

## ORDINANCE No. 96776

An Ordinance authorizing the approval upon certain conditions of option secured in connection with the corner cut-back at S.E. 3rd Avenue and S.E. Ankeny Street, providing for the payment therefor, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that a certain real property option has been obtained in connection with the cut-back of the corner at S.E. 3rd Avenue and S.E. Ankeny Street and a copy thereof filed with the Auditor, which property is described as follows:

A portion of Lots 3 and 4 in Block 77, East Portland, more fully described as follows:

Beginning at a point in the west line of Lot 3, Block 77, East Portland, which point is 10 feet north of the southwest corner of said Lot 3; thence south along the west line of Lots 3 and 4, in said Block 77; to the southwest corner of said Lot 4; thence east along the south line of said Lot 4 a distance of 60 feet; thence northwesterly along the arc of a curve to the right, the central angle of which is  $90^{\circ}$  and a radius of 60 feet, a distance of 90.24 feet to the point of beginning.

This parcel of land contains 775 square feet, more or less.

owned by Fishel's Awning and Supply Co., a co-partnership, the option consideration being \$2250, and that action should be taken without delay in exercising the option and obtaining the property before the expiration of said option; now, therefore, said option be and hereby is approved according to the terms and provisions thereof, and the Auditor be and he hereby is authorized to notify the respective owners of the City's acceptance thereof, and the Mayor and Auditor be and they hereby are authorized to draw and deliver a warrant in the amount of \$2250.00 to Fishel's Awning and Supply Co. upon the following conditions:

(a) That the owners of said property first execute and deliver to the City Auditor a good and sufficient warranty deed, approved as to form by the City Attorney, conveying to the City title to the above described property free and clear of all liens and encumbrances, and with revenue stamps attached thereto in the amount of \$2.75.

(b) That said owners shall furnish at their own expense a policy of title insurance showing that the City is obtaining unencumbered fee title to said property.

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(c) That said owners shall pay to the City their share of the 1952-1953 taxes on said property, said amount to be determined by the City Attorney and prorated as of the date of closing the sale and delivery of the deed.

Section 2. The warrant provided for in Section 1 hereof shall be drawn against and chargeable to the Appropriation Property for Widening and Rights-of-Way (4650.680).

Section 3. The City Auditor is hereby directed to record said warranty deed upon approval thereof and to forward a copy of this ordinance to the Multnomah County Assessor.

Section 4. 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 payment may be made for said property within the time specified in the option therefor; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 24 1952

*Dorothy McCullough Lee*  
Mayor of the City of Portland  
*Will Gibson.*

Attest:

Auditor of the City of Portland

Calendar No. 3917

ORDINANCE No. 96776

Title

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THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	-	
Peterson	/	
Lec	/	

FOUR-FIFTHS CALENDAR	
Bean	
Bennett	
Bowes	
Peterson	
Lec	

INTRODUCED BY  
Com'r Wm. A. Bowes

DRAWN BY	
AEW/daj	
Date	7/15/52

NOTED BY THE COMMISSIONER	
Affairs	
Finance	
Safety	
Utilities	
Works	WAB

City Attorney	
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NOTED FOR CITY AUDITOR	
RSI	
JHL	

APPROVED	
Date	
By	Chief Civil Engineer
Date	7-14-52
By	L. G. Apperson City Engineer

Filed JUL 17 1952

Phile Gibson  
Auditor of the CITY OF PORTLAND

By Deputy