

## WATER LINE EASEMENT

149067

Nov. 30, 1979

In consideration of the sum of Thirty-Eight Hundred and Fifty Dollars  
(\$ 3,850.00 ), Frances K. Heath

\_\_\_\_\_  
(Grantor) conveys  
to the City of Portland, a municipal corporation of the State of Oregon, a  
perpetual easement to use a strip of land for the purpose of constructing,  
reconstructing, inspecting and maintaining a water line and its necessary  
appurtenances, which is located across the Grantor's property as described  
in Exhibit "A", which is attached hereto.

The terms of this easement are as follows:

1. No surface or underground structures, permanent or temporary, shall  
be constructed upon the easement without the written consent of the Chief  
Engineer of the City's Bureau of Water Works.
2. No grade change in excess of one (1) foot in elevation shall be  
allowed without the written consent of the Chief Engineer of the City's Bureau  
of Water Works.
3. No trees shall be planted on the easement without the written consent  
of the Chief Engineer of the City's Bureau of Water Works.
4. No materials storage shall be permitted upon the easement without  
the written consent of the Chief Engineer of the City's Bureau of Water Works.
5. Grantor may place fences upon and across the easement; however, such  
fences shall have gates or removable panels so as to allow a minimum opening  
of nine (9) feet in width to permit equipment access for the purpose of main-  
taining and repairing the water line.
6. The Grantor retains the right to use the easement area for all agri-  
cultural purposes excepting the cultivation of trees.
7. The City will restore as nearly as practicable the surface of the  
easement within a reasonable time after completion of construction or maintenance  
work.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed  
the day and year first written above.

Frances K. Heath

\_\_\_\_\_  
Grantors

STATE OF OREGON

County of MULTNOMAH

) ss:

149087

BE IT REMEMBERED that on this 30 day of NOVEMBER, 1979,  
before me, the undersigned, a Notary Public in and for said County and State,  
personally appeared FRANCES K. HEATH  
\_\_\_\_\_ who is/are known  
to me to be the identical individual(s) who executed the foregoing instrument  
and acknowledged to me that he/they did so of his/their own free will.

IN TESTIMONY WHEREOF, I have hereunto

set my hand and affixed my notarial  
seal the day and year last above  
written.

Stephen C. Lewis  
Notary Public for Oregon

My commission expires 8/22/82

WATER EASEMENT

Frances K. Heath

TO

THE CITY OF PORTLAND

Approved as to form:

City Attorney

Approved:

C. D. Hewitt  
Chief Engineer  
Bureau of Water Works

149067

EXHIBIT "A"

Easement No. 55

Map No.: 3554  
Tax Lot No.: 47  
0.14 Acres

Frances K. Heath  
1141 S.E. Roberts Avenue  
Gresham, Oregon 97030

A PERMANENT EASEMENT

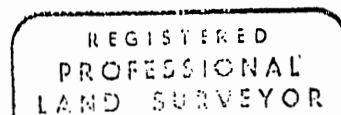
A portion of that tract of land in the Northeast 1/4 Section 15, Township 1 South, Range 3 East, of the Willamette Meridian, Multnomah County, Oregon, conveyed to Frances K. Heath as described and recorded in Book 869, Page 307, deed records of said Multnomah County, more particularly described as follows:

Beginning at the Northwest corner of said Heath tract; thence South 40° 29' 20" East along the Easterly right-of-way of the Portland Traction Company (formerly the Oregon Water Power & Railway Company right-of-way), a distance of 134.10 feet; thence North 58° 52' 25" East a distance of 39.81 feet; thence North 57° 30' 24" West a distance of 20.00 feet; thence North 27° 30' 24" West a distance of 114.63 feet; thence South 58° 52' 25" West along the Northerly boundary of said tract a distance of 59.97 feet to the point of beginning.

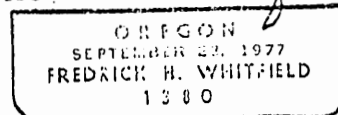
Said permanent easement containing 0.14 acres, more or less.

APPROVED AS TO DESCRIPTION:

*Fred H. Whitfield*



*Fred H. Whitfield*



# ORDINANCE No. 149067

AV# 44828  
2-1-86  
3,850.00

An Ordinance accepting a permanent easement for a water supply line from Frances K. Heath, Grantor, authorizing the drawing and delivery of a warrant, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Water Works requires an easement for a proposed water supply line lying within a portion of Tax Lot No. 47, Section 15, T1S, R3E, W.M., Multnomah County, Oregon, as described in the form of easement attached hereto and marked Exhibit "A."
2. The owner of the land, Frances K. Heath, has agreed to grant the City an easement for the sum of \$3,850.00. The City has retained a professional real estate appraiser, who has concluded that the value of the easement is the sum of \$3,850.00, and the Commissioner of Public Utilities has approved payment in that amount.

NOW, THEREFORE, the Council directs:

- a. An easement for a water supply line from Frances K. Heath, as described in the attached Exhibit "A" to the original only, is accepted.
- b. A warrant is authorized in the amount of \$3,850.00 in favor of Frances K. Heath, 1141 S.E. Roberts Avenue, Gresham, Oregon 97030, to be charged to the 1979-80 Budget, Water Fund, BUC No. 18600374, Object Code 610 (Land), Project No. 3201 (Conduit No. 5 Right-of-Way).

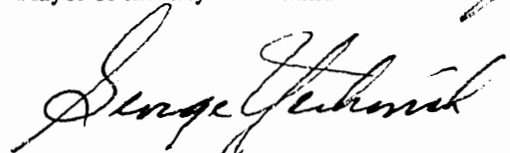
Section 2. The Council declares that an emergency exists because any delay in proceeding with this purchase may result in additional expense to the City, and will unnecessarily deprive the Bureau of Water Works of the benefit of the completion of the easements at an early date; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council, **JAN 30 1980**

Commissioner Ivancie  
H.E. Hampton:ij  
January 14, 1980  
BUC 18600374

Attest:

  
Mayor of the City of Portland

  
Auditor of the City of Portland

Calendar No. <sup>333</sup> ~~234~~

# ORDINANCE No. 149067

## Title

An Ordinance accepting a permanent easement for a water supply line from Frances K. Heath, Grantor, authorizing the drawing and delivery of a warrant, and declaring an emergency.

JAN 24 1980

CONTINUED TO JAN 30 1980

Filed JAN 17 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By Elena Curcio  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
COMMISSIONER IVANCIE

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>FJI/May</i>
Works

BUREAU APPROVAL
Bureau: WATER WORKS
Prepared By: H. Hampton/ij Date: 1-14-80
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Carl Goebel</i> Carl Goebel, Administrator

NOTED BY
City Attorney
City Auditor
City Engineer