

An Ordinance providing for a relinquishment on the part of the city of any claim to a private right of way under and by virtue of certain deeds covering property a part of which is embraced in the southeasterly portion of Mt. Tabor Park, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the City of Portland owns certain property at the southeasterly portion of Mt. Tabor Park which is affected by a certain provision for a private right of way mentioned in a certain deed from Alfred W. Wiltshire and wife to Emma Mallon recorded at page 149 of Book 490 of the Deed Records of Multnomah County, Oregon, and also a certain deed by the same grantors to E. J. Hart, recorded at page 202 of Book 489 of said records, a confirmatory deed for which is recorded at page 347 of Book 525 of said records and also mentioned in a further deed by said grantors to Emma Mallon recorded at page 29 of Book 591 of said Deed Records; that such private right of way as may have been authorized has never been opened or used and there is no apparent need for the same, and it further appearing to the Council that a consummation of the purchase of additional property for said Mt. Tabor Park as provided by Ordinance No. 55582 cannot be completed without a waiver on the part of the city of any right or claim under such private right of way as may exist by virtue of said deeds; now, therefore, in the purchase of said property mentioned in said Ordinance No. 55582 the Superintendent of Parks is hereby authorized to waive any claim on the part of the city of any right or claim to such private right of way and the Mayor and Commissioner of Finance are hereby authorized on behalf of the city to execute such release or quitclaim as may be suitable and meet the approval as to form of the City Attorney for the purpose of discharging and releasing any and all claim on its part to such right of way.

Section 2. 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 acquisition of the property provided for by Ordinance No. 55582 is needed at the earliest practicable date; 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 JAN 2 1928

W. L. BAKER

Mayor of the City of Portland.

12-31-28
Com. Pier.

Attest:

W. L. BAKER
Auditor of the City of Portland.