

B I L L O F S A L E

KNOW ALL MEN BY THESE PRESENTS, that BROADWAY HOLDING COMPANY, an Idaho corporation, in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration to it in hand paid by the CITY OF PORTLAND, a municipal corporation of the Counties of Multnomah, Clackamas and Washington, State of Oregon, receipt of which is hereby acknowledged, does by these presents grant, bargain, sell, and convey unto the said City of Portland, its successors and assigns, the water mains, service lines and meters located on the following easements granted by Broadway Holding Company to the City of Portland: (a) Easement dated July 25, 1969, accepted by the City of Portland by Ordinance No. 129782 passed September 24, 1969, and recorded in Multnomah County Deed Records on October 1, 1969, in Book 700 at Page 526 as Serial No. 39179; and (b) Unrecorded Easement dated May 22, 1970, a copy of which is attached herewith. The foregoing water mains, service lines and meters within these easements include:

As indicated on attached Drawings Number WM-1 revised May 11, 1970, and Number WM-2 revised May 11, 1970:

- 12" Cast Iron Mains with Fire Hydrants and Accessories in North Bradford Street between North Terminal Road and North Burgard Avenue.
- 12" Cast Iron Mains with Fire Hydrants and Accessories in North Burgard Avenue and the northeasterly extremity of the easement for the City of Portland's Rivergate Trunk Sewer.
- 12" Cast Iron Mains in a separate easement (b), above, joining the mains in Burgard Avenue to the City of Portland's Rivergate Trunk Sewer.

Water Service Lines and Meters as follow:

<u>Address</u>	<u>Size</u>	<u>Meter Make</u>	<u>Number</u>
11901 N. Bradford St.	1"	Hersey-Sparling	4755880
11925 N. Bradford St.	1"	Hersey-Sparling	4755879
11945 N. Bradford St.	1"	Hersey-Sparling	4755881
11965 N. Bradford St.	1"	Hersey-Sparling	4755882

TO HAVE AND TO HOLD the same unto the said City of Portland, its successors and assigns forever.

IN WITNESS WHEREOF, Broadway Holding Company has caused these presents to be executed by its president and secretary and its corporate seal to be hereto affixed this 22nd day of May, 1970.

BROADWAY HOLDING COMPANY

By

E. W. Glass  
President

By

Samuel H. C... ..  
Secretary

ACCEPTED:

\_\_\_\_\_  
Commissioner of Public Utilities

Approved as to form:

\_\_\_\_\_  
City Attorney

a corporation duly organized and incorporated

under the laws of the State of Idaho, in consideration of the sum of TEN DOLLARS (\$10)----- Dollars

and other good and valuable consideration, to it paid by the City of Portland, a municipal corporation of the State of Oregon, does hereby grant unto said City of Portland, the right to lay down, construct and perpetually maintain a water main or water mains, through, under and along a strip of land in Section 35, T. 2N, R. 1W, W.M., Multnomah County and State of Oregon being 10.0 feet in width and lying 5.0 feet on each side of the following described centerline:

Beginning at a point which bears N. 69°09'20" E. a distance of 344.19 feet from the monument marking the southwest corner of the William Gatton Donation Land Claim in said Section 35; thence N. 26°18' W. a distance of 1323.25 feet to a point of curve; thence along the arc of a 500.0 foot radius curve to the right having a central angle of 26°25' (chord bears N. 13°05'30" W. 228.49 feet) a distance of 230.53 feet to a point of tangent; thence N. 0°07' E. a distance of 30.0 feet; thence S. 89°53' E. a distance of 1215.0 feet; thence S. 0°07' W. a distance of 18.0 feet; thence N. 7°24'52" E. a distance of 48.39 feet to a point on the north boundary of that certain easement conveyed to the City of Portland recorded on October 1, 1969, in Deed Book 700 Page 526, the true point of beginning; thence N. 7°24'52" E. a distance of 118.45 feet to a point on the southwesterly boundary of that certain easement conveyed to the Port of Portland recorded October 30, 1968, in Deed Book 647 Page 1462, and there terminating.

