

ORDINANCE No. 100003

An Ordinance authorizing the purchase of approximately 1 2/3 acres of land in Tax Lot 41, Section 17, T. 1 S., R. 1 E., W. M., lying between S. W. 37th Avenue and S. W. 39th Avenue near S. W. Iowa Street, for the sum of \$5,000 cash for use by the Water Bureau as reservoir site, authorizing the drawing and delivery of a warrant, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the City desires to purchase approximately 1 2/3 acres of land in Tax Lot 41, Section 17, T. 1 S., R. 1 E., W. M., Multnomah County, Oregon, said land lying between S. W. 37th Avenue and S. W. 39th Avenue, and 100 feet south of S. W. Iowa Street, for the purpose of constructing a reservoir thereon; that said property is more particularly described as follows:

A tract of land in the Southwest quarter of Section 17 in Township 1 South of Range 1 East of the Willamette Meridian, Multnomah County, Oregon, described as follows:

Beginning at a point which is 40 rods North and 40 rods West of the Southeast corner of the Southwest one quarter of said Section 17; thence North 40 rods to the true place of beginning of the tract to be herein described, being the Northeast corner of the tract conveyed to Frederick Fick by deed recorded January 14, 1887 in Book 90 of Deeds, page 188, Records of Multnomah County, Oregon; thence West 330 feet to the Northwest corner of the tract conveyed to Christian Fick by deed recorded November 27, 1886 in Book 89 of Deeds, page 310 Records of said County; thence South along the West line of said Christian Fick tract, 175 feet to the North line of a tract conveyed to Maplewood Water District by deed recorded April 30, 1946 in PsDeed Book 1047 page 462 records of said County; thence East at right angles, 125 feet to most Northerly Northeast corner of said Water District tract; thence South continuing on the line of said Water District tract parallel with the West line of the Christian Fick tract 105 feet and thence East at right angles, 205 feet more or less to the East line of aforesaid Frederick Fick tract; thence North along said East line 280 feet to the true point of beginning, EXCEPT THOSE PARTS CONVEYED FOR PUBLIC ROAD PURPOSES;

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that said property is now owned by George G. Shepperd and Emma O. Shepperd, husband and wife, and that they are willing to sell this property to the City for the sum of \$5,000; that this amount is a reasonable price for the said property and it is in the best interest of the City that said property be acquired for the purpose above mentioned; that the sum of \$10.00 has already been paid by the City for an option to purchase; that said option expires March 15, 1954 and should be exercised now for the benefit of the City, and the balance of the purchase price paid; now, therefore, said option hereby is exercised and the Mayor and Auditor hereby are authorized to draw and deliver a warrant in the amount of \$4,990.00, the balance of the purchase price, payable to George G. Shepperd and Emma O. Shepperd, Bridal Veil, Oregon, upon the following terms and conditions:

(a) That the above named grantors execute and deliver to the City Auditor a good and sufficient warranty deed, approved as to form by the City Attorney, with revenue stamps attached in the amount of \$5.50, conveying to the City of Portland title to the above described property free and clear of all liens and encumbrances.

(b) That said grantors also furnish to the City a policy of title insurance in the amount of \$5,000 showing the City to have fee title to said property free and clear of all encumbrances.

Section 2. The grantors shall pay the sum of \$58.60 in satisfaction of a City of Portland lien against said property for the Burlingame Sanitary Trunk Sewer Assessment. Said amount mentioned in this section represents the pro rata share of the property being purchased in the total Burlingame Sanitary Trunk Sewer Assessment against Tax Lot 41, Section 17, T. 1 S., R. 1 E., W. M.

Section 3. The warrant provided for in Section 1 of this ordinance shall be chargeable to the appropriation Water Construction Fund (5900.780).

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: in order that said option may be exercised before expiration and the use of the

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property for public purposes acquired immediately; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

FEB 25 1954

Fred L. Peterson
Mayor of the City of Portland

Attest:

Will Gibson.

Auditor of the City of Portland

Calendar No. 820

ORDINANCE NO. 00003

Title

An Ordinance authorizing the purchase of approximately 1 2/3 acres of land in Tax lot 41, Section 17, T. 1 S., R. 1 E., W. 4., lying between S.W. 37th Avenue and S.W. 39th Avenue near S.W. Iowa Street, for the sum of \$5,000 cash for use by the Water Bureau as a reservoir site, authorizing the drawing and delivery of a warrant, and declaring an emergency.

INTRODUCED BY
Order of Council

DRAWN BY
EDW:edc
Date Feb. 19, 1954

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney
ACB

NOTED FOR CITY AUDITOR
PSI
JHL

APPROVED
Date
By
City Engineer
Date
By

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes		
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

FEB 19 1954

Filed

Phil Sibson
Auditor of the CITY OF PORTLAND

By *R. S. MEY*
Deputy