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RECEIPT

118985
No 45505OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

Sally Audette

FILE NO.

DOCUMENT

PARTIES

*Deed**B. L. Karp,
City of Portland**DH**Ord 118985**Book 128**Page 370**9/15/64*

Amended by Ord. 119079

ORDINANCE NO. 118985

An Ordinance authorizing purchase of a tract of land and buildings thereon in Section 24, T1S, R1E., W.M., Multnomah County from Buren L. Kays and Minnie Kays, husband and wife, and Harry L. Yager and Bess Yager, husband and wife, for the sum of \$23,700, authorizing payment for title insurance and revenue stamps, providing for a transfer of funds, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that due to the proposed relocation of the S. E. Tacoma-McLoughlin Overpass in the vicinity of S. E. 26th Place and S. E. Tenino Street, it is necessary to acquire a certain property consisting of approximately .31 acres; that such property is presently owned by Buren L. Kays and Minnie Kays, husband and wife, and Harry L. Yager and Bess Yager, husband and wife, who have agreed to sell the necessary property to the city for the sum of \$23,700, and upon the further condition that an easement across the westerly 35 feet of said property be granted to the sellers for the purposes of access to their remaining property; that such purchase should be authorized; now, therefore, purchase of the following described property from Buren L. Kays and Minnie Kays, husband and wife, and Harry L. Yager and Bess Yager, husband and wife, for the sum of \$23,700 hereby is authorized.

A tract of land in Section 24, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, described as follows: Beginning in the south line of S. E. Tenino Street (as platted as "A" street in The Town of Willsburg) which point is North 81°32'30" East 25.00 feet, along the southerly line of S. E. Tenino Street, from the easterly line of a 60-foot railroad right of way of the Southern Pacific Company (formerly the right of way of the Portland and Oregon City Railway Company); thence South 9°10' East parallel to said Railway right of line, 50.00 feet to a point; thence North 81°32'30" East parallel to the south line of said S. E. Tenino Street, 314.27 feet, more or less, to the intersection with the westerly line of that certain tract recorded October 26, 1955, in P. S. Deed book 1752 at page 313; thence North 69° 44' West along said westerly line, 102.32 feet, more or less, to the intersection with the southerly line of Southeast Tenino Street; thence South 81°32'30" West along said southerly line, 225.00 feet to the point of beginning, RESERVING UNTO the

grantors an easement for the purposes of access to their property lying southerly of the hereinabove described tract which easement shall be over and across the surface of the westerly 35 feet of the tract hereinabove described.

Section 2. The Mayor and Auditor hereby are authorized and directed to draw and deliver the following warrants:

- (1) Warrant in the sum of \$23,533.60 to Buren L. Kays and Minnie Kays, husband and wife, and Harry L. Yager and Bess Yager, husband and wife, as payment of the purchase price less the cost of title insurance and revenue stamps.
- (2) Warrant in the sum of \$140 payable to Pacific Title Insurance Company, 315 S. W. 4th Avenue, Portland 4, Oregon, as payment for title insurance in favor of the city in the face amount of \$23,700.
- (3) Warrant in the sum of \$26.40 payable to the United States Postmaster for revenue stamps to be affixed to the deed of conveyance to the city.

Such warrants shall be charged to the State Tax Street Fund, appropriation Land (6675.780).

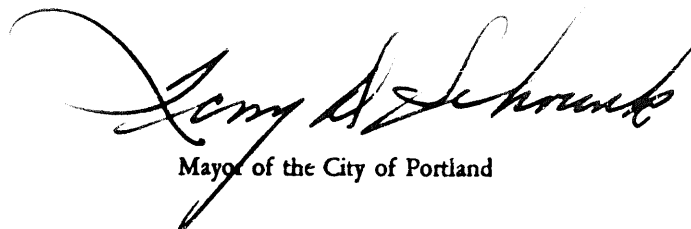
Section 3. In order to provide funds for the purchase of the property as hereinabove authorized, there is hereby transferred the sum of \$23,700 within the State Tax Street Fund from the Appropriation Street Repair Division Program 6675 Code 20, to the appropriation Land 6675.780.

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety

ORDINANCE No.

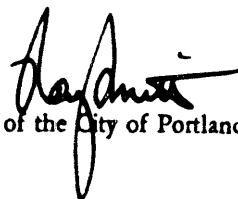
of the City of Portland in this: In order that the property hereinabove described may be obtained for public purposes without unnecessary delay; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, AUG 6 - 1964



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. **3051**

ORDINANCE No. **118985**

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	—	
Bowes	1	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Bean	<i>OTRB</i>
Bowes	
Earl	<i>AWK</i>
Grayson	<i>Mouge</i>
Schrunk	<i>TDS</i>

Filed **AUG 5 1964**

RAY SMITH
Auditor of the CITY OF PORTLAND
By *Robert C. Kyle*
Deputy

INTRODUCED BY
Commissioner Bean

DRAWN BY
RLH/fg
Date August 3, 1964

NOTED BY THE COMMISSIONER
Affairs
Finance <i>OTRB</i>
Safety
Utilities
Works

City Attorney <i>RLH</i>

NOTED FOR CITY AUDITOR
<i>RLH</i>
<i>RLH</i>

APPROVED
Date
By
City Engineer
Date
By