

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the City of Portland, a municipal corporation of the State of Oregon, does hereby remise, release and forever quitclaim unto Velma S. Heimel and Louise I. Heimel and unto their heirs, successors and assigns, all its right, title and interest in and to the following described parcel of real estate, together with the tenements, hereditaments and appurtenances, situated in the County of Multnomah, State of Oregon, to-wit:

A portion of Tax Lot 12, Section 35, T1S, R1E, W.M., lying within a strip of land 15 feet in width, 7.5 feet on either side of the following described centerline:

Commencing at a brass screw set in a large boulder at the intersection of the south line of Section 35, T1S, R1E, W.M., with the easterly line of the Southern Pacific Company's 30 foot right of way, said brass screw bearing S.14°16'W. 180.17 feet from the northeast corner of Tract 11, Elk Rock Villas; thence N.42°32'E. 441.63 feet to an iron pipe; thence N.10°06'W. 85.43 feet to an iron pipe; thence N.22°20'W. 75 feet to an iron pipe; thence N.27°10'W. 13 feet to an iron pipe; thence N.03°46'W. 47.88 feet to an iron pipe; thence N.07°20'E. 84.56 feet to an iron pipe; thence N.12°59'E. 76.31 feet to an iron pipe; thence N.09°18'59"E. 80.44 feet to an iron pipe; thence N.78°12'E. 43 feet to an iron pipe set at the meander line of the Willamette River; thence continuing N.78°12'E. 3 feet to the point of beginning of the centerline herein described; thence N.01°39'20"W. 10 feet; thence N.11°55'26"W. 23 feet; thence N.00°42'50"E. 64.69 feet; thence N.13°39'25"W. 31.60 feet; thence N.07°56'10"W. 82 feet; thence N.30°58'40"W. 101 feet, more or less, to a point in said meander line of the Willamette River; thence continuing N.30°58'40"W. 58 feet; thence N.18°41'33"W. 6 feet, more or less, to the northeast corner of that certain tract of land conveyed to Donald B. Heimel et ux by deed recorded July 19, 1948, in Book 1278 at page 247, Deed Records of Multnomah County, all within said County of Multnomah and State of Oregon.

It is the intent of this instrument to release the interests of the City of Portland in and to the above described property, which interests were created by sewer easement recorded in Book 434 at Page 184, Multnomah County deed records for 1965.

IN WITNESS WHEREOF, the City of Portland, Oregon, pursuant to Ordinance No. \_\_\_\_\_, has caused these presents to be signed by its Auditor and Commissioner of Public Works this \_\_\_\_\_ day of \_\_\_\_\_, 1982.

CITY OF PORTLAND

BY \_\_\_\_\_  
Auditor

BY \_\_\_\_\_  
Commissioner of Public Works

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

STATE OF OREGON       )  
County of Multnomah) ss

Personally appeared Mike Lindberg and George Yerkovich, who being duly sworn, each for himself and not one for the other, did say that the former is the Commissioner of Public Works and that the latter is the Auditor of the CITY OF PORTLAND, a municipal corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its City Council and each of them acknowledged said instrument to be its voluntary act and deed.

Before me \_\_\_\_\_  
Notary Public for Oregon

My commission expires \_\_\_\_\_

ORDINANCE NO. 152769

An Ordinance authorizing the City to execute and deliver to Velma S. Heime1 and Louise I. Heime1 a quit claim deed, releasing the interests of the City in and to Tax Lot 12, Section 35, T1S, R1E, W.M., which were created by sewer easement recorded in Book 434 at Page 184, Multnomah County deed records, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Easements were acquired for the construction and maintenance of the Willamette Interceptor sewer in the area of the Southern Pacific Transportation Company's Elk Rock Tunnel.
2. The sewer, a part of which was an elevated structure, was constructed in 1966 according to approved plans; however, maintenance problems caused by falling rocks became such a great burden to the City that a portion of the sewer was relocated to pass through said Elk Rock Tunnel, and the elevated portion, along with certain other portions of the Willamette Interceptor as originally constructed have since been abandoned by the City.
3. That Velma S. Heime1, et al, owners of property in which an abandoned portion of the sewer is located, have requested the City release its interests in the property created by easement recorded in Book 434 at Page 184, Multnomah County deed records, and that such release by quitclaim deed should now be authorized.

NOW, THEREFORE, the Council directs:

The Auditor and Commissioner of Public Works are authorized and directed to execute and deliver to Velma S. Heime1 and Louise I. Heime1, c/o Louise I. Heime1, 12700 SW Feilding Road, Lake Oswego, Oregon 97034, a quitclaim deed, approved as to form by the City Attorney, releasing those interests of the City in and to Tax Lot 12, Section 35, T1S, R1E, W.M., which were created by instrument recorded in Book 434 at Page 184, Multnomah County deed records for 1965, said quitclaim deed to be substantially in accordance with Exhibit "A" attached hereto and by this reference made a part of this ordinance.

**ORDINANCE No.**

Section 2. The Council declares an emergency exists because early release of a sewer easement no longer needed by the City will remove an exception to clear title on residential property; therefore this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JAN 27 1982**

Commissioner Mike Lindberg  
Carl Short/sg  
January 11, 1982

Attest:

  
Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG		
SCHWAB		
STRACHAN		
IVANCIE		

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Calendar No. **191**

## ORDINANCE No. 152769

### Title

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Filed JAN 21 1982

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By George Yerkovich  
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/mj</i>

BUREAU APPROVAL
Bureau:
Sanitary Engineering
Prepared By: CS <i>PLN</i> Date: 1/11/82
Paul L. Niles
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Joe P. Niehuser</i>
Joe P. Niehuser

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

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