

## ORDINANCE No. 89029

An Ordinance providing for the purchase of certain property for park and playground purposes (Playground No. 78) for the purchase price of \$12,500.00 cash, reserving to the owners a limited right of occupancy, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that Lot 4, except the west 10 feet in N. E. 12th Avenue, Block 2, Lydia Buckman's Addition, in the City of Portland, County of Multnomah, State of Oregon, may be acquired for the fair and reasonable cash price of \$12,500.00, and that it is to the interest of the City that said property be acquired for park and playground purposes as a part of Playground No. 78; now, therefore, the Mayor and Auditor hereby are authorized and directed to draw and deliver to the owners, L. F. Hoover and Nonnie J. Hoover, Route 2, Newberg, Oregon, a warrant in the sum of \$12,500.00, less the sum of \$10.00 already paid to the grantors for an option executed January 27, 1949 to purchase said property, making a net current payment to the grantors in the sum of \$12,490.00, upon the execution and delivery to the City Auditor of a good and sufficient warranty deed, approved as to form by the City Attorney, conveying to the City title to said property free and clear of all liens and encumbrances, excepting only such taxes, if any, as shall not have been entered on the tax rolls. Before execution and delivery of said warrant, the grantors shall furnish at their expense a policy of title insurance, and there shall be delivered to the Auditor a report from the City Attorney that he has examined the title report showing that the City will obtain by such deed an unencumbered fee to such property, excepting only taxes, if any, not entered on the tax rolls. Said warrant shall be drawn against and payable from the Public Recreational Areas Fund (5600.780). Provided, that in part consideration of the sale of said property, said owners shall have the right to remove the furnace, a hot water heater, an oil tank, and a conversion oil burner, and the free use and occupancy of said property and the buildings thereon until June 15, 1949. The period of occupancy herein granted to said owners is strictly personal to them, and they shall not lease, rent or sublet said premises or any part thereof to any

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others except present parties occupying premises without the written consent of the City first had, nor may they sell, assign or transfer said option.

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: Transactions like the above should be concluded without delay; 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, MAR 30 1943

*Frank W. Lough*  
Mayor of the City of Portland  
*Will Gibbons*

Attest:

Auditor of the City of Portland

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Title

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1-2

Filed..... APR 4 1949

*Will Gibson.*  
Auditor of the CITY OF PORTLAND

By..... ELBERT G. ROFF  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bowes	/	
Cooper	/	
Peterson	/	
Lee	/	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Cooper	
Peterson	
Lee	

INTRODUCED BY

Order of Council

DRAWN BY

PJR: fmb

Date March 22, 1949

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney AGB

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By

Chief Civil Engineer

Date

By

City Engineer