

ORDINANCE NO. 149417

DURST
AV45853
\$320.00
4-14-80

ANDERSON
AV45853
\$2,107.00
4-14-80

WATSON
AV45851
\$468.00
4-14-80

149417

An Ordinance accepting three sewer easements for the SW Arnold Creek Sanitary Sewer Project, granted by Louis A. Durst and Beulah F. Durst, Loyed E. Anderson and Dorothy Anderson, and Edwin R. Watson, authorizing total payment of \$2895.00, 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 Arnold Creek Sanitary Sewer Project.
2. Louis A. Durst and Beulah F. Durst, Loyed E. Anderson and Dorothy Anderson, and Edwin R. Watson have conveyed the required right of way to the City for the total sum of \$2895.00.

NOW, THEREFORE, the Council directs:

- a. That the following described easements are hereby accepted for sewer purposes:

The east 7.50 feet of the south 163.0 feet of the following described tract of land:

The following real property in Multnomah County, Oregon, being described as follows to wit: the following described portion of Lot 3, Galeburn; commencing at the intersection of the east line of SW 35th Avenue and the south line of SW Maricara Street as established on May 29, 1946; thence east on the south line of SW Maricara Street 595.13 feet to a point and the true point of beginning of the tract to be described; thence east on the south line of SW Maricara Street 125 feet; thence south parallel to the east line of SW 35th Avenue, 317.45 feet more or less, to the south line of Lot 3, Galeburn; thence west on the south line of said Lot 3, 125 feet; thence north parallel to the east line of SW 35th Avenue 317.45 feet more or less to the true point of beginning, except the north ten feet thereof dedicated for road purposes.

There is also herein granted a temporary construction easement for the original construction of the SW Arnold Creek Sanitary Sewer being 10.0 feet wide, lying west of and adjacent to the above described permanent easement. (Granted by Louis A. Durst and Beulah F. Durst).

AND ALSO

The following strips of land in Section 32, T1S, R1E, W.M., in the City of Portland, Multnomah County, Oregon, being 15.0 feet in width and lying 7.5 feet on each side of the following described centerlines:

Parcel I - Beginning at a point in the east line of said Section 32 being 82.44 feet south of the northeast corner; thence S.63° 11'07"W. 216.31 feet to a point hereinafter referred to as "Point A"; thence S.56°47'30"W. 171.44 feet to the south line of the northeast quarter of the northeast quarter of the northeast quarter of said section and there terminating; AND ALSO

Parcel II - Beginning at "Point A" described above; thence S.26° 48'53"E. 108.48 feet to south line of the northeast quarter of the northeast quarter of the northeast quarter of said section and there terminating; AND ALSO

Parcel III - Beginning at a point in the east line of a tract of land conveyed to Loyed E. Anderson, etux, by deed recorded September 29, 1966, in Book 528, at Page 868 being 11.25 feet south of the northeast corner of said tract; thence S.56°47'30"W. 35.40 feet; thence S.22°36'05"W. 133.19 feet (to a point hereinafter referred to as "Point B"); thence S.75°53'45"W. 182.18 feet; thence S.50° 42'44"W. 63.50 feet to a point in the west line of said Anderson tract being 82.69 feet north of the southwest corner and there terminating.

Parcel IV - A parcel of land in the Anderson tract mentioned above being described as follows:

Commencing at "Point B" (described above); thence N.1°51'19"W. 18.12 feet to a point on the westerly line of the easement above described and the true point of beginning of the parcel to be described; thence continuing N.1°51'19"W. 78.31 feet; thence N.56°47' 30"E. 57.69 feet to a point on the westerly line of the above described easement; thence S.22°36'05"W. along said easement 119.01 feet to the point of beginning.

Parcel V - The east 15.0 feet of the south half of the southeast quarter of the northeast quarter of the northeast quarter of Section 32, T1S, R1E, W.M., Multnomah County, Oregon.

In addition to the above described perpetual easements there are hereby granted temporary easements for the original construction of said sewer described as follows:

Strips of land 10 feet in width lying on each side of and adjacent to Parcels I, II & III described above; and also a 9.5 foot strip of land lying west of and adjacent to Parcel V described above; EXCEPTING therefrom those portions lying within the perpetual easements described above.

(All easement lines are to be lengthened or shortened to terminate at the grantor's property lines.) (Granted by Loyed E. Anderson and Dorothy Anderson).

AND ALSO

A tract of land in Section 32, T1S, R1E, W.M., Multnomah County, being a strip of land 15.0 feet wide, 7.50 feet on each side of the following described centerline:

ORDINANCE No.

Commencing at the north quarter corner of said Section 32; thence S.00°05'30"W. along the north-south centerline of said section 127.15 feet to the northwest corner of a tract of land conveyed to Edwin R. Watson, by deed recorded August 17, 1972; thence S.89°21'E. along the north line of said Watson tract 291.99 feet to the true point of the centerline to be described; thence S.38°49'E. 129.53 feet to the south line of said Watson tract being S.89°21'E. 373.35 feet from the southwest corner of said Watson tract and there terminating.

In addition to the above described perpetual easement, a temporary easement for the original construction of said sewer line described as follows:

A strip of land 10.0 feet wide on each side of and adjacent to the above described perpetual easement. (Granted by Edwin R. Watson).

- b. The Mayor and Auditor to draw and deliver warrants in payment for the above described easements in the amounts and in favor of the following:
 - * Louis A. Durst and Beulah F. Durst, \$320.00, 3210 SW Maricara St, Portland, Or 97219; * Loyed E. Anderson and Dorothy Anderson, \$2107.00, 4112 NE 99th Ave, Portland, Or 97220; * Edwin R. Watson, \$468.00, 2222 NE 81st Ave, Portland, Or 97213; said warrants to be charged to the General Fund (43300016/490) Appropriations, Contributions and Advances to Improvement Districts, and further directs the Mayor and Auditor to draw and deliver a warrant in the total amount of \$2895.00 to be credited to General Fund Revenue, said warrant to be drawn against and chargeable to the SW Arnold Creek Sanitary Sewer Fund when created.
- c. The Auditor shall record in the appropriate deed records, documents of title as necessary for purchase of this right of way.

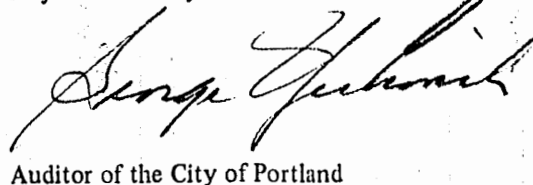
Section 2. The Council declares that an emergency exists because a delay in the acceptance of the sewer easement might result in delays in construction of the sewer; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

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

Commissioner Mike Lindberg
March 25, 1980
Paul L. Niles/sg

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 1219

ORDINANCE No. 149417

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	

Filed APR 4 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Gordon Crowell
Deputy

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>PLN</i> Date: <i>3/25/80</i>
Carl Short/sg
Budget Impact Review:
<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:
<i>J. B. Niehuser</i> <i>recs.</i>
Joe Niehuser

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