

ORDINANCE NO. 154849

An Ordinance accepting a warranty deed for a parcel of land in connection with the Columbia Boulevard Wastewater Treatment Plant Outfall Sewer, granted by Tim E. Arvesen and Elmer S. Arvesen, authorizing total payment in the amount of \$18,882.40, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. An inspection of the Columbia Boulevard Wastewater Treatment Plant Outfall Sewer has revealed that substantial settlement has occurred, which could result in failure of the pipeline.
2. The apparent cause of the pipeline settlement is the placement of fill material near the pipeline by the adjacent property owners.
3. The sewer easement which was acquired for the original construction and maintenance of the pipeline, does not specify whether the placement of fill material by the adjacent property owners is prohibited.
4. In order to avoid lengthy litigation for the City to establish its right to protect the structural integrity of the pipeline, the City should purchase the property within thirty-three (33) feet of the centerline of the storm sewer pipeline.
5. The adjacent property owners, Tim E. Arvesen and Elmer S. Arvesen, have agreed to convey the parcel of land lying within thirty-three (33) feet of the centerline of the sewer pipeline to the City, for and in consideration of \$18,850.
6. That the sum of \$32.40, representing reimbursement for remaining fiscal year 1982-83 property taxes, should also be paid to the property owners.

NOW, THEREFORE, the Council directs:

- a. That the following described property is accepted:

R/W #3865

A parcel of land located in the Alexander Donation Land Claim in the southeast quarter of Section 32, T2N, R1E, WM, Multnomah County, Oregon, described as follows:

Commencing at the intersection of the northwesterly line of North Portland Road (as said road existed on June 29, 1982) with the northeasterly line of the tract described in the deed to L. Moore Dry Kiln Company, recorded June 2, 1919 in Deed Book 783, Page 45; thence continuing along the northwesterly line of North Portland Road along a 596.62 foot radius curve to the right through a central angle of $8^{\circ}48'45''$, an arc distance of 91.76 feet (the long chord bears $S 35^{\circ}59'38'' W$, a distance of 91.67 feet); thence continuing along said northwesterly line $S 40^{\circ}24'00'' W$, a distance of 648.55 feet; thence continuing along said northwesterly line $S 40^{\circ}24'00'' W$, a distance of 444.90 feet to a one inch iron pipe at the southeasterly corner of that parcel of land described in Book 339, Page 387 Multnomah County Deed Records; thence $N 62^{\circ}01'10'' W$, a distance of 332.79 feet along the southerly lines of those parcels recorded in Book 817, Page 251 and Book 339, Page 387, Multnomah County Deed Records to a one inch iron pipe, said point being the southwest corner of that tract of land described as Parcel II in the deed from the City of Portland to Moore Dry Kiln Company, recorded December 28, 1951 in Book 1514, Page 587, Multnomah County Deed Records and the TRUE POINT OF BEGINNING of the parcel of land to be described; thence from said true point of beginning $N 36^{\circ}45'12'' E$ along the westerly line of said Parcel II, a distance of 517.53 feet to the most northerly corner of that certain tract of land conveyed to Tim E. Arvesen, and Elmer S. Arvesen, by deed recorded August 20, 1982 in Book 1613, Page 412, Multnomah County Deed Records; thence $S 49^{\circ}36'00'' E$ along the northeasterly line of said Arvesen tract, a distance of 23.04 feet; thence $S 36^{\circ}45'12'' W$, parallel with the northwesterly line of said Arvesen tract, a distance of 461.81 feet; thence $S 23^{\circ}12' E$, 79.74 feet to a point on the southwest corner of the said Arvesen tract; thence $N 62^{\circ}01'16'' W$, along said southwest corner line 93.11 feet to the true point of beginning. (Granted by Tim E. and Elmer Arvesen.)

- b. The Mayor and Auditor to draw and deliver a warrant in payment for the above described parcel of land, together with proration of property taxes, in the total amount of \$18,882.40, and in favor of the following:

Tim E. Arvesen and Elmer S. Arvesen
7128 N. Buchanan Street
Portland, Oregon 97203

said warrant to be charged to BUC No. 14621512, Project No. 4023.

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

ORDINANCE No.

Section 2. The Council declares that an emergency exists because a delay in acceptance of the warranty deed for the parcel of land could result in delays in protecting the structural integrity of the sewer pipeline; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

IVANCIE
STRACHAN
SCHWAB
LINDBERG
JORDAN
FOUR
COMMISSIONERS VOTED

IVANCIE
STRACHAN
SCHWAB
LINDBERG
JORDAN
FOUR

By *[Signature]* Deputy
 Auditor for the CITY OF PORTLAND
JEWEL LANSING

Filed JUL 14 1983

and declaring an emergency.
 total payment in the amount of \$18,885.40,
 Arvessen and Elmer, S. Arvessen, authorizing
 plant Outfall Sewer, granted by Jim E.
 Columbia Boulevard Wastewater Treatment
 a parcel of land in connection with the
 An Ordinance accepting a warranty deed for

ORDINANCE No. 121810

Title

Calendar No.

1318

[Signature]
 Richard O. Schmiedt, P.E.
 City Engineer Approved:

City Auditor

City Attorney

NOTED BY

Consent

Regular

CALENDAR

Joe Hinzler, Chief
 Bureau Head

Completed

Not completed

Budget Impact Review:

Paul L. Niles:mnc

7-6-83

Prepared by

Date

Sanitary Engineering
 Bureau

WREAR VAVI

Works

Utilities

Safety

Administration

Finance and
 Affairs

NOTED BY THE COMMISSIONERS

Passed by the Council, **JUL 20 1983**

Commissioner Mike Lindberg
 Paul L. Niles:mnc
 July 6, 1983

Jewel Lansing
 Auditor of the City of Portland
 By *[Signature]* Deputy

Commissioner, Mike Lindberg
 INTRODUCED BY

1918

Calendar No.

ORDINANCE No. 154849

Title

An Ordinance accepting a warranty deed for a parcel of land in connection with the Columbia Boulevard Wastewater Treatment Plant Outfall Sewer, granted by Tim E. Arvesen and Elmer S. Arvesen, authorizing total payment in the amount of \$18,882.40, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER

Affairs
Finance and Administration
Safety
Utilities
Works *MLM*

BUREAU APPROVAL

Bureau: Sanitary Engineering
Prepared By: *PLN* Date: 7-6-83
Paul L. Niles: mmc

Budget Impact Review:

Completed Not required

Bureau Head: *Joe Nienuser*
Joe Nienuser, Chief

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

NOTED BY
City Attorney
City Auditor

City Engineer Approved:
Richard D. Schmidt, P.E.

By: *Richard D. Schmidt*
Deputy

Filed **JUL 14 1983**

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By: *Jewel Lansing*
Deputy