

please file on 119079
Ordinance
119079

CITY OF PORTLAND, OREGON
OFFICE OF CITY AUDITOR
ROOM 202 CITY HALL
PORTLAND 4, OREGON

RECEIVED

SEP 15 4 29 PM '64

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

Date SEP 15 1964

note:
3 warrants:
13508 9/10/64
\$23,533.60
1 Copy of papers
and
13510 9/10/64
\$140.00 to
Pac. Title Ins.
and
13511 9/10/64
\$26,400 to
N. S. Postmaster
drawn by authority
of ord. 118985
Cancelled
9/13/64
4% action
deleted by
amending
ord. 119079
which action
automatically
must follow
(- per
a.g. Brown
City atty.
10/31/63
JEB

RAY SMITH
CITY AUDITOR

To Miss Brewster

Please deliver warrants authorized by Ordinance No. 118985 + 119079

- For purchase of property by the City.
- For sale of property by the City.
- For acquiring easements or rights-of-way by the City.
- and order Title Insurance Order No. 308387 in the amount of \$ 23,700.00.

All of the conditions for payment required by said Ordinance have been met.

RECEIVED
SEP 15 4 30 PM '64
RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.
BY _____

RAY SMITH

Auditor of the City of Portland
By _____

James L. Hamill
Deputy

RECEIVED THIS 15th DAY OF SEPTEMBER, 1964, CITY OF PORTLAND WARRANT NO. 15280 IN THE AMOUNT OF \$23,700.00 DRAWN IN FAVOR OF PACIFIC TITLE INSURANCE CO., PURSUANT TO ORDINANCE NO. 119079; SAID WARRANT DATED SEPTEMBER 4, 1964.

PACIFIC TITLE INSURANCE CO.
BY John L. Sena
Vice-Pres. (Title)

(9/30/64 J. Hamill says above policy rec'd. JEB)

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

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September 15, 1964 **119079**

SEP 15 4 30 PM '64

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

From City Attorney

To City Auditor

Addressed to Ray Smith

Subject

Dear Mr. Smith:

You are handed herewith Warranty Deed from Buren L. and Minnie Kays and Harry L. and Bess Yager, conveying to the City the property described in Ordinance No. **119079**

You are also handed Escrow Instructions from the same parties authorizing the City to make payment to Pacific Title Insurance Co. in lieu of the sellers.

Both of such documents have been approved as to form by this office and disbursement should be made of the purchase price in accordance with the ordinance.

Very truly yours,

Alexander G. Brown
ALEXANDER G. BROWN
City Attorney

[Handwritten initials]
RLH:jw

11.3073

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OFFICE OF CITY ATTORNEY
CITY HALL
PORTLAND 4, OREGON
ALEXANDER G. BROWN
CITY ATTORNEY

September 15, 1964

Pacific Title Insurance Co
315 S. W. 4th Avenue
Portland 4, Oregon

Attention: Mr. John Smeaten

Gentlemen:

You are hereby handed warrant in the sum of \$23,700.00, payable to Pacific Title Insurance Company, representing the purchase price for the following described property to be conveyed by Buren L. Kays and Minnie Kays, husband and wife, and Harry L. Yager and Bess Yager, husband and wife, to the City of Portland.

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.

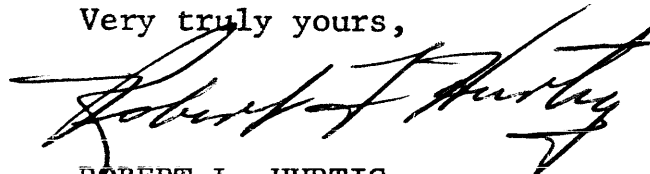
You are hereby authorized to disburse this money in accordance with whatever instructions you may have from the sellers at such time

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Two
Pacific Title Insurance Co
September 15, 1964

as your company is prepared to issue its title policy in favor of the city in the principal amount of \$23,700.00 covering the above described property, subject only to exceptions numbered 2 and 3 in your preliminary title report of July 21, 1964, Order No. 308387.

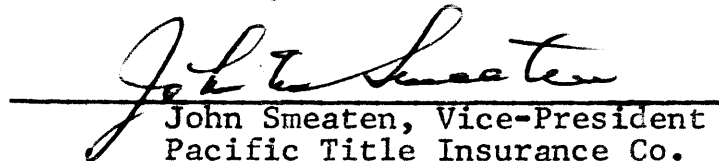
Very truly yours,



ROBERT L. HURTIG
Deputy City Attorney

RLH/fg
Encls

ACCEPTED IN ACCORDANCE WITH THE
ABOVE CONDITIONS:



John Smeaten, Vice-President
Pacific Title Insurance Co.

