

ORDINANCE NO. 149389

An Ordinance authorizing the City Attorney to acquire, either by negotiated purchase, or through condemnation proceedings, a building located at 2702 N. Kilpatrick Street AKA 8111 N. Burrage Avenue, in order to abate a public nuisance and to preserve housing stock within the city, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That on February 14, 1980, the City Council passed Ordinance No. 149171, declaring that a building located at 2702 N. Kilpatrick Street AKA 8111 N. Burrage Avenue and owned by M.J. Wershey, 7250 S.W. Ashdale Drive, Portland, Oregon 97223 was a dangerous building and constituted a public nuisance.
2. By that ordinance the Council directed that the building owner abate the dangerous condition and public nuisance by repairing the building within ten (10) days therefrom and in the event of failure to do so, specified that the city might acquire the property by negotiated purchase or by the exercise of its power or eminent domain for the public use and necessity of abating the dangerous condition by repairing the building and selling it for housing, thereby also removing it as a blighting influence on the immediately surrounding neighborhood and contributing to accomplishment of the City Housing Policy.
3. That the building owner has not abated the nuisance within the time prescribed by that ordinance, and the City Attorney therefore should acquire the property by negotiated purchase or commence a condemnation proceeding in the Multnomah County Circuit Court in order that the City acquire fee title to the property for the public use and necessity of abating the dangerous condition by repairing the building and selling it for housing with appropriate condition, thereby also removing it as a blighting influence on the immediately surrounding neighborhood and contributing to accomplishment of the City Housing Policy.

NOW, THEREFORE, The Council directs:

- a. The City Attorney is hereby authorized to acquire, either by negotiated purchase or by an action for condemnation in the Circuit Court of Multnomah County, the building owned by M.J. Wershey, 7250 S.W. Ashdale Drive, Portland, Oregon 97223 and located at 2702 N. Kilpatrick Street AKA 8111 N. Burrage Avenue and more particularly described as follows: Lots 23 and 24, Block 9, Peninsular. The amount of the City's offer to purchase said property shall be based upon the estimate of market value as supplied by a competent independent fee appraiser.

ORDINANCE No.

Section 2. The Council declares:

That an emergency exists because delay in the enactment of this ordinance could result in unnecessary delay in the acquisition of the property and abatement of the blighting influence in the immediately surrounding neighborhood. Therefore, this ordinance shall be in force and effect, from and after its passage by Council.

ORDINANCE NO. 149389

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Passed by the Council, APR 9 1980

Order of Council  
AHB:mah  
March 24, 1980

Attest:

*David M. Priddy*  
Mayor of the City of Portland

*George Ferguson*  
Auditor of the City of Portland

Calendar No. ~~1132~~ <sup>1197</sup>

**ORDINANCE No. 149389**

**Title**

An Ordinance authorizing the City Attorney to acquire, either by negotiated purchase, or through condemnation proceedings, a building located 2702 N. Kilpatrick Street AKA 8111 N. Burrage Avenue, in order to abate a public nuisance and to preserve housing stock within the City, and declaring an emergency.

APR 3 1980 142

CONTINUED TO APR 9 1980

Filed MAR 28 1980

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Gordon C. [Signature]*  
Deputy

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Order of the Council

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration: <i>Chca</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
Bureau of Buildings
Prepared By: <i>Arlan H. Barreth</i> Date: 3/24/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>James E. Griffith</i>
James E. Griffith

NOTED BY
City Attorney
City Auditor
City Engineer