

An Ordinance accepting four sewer easements for the SW ARNOLD CREEK SANITARY SEWER PROJECT, granted by G. Eldon Fix and Dorothea W. Fix, Mattie L. Herod, William M. Herod, James W. Herod and Mildred F. Herod, Patrick L. Keene and Maureen G. Keene, Dorrell L. Martyn and Evelyn Ramona Martyn, authorizing total payment of \$4398.00 and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Right of way is required for construction of the SW Arnold Creek Sanitary Sewer Project.
2. G. Eldon Fix and Dorothea W. Fix, Mattie L. Herod, William M. Herod, James W. Herod and Mildred F. Herod, Patrick L. Keene and Maureen G. Keene, Dorrell L. Martyn and Evelyn Ramona Martyn have conveyed the required right of way to the City for the total sum of \$4398.00.

NOW, THEREFORE, the Council directs:

- a. That the following described easements are hereby accepted for sewer purposes:

Portions of three parcels of land in Section 32, T1S, R1E, W.M., Multnomah County, Oregon, conveyed to G. Eldon Fix, et ux, in that deed recorded July 9, 1970, in Book 741, at page 1403, Multnomah County deed records hereinafter referred to as the "Fix tract", said portions described as follows:

PARCEL I - A strip of land 15.0 feet in width 7.5 feet on each side of the following described line: Beginning at a point in the north line of Parcel C of said Fix tract, said point being 99.56 feet west of the northeast corner of said Parcel "C"; thence S.50°42'44"W. 237.19 feet; thence S.20°57'34"W. 124.00 feet to a point hereinafter referred to as Point "A"; thence S.71°12'48"W. 3.11 feet to a point in the west line of said Parcel "C" being 55.39 feet north of the southwest corner thereof and there terminating; AND ALSO

PARCEL II - A strip of land 15.0 feet wide being 7.5 feet on each side of the following described centerline:

Beginning at point "A" described in Parcel I above; thence S.30°17'46"E. 65.89 feet to a point in the south line of said Parcel "C" being 36.05 feet east of the southwest corner thereof and there terminating.

PARCEL III - The north 15.0 feet of the south 167.5 feet of Parcel "A" of said Fix tract.

PARCEL IV - The north 15.0 feet of the south 262.5 feet and the east 15.0 feet of the north 72.5 feet of the south 247.5 feet of the following described tract:

The West one-third (W1/3) of the Northeast quarter (NE1/4) of the South one-half (S1/2) of the East one-half (E1/2) of the Northeast quarter (NE 1/4) of Section Thirty-Two (32), T1S, R1E, W.M., containing three and one-third acres, more or less, excepting and reserving the right to grantors to use as a private roadway fifteen feet in width along the south edge.

In addition to the above described perpetual easements there are hereby granted temporary easements for the original construction of said sewer being 10 feet in width on each side of and adjacent to the above described perpetual easements.

(Easement lines are to be lengthened or shortened to terminate on the grantor's property lines). (Granted by G. Eldon Fix and Dorothea W. Fix).

AND ALSO

The south 7.5 feet of the north 12.5 feet of that certain tract of land conveyed to Mattie L. Herod, etal, by deed recorded October 25, 1977 in Book 1216, Page 1528, Multnomah County Deed Records, said Herod tract being more particularly described as follows:

Situated in Section 32, T1S, R1E, W.M., in the County of Multnomah and State of Oregon, to-wit: Starting at the quarter corner on the north line of Section 32, T1S, R1E, W.M.; thence S.0°5'30"W. a distance of 127.15 feet along the center of SW 35th Avenue formerly Stephensen Road; which is also the line through the center of Section 32, which is the place of beginning; thence S.89°21'E. a distance of 660 feet to an iron pipe; thence northerly 107.15 feet to an iron pipe; thence westerly 660 feet; paralleling the north line of Section 32 to an iron pipe; thence S.0°5'30"W. a distance of 107.15 feet to the place of beginning. (Granted by Mattie L. Herod, William M. Herod, James W. Herod and Mildred F. Herod).