It is understood and agreed that no building shall be erected upon said easement right of way without the written consent of the Chief Engineer and General Manager of the Bureau of Water Works.

THIS INSTRUMENT does not grant or convey to the City of Portland any right or title to the surface of the soil along the route of said water main or mains except for the purpose of laying down, inspecting, restoring and replacing the same. This easement shall be nonexclusive.

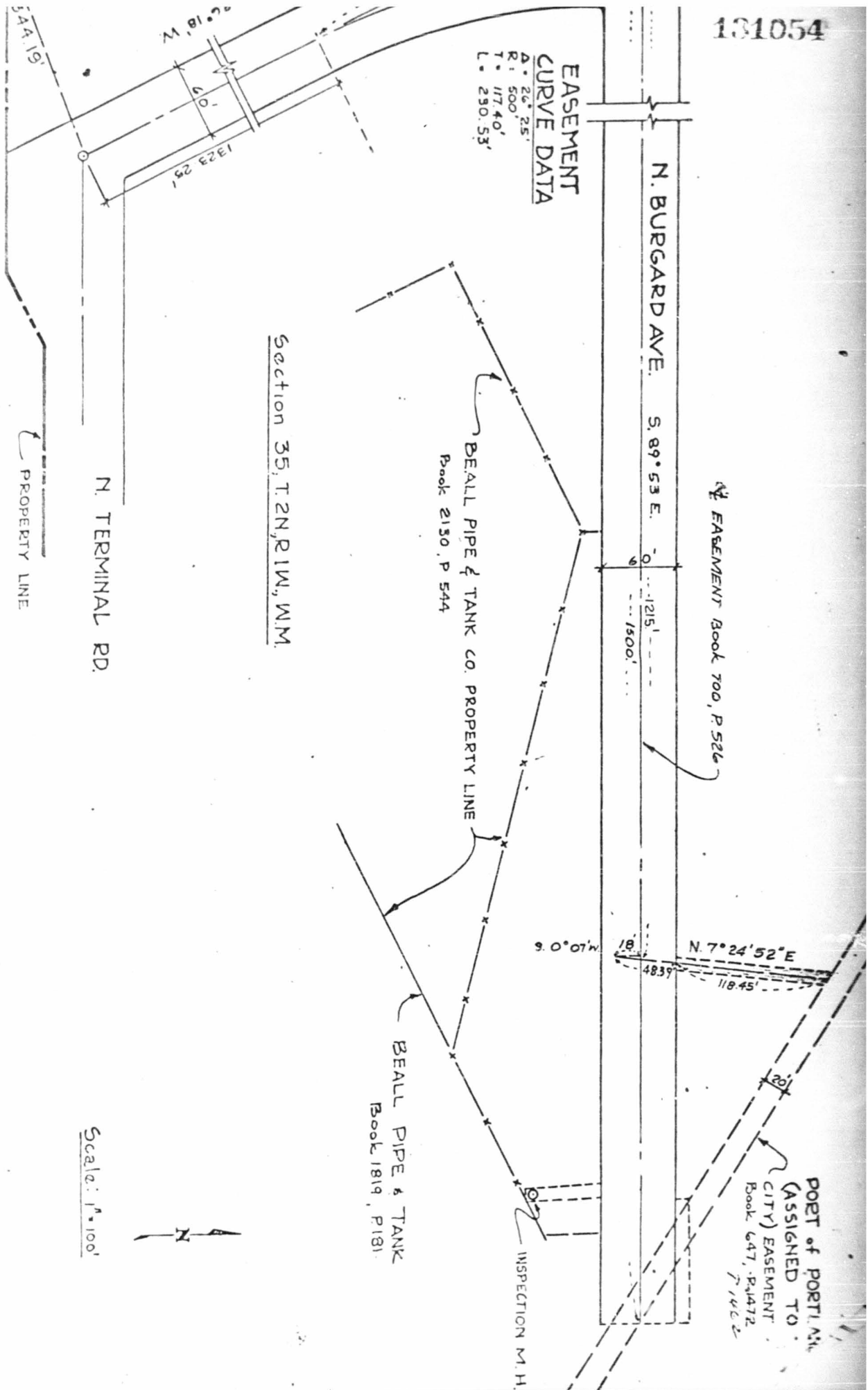
IN WITNESS WHEREOF, BROADWAY HOLDING COMPANY, , pursuant

