

JUN-25-57 627463

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106049

RÉCEIPT

Nº 14090

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Auditor Ord 106049

DOCUMENT NO.

DOCUMENT

PARTIES

Exch/Sec

Dunlap ✓

D/A

Recorded 6/25/57
Book 1849
page 320

See a.v. #66000 7/1/57 (Farrell)

See a.v. # 66225 6/7/57 (Dunlap)

Deed No. 6892

Contract # 8719

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VII A

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106049

RECEIPT

No 14089

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Auditor

Ord
106049

DOCUMENT NO.

DOCUMENT

PARTIES

Vera

Vigault

City Port

204

Recorded 6/25/57
Book 1849
page 319

ORDINANCE No. 106049

An Ordinance amending Section 1 of Ordinance No. 105875, authorizing the purchase of certain property located in Sec. 18, T1S, R1E, W.M., from Chester O. Legault and Tryna H. Legault, husband and wife, for the sum of \$13,500 for park and playground purposes, for the reason that said property is to be purchased from William G. Dunlap, Executor of the estate of Leota Legault Seaman rather than from Chester O. and Tryna H. Legault, heirs of said estate, setting forth a more complete description of the property, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the City desires a tract of land in Section 18, T1S, R1E, W.M., for park and playground purposes; that by Ordinance No. 105875 the Council authorized the purchase of said property from Chester O. and Tryna H. Legault, but it now appears that said property is to be purchased from the estate of Leota Legault Seaman, deceased; that a more complete description of the property is available; now therefore, Section 1 of Ordinance No. 105875, passed by the Council May 16, 1957 is hereby amended to read as follows:

Section 1. The Council finds that the City desires a tract of land in Section 18, T1S, R1W, W.M., for park and playground purposes; that said property contains 2.37 acres more or less in the County of Multnomah, State of Oregon, and is owned by the Estate of Leota Legault Seaman, deceased, No. 77599, under probate in the Circuit Court of the State of Oregon for Multnomah County; that said property is more particularly described as follows:

Commencing at the Northeast corner of the Southeast quarter of the Southwest quarter of Section 18, Township 1 South, Range 1 East of the Willamette Meridian, which point is the Southeast corner of the tract heretofore sold and conveyed by Charles J. Wenderoth and Frank Wenderoth to Margaret W. Lewis; running thence Easterly 660.92 feet to a stake; thence Northerly and parallel with the East line of said Section, 407.81 feet to a stake in the South line of the right of way of the O. & C. Railroad Co.; thence Westerly tracing the South line of the right of way of the O. & C. Railroad Co. to a point due North of the point of beginning, which point is the Northeast corner of the tract of land conveyed heretofore by Charles J. Wenderoth and Frank Wenderoth to Margaret W. Lewis; thence Southerly and parallel with the East line of said Section, 340.94 feet to the

ORDINANCE No. 106049

point of beginning; EXCEPTING and reserving therefrom 15 feet in width off and along the West line of said above tract, and also a like strip of 15 feet off and along the South line of the above described tract to be used for road purposes; AND EXCEPTING therefrom that tract of land conveyed by Leota Legault Seaman to City of Portland by deed recorded January 27, 1955 in Book 1702 Page 423, Deed records, all in the County of Multnomah, State of Oregon;

that said estate is willing to sell said property to the City for the sum of \$13,500 and that \$10.00 has been paid for an option thereon; that this is a reasonable price for the property and that said option should be exercised immediately with \$6,490 to be paid upon receipt of a deed to the property and the balance of the purchase price, amounting to \$7,000, to be paid on or before August 1, 1957, with the deferred payment bearing interest at the rate of 3% per annum; that, in order to secure the balance of the purchase price after the initial payment of \$6,500, a purchase money mortgage should be executed in favor of William G. Dunlap, Executor of the Estate of Leota Legault Seaman in the amount of \$7,000; now, therefore, the Mayor and Auditor are authorized and directed to deliver a warrant in the amount of \$10.00, payable to Thomas D. Farrell, Property Control Officer, to reimburse his petty cash account for the amount expended to obtain said option, and the Mayor and Auditor are authorized to execute and deliver a purchase money mortgage in the form approved by the City Attorney in favor of William G. Dunlap, Executor of the Estate of Leota Legault Seaman, to secure the payment by the City of the sum of \$7,000 with interest at the rate of 3% per annum from the date of said mortgage, to be paid on or before August 1, 1957, and the Mayor and Auditor are further authorized to draw and deliver a warrant in the amount of \$6,490 payable to William G. Dunlap, 612 Failing Building, Executor of the Estate of Leota Legault Seaman, deceased, No. 77599, Probate in the Circuit Court of the State of Oregon for Multnomah County, and other warrants thereafter as required by the terms of said purchase money mortgage, said warrants to be chargeable to the appropriation Public Recreational Areas Fund, Purchase of Land (5600.780); said mortgage and warrant in the amount of \$6,490 shall not be delivered, however, until

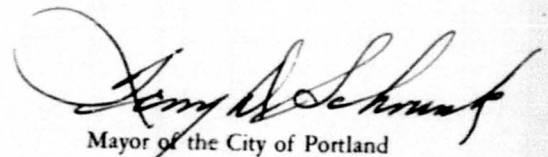
- (a) William G. Dunlap, Executor of the Estate of Leota Legault Seaman shall first execute and deliver to the City Auditor a warranty deed in a form approved by the City Attorney conveying the above-described property to the City free and clear of all liens and encumbrances other than presently existing easements for road purposes;

ORDINANCE No. 106049

- (b) Said William G. Dunlap, Executor of the Estate of Leota Legault Seaman shall have furnished to City a policy of title insurance in the amount of \$13,500 showing the City to be receiving satisfactory fee title to said property, and in such form as the City Attorney shall approve.
- (c) Chester O. Legault and Tryna H. Legault, heirs in the estate of Leota Legault Seaman, shall first execute and deliver to the City Auditor a quitclaim deed in a form approved by the City Attorney conveying the above described property to the City free and clear of any interest they might have therein.

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: In order that there may be no delay in acquiring the property described in Section 1 of this ordinance, 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, JUN 6 - 1957


Mayor of the City of Portland

Attest:



Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	—	
Boody	/	
Bowes	/	
Earl	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	<i>h a b</i>
Bowes	<i>W a b</i>
Earl	<i>A. H. E.</i>
Schrunk	<i>I. A.</i>

Calendar No. 2635

ORDINANCE No. 106049

Title

An Ordinance amending Section 1 of Ordinance No. 105875, authorizing the purchase of certain property located in Sec. 18, T1S, R1E, W.M. from Chester O. Legault and Tryna H. Legault, husband and wife, for the sum of \$13,500 for park and playground purposes, for the reason that said property is to be purchased from William G. Dunlap, Executor of the estate of Leota Legault Seaman rather than from Chester O. and Tryna H. Legault, heirs of said estate, setting forth a more complete description of the property, and declaring an emergency.

Filed JUN 5 - 1957

Will Gibson.
Auditor of the CITY OF PORTLAND

By *R. H. Ivey*
Deputy

INTRODUCED BY
Commissioner Bean
DRAWN BY
OIN: gm
Date 6/5/57
NOTED BY THE COMMISSIONER
Affairs
ACTING <i>I. A.</i>
Safety
Utilities
Works
City Attorney <i>D. H.</i>
NOTED FOR CITY AUDITOR
<i>R. H. Ivey</i>
APPROVED
Date
By
City Engineer
Date
By