ESCROW INSTRUCTIONS

ESCROW NO. 308387

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Pacific Title Insurance Co.
The City of Portland
c/o Mr. Robert L. Hurtig
Portland, Oregon

Gentlemen:

We, Buren L. Kays, Minnie Kays, husband and wife, and Harry L. Yager, Bess Yager, husband and wife, hereinafter called the Sellers, deposited with Pacific Title Insurance Co., duly executed Warranty Deed, from the Sellers to the City of Portland, conveying real property in Section 24, Township 1 South, Range 1 East, as further described in the preliminary title report of Pacific Title Insurance Co. No. 308387. Pacific Title Insurance Co., is hereby authorized to deliver the foregoing Warranty Deed to the City of Portland when the City of Portland has deposited with Pacific Title Insurance Co., it's Warrant in the amount of \$23,700.00, payable to Pacific Title Insurance Co.

Pacific Title Insurance Co. is further authorized to deduct from the above funds the following items:

- 1. \$140.00 for title insurance policy.
- 2. \$26.40 for Internal Revenue Stamps, together with 1963-64 taxes.
- 3. \$64.00 for the Escrow fee.
- 4. \$2,370.00 for the real estate commission payable to Bollons and Poss.
- 5. The balance of funds to be deposited in the main office of the First National Bank of Oregon to the account of Kays and Yager, account No. 00-15499-7.

These instructions are intended to supersede any letters to the City of Portland concerning the disbursement of these funds and the Sellers herein would appreciate the City of Portland amending it's Ordinance 118985 to conform with these instructions.

Yours very truly,

APPROVED AS TO FORM

Alexander H. Brown
CITY ATTORNEY

By *Buren L. Kays* ✓
 By *Minnie Kays*
 By *Harry L. Yager*
 By *Bess Yager*

These instructions are accepted and approved by Pacific Title Insurance Co., this 26th day of August, 1964.

PACIFIC TITLE INSURANCE CO.

By *John E. Swatten*

ORDINANCE NO. 119079

An Ordinance amending Section 2 of Ordinance No. 118985 which provided for purchase of a tract of land and buildings from Buren L. Kays and Minnie Kays and Harry L. Yager and Bess Yager to provide a substitute method of payment of the purchase price, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Ordinance No. 118985 authorized 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; that Section 2 of said ordinance provided for the drawing and delivery of separate warrants in payment to the sellers for title insurance and for revenue stamps; that the sellers have requested that the total purchase price be made payable to Pacific Title Insurance Company in lieu of payment of the purchase price, title insurance and revenue stamps as specified in Section 2 of Ordinance No. 118985; now, therefore, Ordinance No. 118985 passed by the Council August 6, 1964, hereby is amended by deleting therefrom Section 2 in its entirety and substituting in lieu thereof the following:

"Section 2. The Mayor and Auditor are authorized and directed to draw and deliver a warrant in the sum of \$23,700 payable to Pacific Title Insurance Company, 315 S. W. 4th Avenue, Portland 4, Oregon, as payment of the purchase price, title insurance and revenue stamps, which warrant shall be charged to the State Tax Street Fund, Appropriation Land (6675.780). Such warrant shall be delivered at such time as the city shall receive a good and sufficient deed to the property to be conveyed and shall have also received an authorization approved as to form by the City Attorney from the sellers authorizing delivery of the purchase price to the Pacific Title Insurance Company in lieu of delivery to said sellers."


Section 2. Except as herein amended all other provisions of Ordinance No. 118985 shall remain in full force and effect.

Section 3. Inasmuch as this ordinance is necessary for the


ORDINANCE No.

immediate preservation of the public health, peace and safety of the City of Portland in this: In order that this amendment of Ordinance No. 113985 may become effective 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 27 1984


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. **3334**

ORDINANCE No. 119679

Title

An Ordinance amending Section 2 of Ordinance No. 118985 which provided for purchase of a tract of land and buildings from Buren L. Kays and Minnie Kays and Harry L. Yager and Bess Yager to provide a substitute method of payment of the purchase price, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Bean	GRB
Bowes	W.G.B. 2
Earl	MAD
Grayson	
Schrunk	TDS 22

INTRODUCED BY
Commissioner Bean

DRAWN BY
RLH/fg
Date **August 26, 1964**

NOTED BY THE COMMISSIONER

Affairs

Finance *CRB*

Safety

Utilities

Works

City Attorney *MAD*

NOTED FOR CITY AUDITOR

RLH

SL

APPROVED

Date

By

City Engineer

Date

By

Filed **AUG 26 1964**

RAY SMITH
Auditor of the CITY OF PORTLAND
By *Robert C. [Signature]*
Deputy