AND ALSO

All that portion of that tract of land conveyed to Patrick L. Keene, etux, by deed recorded April 21, 1977 in Book 1173, Page 93, Multnomah County Deed Records lying 7.5 feet on each side of the following described centerline:

Beginning at the northeast corner of that tract of land conveyed to Velma E. Teegarden being also on the south line of SW Coronado Street; thence S.15°18'W. along the easterly line of said "Teegarden Tract" and its southerly extension, 174.43 feet to a point lying 7.5 feet north of that tract of land conveyed to Donald S. Alkire, etux, by deed recorded November 29, 1946, in Book 1124, Page 310, Deed Records; thence N.61°33'W. along a line 7.5 feet north of and parallel with the north line of said "Alkire Tract" 39.45 feet to the west line of Lot 10, Aldercrest, and there terminating.

In addition to the above described perpetual easement there are hereby granted temporary easements for the original construction of said sewer being 10 feet in width lying on each side of and adjacent to the above described perpetual easement and lying with the said "Keene Tract". (Granted by Patrick L. Keene and Maureen G. Keene).

AND ALSO

A strip of land in Section 32, T1S, R1E, W.M., Multnomah County, Oregon, being 15.0 feet wide, 7.5 feet on each side of the following described centerline:

Beginning at a point in the east line of the southwest quarter of the northeast quarter of the northeast quarter of said Section 32 being 82.69 feet north of the south line of the northeast quarter of said southwest quarter; thence S.50°42'44"W. 128.29 feet to a point in the south line of the northeast quarter of said southwest quarter and there terminating.

In addition to the above described perpetual easement there is hereby granted a temporary easement for the original construction of said sewer line being 10 feet wide and lying on each side of the above described perpetual easement. The temporary easement shall terminate January 1, 1981. (Easement lines are to be lengthened or shortened to terminate on the grantor's property lines.) (Granted by Dorrell L. Martyn & Evelyn Ramona Martyn).

- b. The Mayor and Auditor to draw and deliver warrants in payment for the above described easements in the amounts and in favor of the following:

AV	92169 \$ 2,386.00	Grantor: G. Eldon Fix and Dorothea W. Fix Amount: \$2386.00
	9-9-80	Address: 11520 SW 27th Avenue, Portland, Oregon 97219
AV	92209 \$ 225.00	Grantor: Mattie L. Herod, William M. Herod, James W. Herod and
	9-9-80	Mildred F. Herod Amount \$225.00
		Address: 10814 SW 35th Avenue, Portland, Oregon 97219
AV	92232 \$ 562.00	Grantor: Patrick L. Keene and Maureen G. Keene Amount \$562.00
	9-9-80	Address: 1700 SW Coronado Street, Portland, Oregon 97219
	92160 \$ 1,225.00	Grantor: Dorrell L. Martyn and Evelyn Ramona Martyn Amount \$1225.00
	9-9-80	Address: c/o Norman N. Griffith, Attorney, 520 SW Yamhill Street, Portland, Oregon 97204

said warrants to be charged to the General Fund (43300016/490) Appropriations, Contributions and Advances to Improvement Districts, and further directs the Mayor and Auditor to draw and deliver a warrant in the total amount of \$4398.00 to be credited to General Fund Revenue, said warrant to be drawn against and chargeable to the SW Arnold Creek Sanitary Sewer Fund when created.

ORDINANCE No.

c. The Auditor shall record in the appropriate deed records, documents of title as necessary for purchase of this right of way.

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

JUL 25 1980

Deputy

Passed by the Council, SEP 3 1980

Commissioner Mike Lindberg
Paul L. Niles/sg
August 5, 1980

Attest:

Charles J. Spear
Chief Deputy Auditor of the City of Portland

ORDINANCE No. 150310

Title

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed AUG 22 1980

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	mc/ms
BUREAU APPROVAL	
Bureau:	
Sanitary Engineering	Date: 8/5/80
Prepared By: PLN	OK
Carl Short/sg	
Budget Impact Review:	<input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head:	Joe P. Mehuser
CALENDAR	
Consent	<input checked="" type="checkbox"/> Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	APPROVED: John M. Lang, P.E.
BY:	George Yerkovich