, Oregon 97214

PARCEL TO BE ACQUIRED IN FEE

A parcel of land in Section 19, Township 1 North, Range 3 East of the Willamette Meridian, in Multnomah County, Oregon, said parcel being a portion of that tract of land deeded to United States National Bank of Oregon, c/o Home Garden Tracts in Book 1294, Page 768, Multnomah County deed records, said parcel more particularly described as follows:

Beginning at the Northeast corner of the J. Fleming D.L.C.; thence North colinearly with the property line of said Home Garden tract 900.00 feet to the True Point of Beginning of the herein described parcel; thence West 210.00 feet; thence North 236 feet, more or less, to the South line of N.E. Marine Drive; thence Easterly along said South line of N.E. Marine Drive 213 feet, more or less, to a point North of the True Point of Beginning; thence South 200 feet, more or less, to the True Point of Beginning; containing 1.05 acres, more or less.

APPROVED AS TO DESCRIPTION: _____

148283

ORDINANCE No.

148283

AV 45426
81,100.00
3-12-80

An Ordinance authorizing continuance of negotiations for the purchase of well sites and easements in and across certain tracts of land located in Sections 19 and 24, T1N, R2E, Multnomah County, Oregon, from the United States National Bank of Oregon, for the construction of a ground water development program, authorizing the City Attorney to commence condemnation proceedings for the acquisition thereof, authorizing the drawing and delivery of a warrant, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

(1) That it is necessary and expedient to acquire certain tracts of land and easements for the Bureau of Water Works ground water development program. The tracts and easements are described as follows:

(a) A permanent easement across a portion of Tax Lot 111, Section 24, T1N, R2E, WM as described in Exhibit A attached hereto. A parcel to be acquired in fee interest across Tax Lot 111, Section 24, T1N, R2E, WM, being described in Exhibit B attached hereto.

A competent real estate appraiser has placed the value of \$1,900 upon the above described acquisitions.

(b) A permanent easement across Tax Lot 106, Section 24, T1N, R2E, WM, as described in Exhibit C attached hereto. A competent real estate appraiser has placed a value of \$9,300 on the above described easement.

(c) Four permanent easements across Tax Lot 5, Section 19, T1N, R3E, WM as described in Exhibits D, E, F, G, attached hereto. Two parcels to be acquired in fee across Tax Lot 5, Section 19, T1N, R3E, WM as described in Exhibits H and I attached hereto.

A competent real estate appraiser has placed a value of \$74,500 on the above described four easements and two well site parcels.

2. The property described in Section 1 above is owned in fee by the United States National Bank of Oregon which holds the property in trust for Ross Phillippi, Jr., and others pursuant to an unrecorded trust instrument. Certain portions thereof are subject to a verbal lease agreement with Leonard Spada and Frank Damonte, lessees.
3. That the City has carried on negotiations for the purchase of such property with the present owners but they have refused to sell to the City.
4. That it is necessary that the City Attorney be authorized and directed to commence condemnation proceedings to acquire the property at the earliest possible date unless agreement for its purchase is first obtained. That in order to acquire immediate possession of the property it is necessary for the City to tender to the Clerk of Multnomah County Circuit Court a warrant for the entire amount of the appraised value of all parcels and easements above described.

NOW, THEREFORE, the Council directs:

- (a) The City Attorney hereby is authorized and directed to file an action for condemnation to acquire those parcels of land in fee and those permanent easements as described in Exhibits A through I, attached hereto, said property presently being owned by the United States National Bank of Oregon which holds title in trust for the benefit of Ross Phillippi, Jr. and others, unless agreement for its purchase is first obtained.
- (b) The City Attorney hereby is authorized and directed to prosecute said condemnation proceedings with all reasonable diligence to carry it to final judgment and hereby is further authorized to take all steps necessary to obtain immediate possession of said property if necessary.
- (c) The Mayor and Auditor hereby are authorized to draw and deliver a warrant in the amount of \$85,700 to be delivered to Robert Ireland, Deputy City Attorney, who will then deliver said warrant to the Clerk of the Multnomah County Court in order that the City may obtain immediate possession to the property. The warrant shall be charged to the Water Fund, BUC No. 18600374, Project No. 3700, Object Code 610.

Section 2. The Council declares that an emergency exists because it is necessary that no undue delay be encountered in order to acquire the necessary real property for the purpose of the City's ground water development program, therefore, this ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 148523

CSICG93L No: 5200

01 JUL 1971

Passed by the Council, **AUG 15 1979**
COMMISSIONER IVANCIE
 August 10, 1979
 Robert Ireland:jib

Attest:

Deputy

Calendar No. 2800

ORDINANCE No. 148283

Title

An Ordinance authorizing continuance of negotiations for the purchase of well sites and easements in and across certain tracts of land located in Sections 19 and 24, T1N, R2E, Multnomah County, Oregon, from the United States National Bank of Oregon, for the construction of a ground water development program, authorizing the City Attorney to commence condemnation proceedings for the acquisition thereof, authorizing the drawing and delivery of a warrant, and declaring an emergency.

AUG 10 1979

Filed _____

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By Gordon Brall
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie	<u>1</u>	
Jordan	<u>1</u>	
McCready	<u>1</u>	
Schwab	<u>1</u>	
Goldschmidt	<u>1</u>	

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

INTRODUCED BY

COMMISSIONER IVANCIE

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Bureau of Water Works

Prepared By:

Robert Ireland

Date:

8/10/79

Budget Impact Review:

☒ Completed

☐ Not required

Bureau Head:

NOTED BY

City Attorney

City Auditor

City Engineer