

ORDINANCE NO. **150908**

An Ordinance amending Subsection "a" of Ordinance No. 149951 to correct a legal description of a sewer easement granted by Ruben J. Menashe, Inc., for the SE 133rd Place, SE Knapp Court and Private Property Storm and Sanitary Sewer Project, authorizing the recording of a correction sewer easement and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 149951, passed by Council July 2, 1980, accepted a sewer easement, granted by Ruben J. Menashe, Inc., in order to provide the City of Portland perpetual maintenance rights for the sewers in the subdivision of Timber Creek.
2. Subsequently, certain portions of the sewer easement legal description have been found to be in error.
3. Ruben J. Menashe, Inc., has executed a correction sewer easement which correctly describes the easement location.
4. The correction sewer easement should now be recorded in order that development plans for the subdivision will not be delayed.

NOW, THEREFORE, the Council directs:

- a. The legal description appearing in Subsection "a" of Ordinance No. 149951 is amended to read as follows:

"PARCEL 1 A portion of Lots 1, 2, 3, and 4, Block 2, Timber Creek, located in the north half of Section 23, T.1S., W.M., City of Portland, Multnomah County, Oregon, and being more particularly described as follows:

Beginning at the Initial Point of the plat of Timber Creek, said point bears north 733.10 feet and west 1,004.20 feet from the southeast corner of the Jacob Johnson D.L.C.; thence along the east line of said Timber Creek S.0°10'00"E. 140.10 feet; thence leaving said east line S.30°13'05"W. 69.37 feet; thence S.48°37'11"W. 126.95 feet to a point on the west line of Lot 3, Block 2; thence along said west line S.0°55'00"E. 150.56 feet to a point in the northerly right-of-way of Knapp Court (a 40.00 foot wide street); thence westerly along said right-of-way 20.12 feet along the arc of a 245.00 foot radius curve to the left through a central angle of 4°42'17"; thence leaving said right-of-way along a line which bears N.0°55'00"W. 151.10 feet, said line being 20.00 feet westerly of and parallel to the west line of Lot 3; thence N.48°37'11"E. 118.01 feet; thence S.87°33'25"W. 120.40 feet to a point on the common line

of Lots 2 and 4, Block 2; thence along said lot line S.51°16'12"W. 158.98 feet to a point on the right-of-way of SE 133rd Place, said point being also the common corner of Lots 2 and 4, Block 2; thence northwesterly 15.06 feet along the arc of a 50.00 foot radius curve to the left through a central angle of 17°15'16"; thence leaving said curve and said right-of-way along a line which bears N.51°16'12"E. 163.77 feet, said line being 15.00 feet northwesterly of and parallel to the southerly line of Lot 4; thence N.87°33'25"E. 142.44 feet; thence N.30°13'05"E. 59.98 feet; thence along a line which bears N.0°10'00"W. 129.76 feet, said line being 15.00 feet westerly of and parallel to the east boundary line of Timber Creek; thence N.57°15'03"E. 17.09 feet to a point in the east line of Timber Creek; thence S.11°40'00"E. 3.00 feet to the initial point and point of beginning.

PARCEL II A 15.00 foot wide easement in Lots 1, 2, and 3, Block 2 of a plat of Timber Creek, located in the north half of Section 23 T.1S.,R.2E.,W.M., City of Portland, Multnomah County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of said Lot 3, said point being also on the northerly right-of-way of SE Knapp Court; thence westerly 27.63 feet along the arc of a 245.00 foot radius curve to the left through a central angle of 06°27'39" to the True Point of Beginning; thence continuing along the arc of said 245.00 foot radius curve 14.43 feet through a central angle of 3°19'48" to a point of tangency; thence S.87°42'14"W. 0.76 feet; thence leaving said right-of-way N.0°55'00"W. 104.50 feet; thence N.59°05'00"E. 91.67 feet; thence N.44°05'00"E. 20.0 feet; thence S.45°55'00"E. 15.0 feet; thence S.44°05'00"W. 20.06 feet; thence S.59°05'00"W. 86.97 feet; thence S.0°55'00"E. 95.90 feet to the True Point of Beginning.

PARCEL III A 15.00 foot wide easement on Lot 6, Block 2, Timber Creek, being located in the north half of Section 23, T.1S.,R.2E.,W.M., City of Portland, Multnomah County, Oregon, being more particularly described as follows:

Beginning at a point on the westerly right-of-way of SE 133rd Place, said point also being the easterly common corner between Lots 6 and 7, Block 2, Timber Creek; thence along said common lot line N.80°30'48"W. 259.82 feet; thence leaving said common lot line N.9°29'12"E. 30.00 feet; thence S.80°30'48"E. 10.0 feet; thence S.09°29'12"W. 15.0 feet; thence along a line which bears S.80°30'49"E. 253.06 feet; said line being 15.00 feet northerly of and parallel to the southerly line of said Lot 6; thence southerly along the westerly right-of-way of SE 133rd Place, 15.41 feet along the arc of a 50.00 foot radius curve to the left through a central angle of 17°39'21" to the point of beginning. (Granted by Ruben J. Menashe, Inc., 11359 NE Halsey, Portland, Oregon 97220)"

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b. The Auditor shall record in the appropriate deed records, the correction sewer easement in order to correct the errors in the legal description of that certain sewer easement recorded July 30, 1980, in Book 1458, Page 980, Multnomah County Deed Records.

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

Ordinance No. 1980-12-17-80
 An Ordinance amending subsection "a" of
 description of a sewer easement located on
 Robert G. Henniger, Inc.'s lot 25 1980-12-17-80
 place, SE Knappa Court and Private Property
 2000 and 2000-0000 Project, situated
 lying on recording of a correction sewer
 easement and violating an emergency.

ORDINANCE NO. 1980-12-17-80

Ordinance No. 4253

GEORGE AERHOACH

DEC 30 1980

City Auditor	City Manager	City Clerk	City Engineer	City Attorney	City Planner	City Administrator	City Director	City Commissioner	City Council
Commissioner Mike Lindberg	Carl Short:mnc	12-17-80							
<p>Passed by the Council, DEC 31 1980</p> <p>Attest: <i>[Signature]</i> Auditor of the City of Portland</p>									

Calendar No. 4523

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

Filed DEC 23 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Frank Dufay
Deputy

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works ML/MS

BUREAU APPROVAL

Bureau: Sanitary Engineering

Prepared By: CS Date: 12-17-80

Carl Short: CS

Budget Impact Review:

Completed Not required

Bureau Head: J. P. Nebuser

Joe P. Nebuser

CALENDAR

Consent Regular

NOTED BY

City Attorney

City Auditor

City Engineer Approved: John M. Lang

By: John Lang

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