

ORDINANCE No. 98530

An Ordinance providing for the purchase of a water main easement in Healy Heights from Edward L. Ward and Clara Ward, for the price of \$50.00 cash, authorizing the drawing and delivery of warrants, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the City needs an easement for the construction of a water main across the southeasterly 5 feet of Lot 3, Block 2 of the replat of Blocks 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11, and Lots 1, 2, 3, and 4, in Block 8, Healy Heights, which property is owned by Edward L. Ward and Clara Ward, husband and wife; that said owners have agreed to convey an easement for water main purposes to the City across said property for the sum of \$50.00 which is a reasonable cash price therefor and said easement should be acquired immediately; now, therefore, the Mayor and Auditor hereby are authorized to draw and deliver a warrant in the amount of \$50.00 to Edward L. Ward and Clara Ward, 4174 S.W. Patrick Place, Portland, Oregon, upon the following terms and conditions:

(a) That the above named grantors first execute and deliver to the City Auditor an easement approved as to form by the City Attorney conveying to the City an easement across the above described property.

(b) That the City Attorney shall report to the Auditor that he has examined a preliminary title letter covering said property and that the grantors of said easement have a satisfactory fee title thereto.

(c) That an easement covering the above described property be also given to the City by the First Federal Savings and Loan Association of Portland, said easement to be approved as to form by the City Attorney.

Section 2. A title search covering the property described in Section 1 of this ordinance has been made by Commonwealth, Inc. and the Mayor and Auditor hereby are authorized and directed upon completion of the transaction described above to draw and deliver a warrant in the amount of \$12.50 to Commonwealth, Inc. in payment for said title search.

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Section 3. The warrants provided for in Sections 1 and 2 of this ordinance shall be drawn against and chargeable to the appropriation Water Construction Fund, Widenings and Right of ways (5900.680).

Section 4. Upon approval of the aforesaid easement the Auditor is directed to record the same and to forward a copy of this ordinance to the Multnomah County Assessor.

Section 5. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that said easement may be obtained immediately so as not to delay construction of the water main; 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, MAY 27 1953

Fred L. Peterson
Mayor of the City of Portland

Attest: *Bill Gibson*

By Auditor of the City of Portland

J. A. Brimmer
CHIEF DEPUTY

Calendar No. 3011

ORDINANCE No. 98530

Title

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Filed..... **MAY 22 1953**.....

Will Gibson.
Auditor of the CITY OF PORTLAND

By..... **R. S. IVEY**
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

| | Yeas | Nays |
|----------|------|------|
| Bean | / | |
| Boody | / | |
| Bowes | | |
| Earl | / | |
| Peterson | / | |

FOUR-FIFTHS CALENDAR

| | |
|----------|--|
| Bean | |
| Boody | |
| Bowes | |
| Earl | |
| Peterson | |

INTRODUCED BY

Order of Council

DRAWN BY

FJ:gm

Date 5/21/53

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

AGB

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By

City Engineer

Date

By