

ORDINANCE NO. 151357

AN 13421
4-7-81
\$ 1,700⁰⁰

An Ordinance authorizing the drawing and delivery of a warrant in the amount of \$1700 in connection with condemnation litigation relating to the Southwest Evelyn Street and Southwest 37th Avenue storm sewer Local Improvement District (LID), and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That on November 6, 1980, the Council passed Ordinance NO. 150757 authorizing the City Attorney to commence condemnation proceedings to acquire easements across two parcels of property owned by Herb Morrisette Builders, Inc., which are necessary for the construction of the Southwest 37th Avenue and Evelyn Streets storm sewer LID. The two parcels were described in Exhibit "A" attached to that ordinance.
2. The City Attorney has been unable to acquire the easements by negotiation and it is now necessary to file an action for condemnation in the Multnomah County Circuit Court. It is also necessary that immediate possession of the property be obtained in order to commence construction, and, in order to obtain such possession, a warrant in the amount of the appraised value of the easements must be tendered into the court.

NOW, THEREFORE, the Council directs:

- a. That the Mayor and Auditor are hereby authorized to draw and deliver a warrant in the amount of \$1700 made payable to the Clerk of the Multnomah County Court, said warrant to be delivered to Robert C. Ireland, Deputy City Attorney, for tender into court in connection with the Southwest 37th Avenue and Evelyn Street storm sewer LID and the acquisition of the two easements as described in Ordinance No. 150757. Said warrant is to be charged to the General Fund (4330016/490) Appropriations, contributions and advancements to improvement districts.

ORDINANCE No.

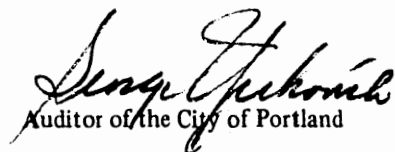
(b) It is further directed that the Mayor and Auditor draw and deliver a warrant in the full amount of \$1700 to be credited to the General Fund Revenue, said warrant to be drawn against and chargeable to the Southwest 37th Avenue and Evelyn Street storm sewer fund when created.

Section 2. The Council declares that an emergency exists because any delay in the acquisition of the sewer easements above-described may detrimentally postpone the construction of the Southwest 37th Avenue and Evelyn Street storm sewer LID, therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 1 1981**

Commissioner Lindberg
RCIrelan:clp
March 24, 1981

Attest:


Auditor of the City of Portland

Calendar No. **1053**

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Title

An Ordinance authorizing the drawing and delivery of a warrant in the amount of \$1700 in connection with condemnation litigation relating to the Southwest Evelyn Street and Southwest 37th Avenue storm sewer Local Improvement District (LID), and declaring an emergency.

Filed MAR 27 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Joseph J. Wall*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	1	
Lindberg	1	
Schwab	1	
<i>Ivancie</i>	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Commissioner Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>M L / ms</i>

BUREAU APPROVAL
Bureau:
Prepared By: <i>R.C. Irelan</i> Date: <i>3/24/81</i>
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:

CALENDAR	
Consent	Regular <input checked="" type="checkbox"/>

NOTED BY
City Attorney <i>[Signature]</i>
City Auditor
City Engineer