

*Please
file on
Ordinance
112872*

December 19, 1960

Mr. Joe Hawkins, Assessor
Multnomah County Court House
Portland 4, Oregon

Dear Mr. Hawkins:

Please find enclosed for your information and files a certified copy of Ordinance No. 112872, passed by the Council on December 7, 1960.

The property transaction authorized therein has now been completed.

Yours very truly,

Auditor of the City of Portland

SLB:cm

Encl.

cc: Mr. Thomas D. Farrell
Supervisor of Property Control

*Recorded 12/19/60
Book 2041
Page 464*

ORDINANCE NO. 112872

An Ordinance granting a 10 foot right-of-way through Hoyt Park Arboretum for the construction and maintenance of a water main for the benefit of the Bureau of Water Works, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that it is in the public interest to construct a 16-inch water main through a portion of Hoyt Park Arboretum and that in connection with such proposed water main a right-of-way through said Hoyt Park Arboretum property should be granted for the benefit of the Bureau of Water Works; now, therefore, a water main easement hereby is granted as follows:

A 10 foot strip of land across the Bureau of Parks property in the Hoyt Park Arboretum in Section 5, T 1 S, R 1 E, and Section 32, T 1 N, R 1 E, being 5 feet on each side of the following described center line:

Beginning at the point of intersection of the center line of S.W. Fairview Boulevard (County Road No. 1133) and the west boundary of the Hoyt Park, at County Road Station 25 + 64.97; thence north 70° 17' E., along said center line extended, a distance of 781.5 feet to a point on the semi-tangent of a 14° curve left; thence north 35° 08' W., 29.2 feet; thence north 49° 59' W., 5.13 feet to a point in the northerly line of S.W. Fairview Boulevard, which is the true point of beginning of said line through Hoyt Park Arboretum; thence north 49° 59' W., 132.06 feet; thence north 43° 31' W., 137.07 feet; thence north 72° 47' W., 88.38 feet; thence north 20° 25' W., 169.27 feet; thence north 69° 53' W., 186.47 feet; thence north 7° 03' E., 166.75 feet; thence north 36° 26' E., 243.0 feet; thence north 17° 55' E., 337.85 feet; thence north 0° 06' W., 227.21 feet; thence north 13° 03' W., 203.96 feet; thence north 28° 40' W., 249.75 feet; thence north 20° 48' W., 212.03 feet; thence north 2° 06' E., 90.54 feet; thence north 22° 28' E., 185.75 feet; thence north 58° 57' W., 107.81 feet; thence north 4° 18' W., 143.24 feet, to a point in the southerly line of W. Burnside Road (County Road No. 1390), which point is 97.6 feet westerly, along the southerly line of said W. Burnside Road from the end of a 16° curve left, said end of curve being at County Road Station 86 + 72.99.

All in Section 5, Township 1 South, Range 1 East, and Section 32, Township 1 North, Range 1 East, City of Portland, County of Multnomah, State of Oregon

Section 2. This instrument does not grant or convey to the public or to any person or persons whomsoever any right, title or interest in or to the surface of the soil along the route of said water main, except for the purpose of laying down, inspecting, restoring and replacing the same, and it is expressly provided that no building or

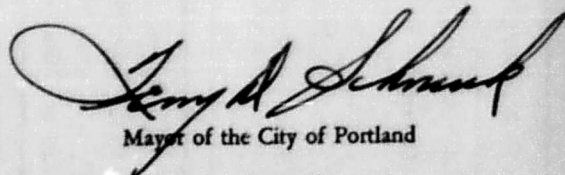
ORDINANCE No.

structure of whatsoever kind or nature shall be placed or erected on or over the right-of-way herein granted without the written consent of the Engineer, Bureau of Water Works, having first been had.

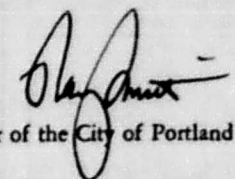
Section 3. In order to provide notice to the public of this water main right-of-way easement, and to insure the permanency of said easement, the Auditor hereby is directed to have a certified copy of this ordinance recorded in the deed records of the Clerk of Multnomah County, and a certified copy of this ordinance forwarded to the County Assessor, Multnomah County.

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: in order that there may be no delay in making additional water service available in the area adjacent to the Hoyt Park Arboretum; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, DEC 7 - 1960


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 4527

ORDINANCE No. 112872

Title

An Ordinance granting a 10 foot right-of-way through Hoyt Park Arboretum for the construction and maintenance of a water main for the benefit of the Bureau of Water Works, and declaring an emergency.

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
Bean	/	
Bowes	/	
Earl	/	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR

Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Filed DEC 2 - 1960

RAY SMITH

Auditor of the CITY OF PORTLAND

By *[Signature]* Deputy

INTRODUCED BY
Commissioner Bean

DRAWN BY
HB HBB:mb
Date 11/30/60

NOTED BY THE COMMISSIONER

Affairs

Finance *OTLB*

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

[Signature]

APPROVED

Date

By *[Signature]* City Engineer

Date

By