

ORDINANCE NO. **149902**

An Ordinance accepting six sewer easements for the SW ARNOLD CREEK SANITARY SEWER PROJECT, granted by Dale Construction Company and Henry E. Baldrige, David A. Stich and Georgia A. Stich, Eugene L. Roberti, Fred L. Mihm and Marie A. Mihm, Ralph E. Swanson and Betty P. Swanson, authorizing total payment of \$2467.00 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. Dale Construction Company and Henry E. Bladridge, David A. Stich and Georgia A. Stich, Eugene L. Roberti, Fred L. Mihm and Marie A. Mihm, Ralph E. Swanson and Betty P. Swanson have conveyed the required right of way to the City for the total sum of \$2467.00.

NOW, THEREFORE, the Council directs:

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

Parcel I - The east 15.0 feet of the northeast quarter of the northeast quarter of Section 32, T1S, R1E, W.M., Multnomah County, Oregon, which lies north of SW Arnold Street.

Parcel II - A temporary easement for the original construction of the SW Arnold Creek Sanitary Sewer being 20.0 feet in width, lying adjacent to and west of the herein above described Parcel I. (Granted by Dale Construction Company and Henry E. Baldrige)

AND ALSO

The south 167.55 feet of the west 15.0 feet of the following described tract of land to wit:

A tract of land in Lot 3, GALEBURN PLACE, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at a point on the south line of SW Maricara Street, which is 85.13 feet east of the east line of SW 35th Avenue; thence south parallel to the east line of SW 35th Avenue, 307.45 feet more or less to the north line of SW Caraway Street; thence east 120 feet; thence north parallel to the east line of SW 35th Avenue, to the south line of SW Maricara Street; thence west 120 feet to the point of beginning.

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 7.5 feet wide lying east of and adjacent to the above described perpetual easement. (Granted by David A. Stich and Georgia A. Stich).

AND ALSO

The south 10.0 feet of the following described tract: A parcel of land in the northeast quarter of Section 32, T1S, R1E, W.M., in the County of Multnomah, and State of Oregon:

Beginning at a point in the centerline of SW 35th Avenue that is S.0°5'30"W. a distance of 1962.3 feet from the north quarter corner of Section 32; thence S.89°21'E. 330 feet to a point that is N.89°21'W. 200 feet from the west line of the 40 foot road dedicated by instrument recorded June 3, 1947 in Book 1176, Page 401, Deed Records, and the true point of beginning; thence N.0°5'30"E. parallel with the westerly line of the dedicated road 278 feet; thence S.89°21'E. 200 feet to the west line of the dedicated road; thence S.0°5'30"W. along the west line of the dedicated road 278 feet; thence N.89°21'W. 200 feet to the true point of beginning.

There is also herein granted a temporary construction easement for the original construction of the SW Arnold Creek Sanitary Sewer, said temporary construction easement to be 9.50 feet wide, lying north of and adjacent to the above described perpetual easement. (Granted by Eugene L. Roberti, Fred L. Mihm and Marie A. Mihm).

AND ALSO

A strip of land in Lot 84, Edgecliff, Multnomah County, Oregon, being a strip of land being 15.0 feet in width and lying 5.0 feet on the left and 10.0 feet on the right for 83.42 feet and then 7.5 feet on each side for the remaining distance along the following described line to wit:

Beginning at a point on the southeasterly line of Lot 84, Edgecliff, 5.01 feet northerly from the most southerly corner thereof; thence N.63°46'W. 5.0 feet northerly of and parallel with the southwesterly line of said lot 83.42 feet; thence N.18°46'W. 67.88 feet more or less to a point on the northwesterly line of said Lot 84, said point being 53.41 feet northerly from the southwest corner of said lot. (easement lines are to be shortened or lengthened to terminate on the lot lines).

In addition to the above described perpetual easement a temporary easement for the original construction of said sewer line being a strip of land 7.5 feet on the right and adjacent for 83.42 feet and 10.0 feet wide on both sides and adjacent for the remaining distance along the above described line. (Granted by Ralph E. Swanson and Betty P. Swanson).

## ORDINANCE No.

- 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:

Grantor: Dale Construction Company Amount \$775.00 AD# 46914  
Address: 12360 SW Main Street, Tigard, Oregon 97223 6/30/80

Grantor: David A Stich and Georgia A. Stich Amount \$482.00 AD# 46913  
Address: 3414 SW Maricara Street, Portland, Oregon 97219 6/30/80

Grantor: Eugene L. Roberti Amount \$531.00 AD# 46966  
Address: 11433 SW 33rd Avenue, Portland, Oregon 97219 6/30/80

Grantor: Ralph E. Swanson and Betty P. Swanson Amount \$679.00 AD# 46947  
Address: 10375 SW Ridgeview Lane, Portland, Oregon 97219 6/30/80

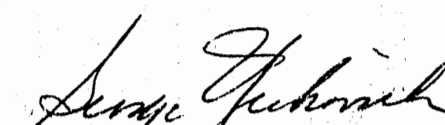
said warrants to be charged to the General Fund (43300016/490) Appropriations, Contributions and Advances to Improvement Districts, and further directs the Mayor and Auditor to draw and deliver a warrant in the total amount of \$2467.00 to be credited to General Fund Revenue, said warrant to be drawn 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, JUN 26 1980

Commissioner Mike Lindberg  
Paul L. Niles/sg  
June 16, 1980

  
Auditor of the City of Portland

Calendar No. 2302

**ORDINANCE No. 149902**

**Title**

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*(Dist. # C-8954)*

Filed JUN 19 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By *George Yerkovich*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

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>MLISA</i>

BUREAU APPROVAL
Bureau: Sanitary Engineering
Prepared By: PLN <i>CS</i> Date: 6/16/80
Carl Short/sg <i>CS</i>
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>J-P Niehuser</i>
Joe P. Niehuser

NOTED BY
City Attorney
City Auditor <i>GC</i>
City Engineer APPROVED: John M. Lang, P.E.
BY: <i>J-P Niehuser</i>