

ORDINANCE NO. **149409**

An Ordinance accepting a sewer easement right of way for SW Custer Street West of SW Brier Place Storm Sewer Project, granted by David N. McIntyre, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Right of way is required for construction of the SW Custer Street West of SW Brier Place Storm Sewer Project.
2. David N. McIntyre has conveyed the required right of way to the City at no cost to the City.

NOW, THEREFORE, the Council directs:

- a. That the following described easement is hereby accepted for sewer purposes:

Parcel I - A tract of land in Section 21, T1S, R1E, W.M., Multnomah County, Oregon, described as follows:

Commencing at a point that is 30.0 feet south and 30.0 feet west of the southwest corner of Block 66, Fulton Park; said point being also the northeast corner of a tract of land conveyed to David N. McIntyre by deed recorded December 30, 1976 in Book 1148, Page 1914, Multnomah County Deed Records; thence west along the south line of SW Custer Street (30 feet wide) 714.83 feet to the true point of beginning of the tract to be described; thence continuing west along the south line of SW Custer Street 10.0 feet; thence south perpendicular to the south line of SW Custer 12.0 feet; thence east, parallel with the south line of SW Custer Street 10.0 feet; thence north perpendicular to the south line of SW Custer 12.0 feet to the point of beginning.

Parcel II - A tract of land in Section 21, T1S, R1E, W.M., Multnomah County, Oregon being a strip of land 15.0 feet in width, 7.5 feet on each side of the following described centerline: Commencing at a point that is 30.0 feet south and 30.0 feet west of the southwest corner of Block 66, Fulton Park; said point being also the northeast corner of a tract of land conveyed to David N. McIntyre by deed recorded December 30, 1976 in Book 1148, Page 1914, Multnomah County Deed Records; thence west along the south line of SW Custer Street (30 feet wide) 626.33 feet; thence south perpendicular to the south line of SW Custer Street 25.0 feet to the true point of beginning of the centerline to be described; thence S.45°W. 41.0 feet and there terminating.

ORDINANCE No.

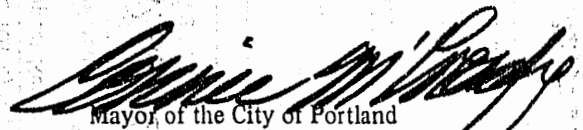
Parcel III - A tract of land in Section 21, T1S, R1E, W.M., Multnomah County, Oregon being a strip of land 15.0 feet in width, 7.5 feet on each side of the following described centerline: Commencing at a point that is 30.0 feet south and 30.0 feet west of the southwest corner of Block 66, Fulton Park; said point being also the northeast corner of a tract of land conveyed to David N. McIntyre by deed recorded December 30, 1976 in Book 1148, Page 1914, Multnomah County Deed Records; thence west along the south line of SW Custer Street (30 feet wide) 626.33 feet; thence south perpendicular to the south line of SW Custer Street 55.5 feet to the true point of beginning of the centerline to be described; thence S.45°W. 20.0 feet and there terminating. (Granted by David N. McIntyre, 11135 SW Capitol Hwy., Portland, Oregon 97219).

- b. The Auditor shall record in the appropriate deed records, documents of title as necessary for acquisition of this right of way.

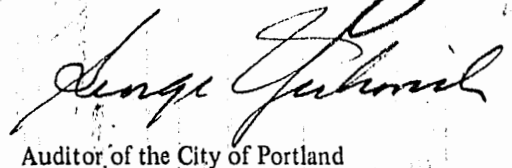
Section 2. The Council declares that an emergency exists because a delay in the acceptance of the sewer easement might jeopardize the City's ability to acquire the property at no cost; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 9 1980**

Commissioner Mike Lindberg
Paul L. Niles/sg
March 13, 1980


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 1240

ORDINANCE No. 149409

Title

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/SA</i>

BUREAU APPROVAL
Bureau: Sanitary Engineering
Prepared By: <i>CS</i> Date: 3/13/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>J. B. Niehuser</i> _{RES.} Joe Niehuser

NOTED BY
City Attorney
City Auditor
City Engineer APPROVED: John M. Lang, Acting City Engr.
BY: <i>J. M. Lang</i> _{RES.}

Filed APR 4 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Hall*
Deputy