

An Ordinance accepting a sewer easement granted by Simpson Timber Company, and authorizing the Commissioner of Public Works and Auditor to execute and deliver to the Simpson Timber Company a quitclaim deed releasing the City's interest in a sewer easement in connection with the N. Delaware Avenue Storm Sewer Relocation Project and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That a portion of the N. Delaware Avenue and Kenton Blvd. Trunk Sewer must be relocated in order to develop adjacent industrial property.
2. The relocation project has been constructed and accepted for maintenance by the City, and the original storm sewer pipe and outfall structure have been abandoned.
3. Simpson Timber Company has conveyed the required right of way for the relocation project to the City at no cost to the City, and has requested the City to release the sewer easement (which was accepted by Ordinance No. 39304, passed by Council May 18, 1921) covering the abandoned sewer line and outfall structure.
4. The sewer easement granted by Simpson Timber Company should be accepted and the sewer easement covering the abandoned sewer line and outfall structure should now be released.

NOW, THEREFORE, the Council directs:

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

A portion of Section 9, T1N, R1E, W.M., Multnomah County, Oregon, described as follows:

Commencing at the intersection of the northeasterly line of N. Columbia Blvd. (80 feet in width) and the east line of N. Delaware Avenue (30.0 feet in width); thence north along said N. Delaware Avenue east line 133.0 feet to the point of beginning of tract to be described; thence from said point of beginning north along said east line 581.0 feet more or less to the easterly extension of the north line of Lot 35, Block 59, Peninsular Add. No. 4; thence west along the extension of the north line of said Lot 35 a distance of 10.0 feet; thence north parallel with and 20.0 feet east of the east line of Block 59, Peninsular Add. No. 4 and its north extension a distance of 649.0 feet; thence N.24°00'E. 48.50 feet to the south edge of the Columbia Slough; thence easterly along said south edge to a point which bears 40.0 feet southeasterly of and at right angles to the herein previously called line bearing N.24°00'E.;

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thence S.24°00'W. parallel with and 40.0 feet southeasterly of said previously called line 38.50 feet more or less to a point which bears east 60.0 feet from the north extension of the east line of Block 59, Peninsular Add. No. 4; thence south parallel with and 60.0 feet east of said Block 59 east line and Block 51 east line a distance of 1221.50 feet to a point which bears east 30.0 feet from the point of beginning; thence west 30.0 feet to the point of beginning. (Granted by Simpson Timber Company, 2301 N. Columbia Blvd., Portland, Oregon 97217, ATTN: Mike Stickel).

- b. The release of a sewer easement over the following land is authorized:

A strip of land ten feet in width being five feet on each side of a center line, which center line is described as follows:

Beginning at a point in the northerly boundary of the right of way of the O-W R & N Company, which point is 129.3 feet east of the east line of Delaware Avenue and 94.15 feet north of the north line of Columbia Slough Road and running thence N.23°00'W. a distance of 200 feet; thence on a curve to the right having a radius of 100 feet a distance of 51 feet; thence N.6°40'E. a distance of 149 feet; thence on a curve to the right having a radius of 100 feet a distance of 52 feet; thence N.36°21'E. a distance of 227 feet; thence on a curve to the left having a radius of 100 feet a distance of 41 feet; thence N.12°39'E. 555 feet more or less to the south line of Columbia Slough, in the City of Portland and Multnomah County, State of Oregon.

- c. The Commissioner of Public Works and Auditor are authorized to execute and deliver to Simpson Timber Company, 2301 N. Columbia Blvd., Portland, Oregon 97217, ATTN: Mike Stickel, a quitclaim deed approved as to form by the City Attorney releasing the interest of the City in and to property heretofore described above in Subsection "b" and further authorizes the Auditor to record in the appropriate deed records, documents of title as necessary for acquisition of the sewer easement herein above accepted in Subsection "a".

Section 2. The Council declares that an emergency exists because a delay in the acceptance and release of the above described sewer easements might jeopardize the owners ability to develop the property in an appropriate manner; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **DEC 3 1 1980**

Commissioner Mike Lindberg
Paul L. Niles/sg
December 12, 1980

Attest:

Serge Gebard
Auditor of the City of Portland

Calendar No. 4526

ORDINANCE No. 150911

Title

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(D-2 C-9268)

DEC 23 1980

Filed

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By

Frank Duffey
Deputy

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

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: *PLN* Date: 12/12/80
 Carl Short/sg

Budget Impact Review:
 Completed Not required

Bureau Head: *J.P. Nickuser*
 Joe P. Nickuser

CALENDAR

Consent Regular

NOTED BY

City Attorney _____
 City Auditor _____
 City Engineer _____

APPROVED:
 John M. Lang, P.E.

BY: *John Lang*