

Ordinance No. 37029

An Ordinance authorizing the purchase or condemnation of certain land for park and playground purposes and declaring an emergency.

The City of Portland Does Ordain as Follows

Section 1. Pursuant to the laws of the State of Oregon, the charter of the City of Portland and particularly an act entitled, "An act to amend the charter of the City of Portland, as revised, codified and amended by Ordinance No. 29559 of the City of Portland, passed by the Council August 19, 1914, by adding thereto or inserting therein a new section to be numbered by the Council, authorizing the issuance and sale of bonds in an amount not exceeding five hundred thousand (\$500,000.00) dollars, for the purpose of acquiring real property for parks and playgrounds in the City of Portland," adopted by the legal voters of the City of Portland at an election held in said City on the 3d day of June 1919, the Council hereby determines that public necessity requires for public use and for park and playground purposes the acquisition of that certain parcel of land situate in section 7, township 1 south range 2 east of the Willamette Meridian, within the corporate limits of the City of Portland, Multnomah County, State of Oregon, bounded and described as follows; to wit: Commencing 30 1/2 rods east from the northeast corner of Marie M. Kelly's Donation Land Claim in Township 1 South, Range 2 East, in Section 7, and running thence east 30 1/2 rods; thence south 32 1/2 rods; thence west 30 1/2 rods; thence north 32 1/2 rods to the place of beginning, containing 10 acres, more or less, and the Council hereby authorizes the acquisition of said parcel of land for said purposes in the manner hereinafter set forth.

The Superintendent of Parks of the City of Portland is hereby directed to negotiate with the owner of said parcel of land and to endeavor to agree with said owner upon the amount of the compensation to be paid by said City to said owner therefor.

The Superintendent of Parks is authorized and directed on behalf of the City of Portland to offer to said owner the sum of \$17,045.00 for said parcel of land.

Section 2. In the event that the owner of said parcel of land shall fail to agree with the City as to the amount to be paid therefor or shall fail to accept the sum hereby directed to be offered therefor, the Superintendent of Parks shall thereupon notify the City of such fact. The City Attorney shall thereupon institute and prosecute to final termination an action for the condemnation for the uses and purposes herein set forth of the whole of said parcel of land. In the event that the amount assessed in such condemnation proceeding as the price to be paid for said parcel of land shall, in the opinion of the Council, be excessive, the Council reserves the right to appropriate or not to appropriate such parcel of land within its discretion.

The City Attorney is authorized to purchase from a competent abstractor or abstract company such abstracts of title or certificates of title as he may deem necessary in the purchase or condemnation of such parcel of land.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That the public health and welfare of the people of the City of Portland require the early establishment of a park and playground in the locality herein designated, therefore an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council MAR 24 1920

GEO. L. BAKER

Mayor of the City of Portland

Attest:



Assistant City Clerk Portland

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