to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its

President and Secretary, and its corporate seal to be hereunto

affixed this 22nd day of May A. D., 19 70.

**EASEMENT  
CURVE DATA**  
 A. 26° 25'  
 R: 500'  
 T. 117.40'  
 L. 230.53'



Section 35, T. 2N, R. 1W, W.M.

## ORDINANCE No. 131054

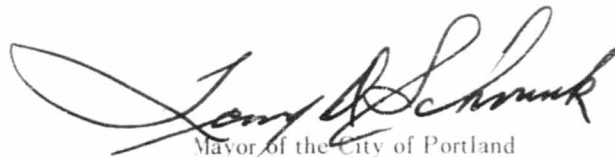
An Ordinance authorizing acceptance of a bill of sale and a water main easement for certain water mains located in Fire District No. 26, Broadway Holding Company, North Burgard Avenue and North Bradford Street, and declaring an emergency.

The City of Portland ordains:

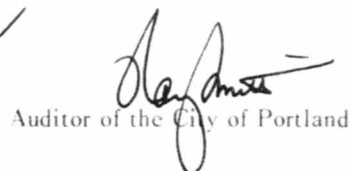
Section 1. The Council finds that the Broadway Holding Company has tendered to the City a bill of sale for certain water meters in the area of North Burgard Avenue and North Bradford Street, Portland, in connection with the service by the City to the industrial area in that location; that also submitted to the City was an easement to cover a ten foot strip connecting the easement on North Burgard Avenue with the primary main through the area originally recorded in Book 647, page 1462 Multnomah County records; that acceptance of the bill of sale, and the easement to cover the ten foot strip, should be authorized; now, therefore, the Commissioner of Public Utilities hereby is authorized to accept on behalf of the City a bill of sale and an easement from the Broadway Holding Company, C/o Morrison & Bailey, Attorneys at Law, 17th Floor Standard Plaza, Portland 97204, copy of said Bill of Sale is attached to the original only hereof, marked Exhibit "A" and by this reference made a part hereof; a copy of the easement also attached to the original only hereof, is marked Exhibit "B" and by this reference made a part hereof.

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 accepting the instruments mentioned in Section 1 hereof, so that no delay in water service will be necessitated; 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 24 1970  
 Commissioner Grayson  
 6-19-70  
 MCR:gm

  
 Mayor of the City of Portland

Attest:

  
 Auditor of the City of Portland

Calendar No. 1 2233

ORDINANCE No. 13105-1

Title

An Ordinance authorizing acceptance of a bill of sale and a water main easement for certain water mains located in Fire District No. 26, Broadway Holding Company, North Burgard Avenue and North Bradford Street, and declaring an emergency.

INTRODUCED BY  
Commissioner Grayson

DRAWN BY  
MCR: gm  
Date 6-19-70

NOTED BY THE COMMISSIONER

Affairs  
Finance and Administration  
Safety  
Utilities  
Works

*MCS*

City Attorney *MCS*

NOTED BY THE CITY AUDITOR

*MCS*

APPROVED

Date  
By  
City Engineer  
Date  
By

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
<del>ANDERSON</del>	1	
<del>Grayson</del>	—	
Ivancic	1	
MCGREAVY	1	
Schrunk	1	

4

FOUR-FIFTHS CALENDAR

<del>Grayson</del>	
Ivancic	
Schrunk	

Filed JUN 19 1970

RAY SMITH

Auditor of the CITY OF PORTLAND

By *George Johnson*  
Deputy