

ORDINANCE NO. **149996**

An Ordinance withdrawing Tax Lots 12, 18, 23, 24, 44, 45, 52, 64, 74, 93, 97, 103, 80, 81, 157, 171, 177, 233, 234 and 243, Section 15, T1S, R1E, W.M.; and all of Stouts Acres; Lot 24, except the northerly 130 feet, the southwest corner of Lot 25, Tax Lots 1 and 12, Lot 23, except the north 130 feet, Lamargent Park; Tax Lots 20 and 184, Section 23, T1S, R2E, W.M., from Gilbert Water District and assuming a portion of the bonded indebtedness.

The City of Portland ordains:

Section 1. The Council finds:

1. Tax Lots 12, 18, 23, 24, 44, 45, 52, 64, 74, 93, 97, 103, 80, 81, 157, 171, 177, 233, 234 and 243, Section 15, T1S, R1E, W.M.; all of Stouts Acres, effective December 31, 1979; and Lot 24, except the northerly 130 feet, the southwest corner of Lot 25, Tax Lot 1 and 12, Lot 23, except the north 130 feet, Lamargent Park; Tax Lots 20 and 184, Section 23, T1S, R2E, W.M., effective September 20, 1979, have been annexed to the City by Portland Metropolitan Area Local Government Boundary Commission Final Order Nos. 1515 and 1485, pursuant to ORS 199.510 and 222.180.
2. Under ORS 222.520 and 222.524, the City may cause the annexed area to be withdrawn from a water district; that Gilbert Water District has bonded indebtedness outstanding and the City should assume a share of such bonded indebtedness in such proportion as the property in the annexed areas bears to the assessed valuation of the entire district prior to such annexation.
3. The City Council fixed a date, time and place for hearings on the said withdrawal of said area from said district for June 11, and June 25, 1980, at 9:30 a.m., in the Council Chamber of the City Hall, and notice thereof was duly published and posted, all in accordance with ORS 222.524.
4. Said district was duly informed of said proposed action to withdraw and has made no objection thereto.

NOW, THEREFORE, the Council directs:

- a. The property described in "Exhibits A and B", is hereby withdrawn from said district.
- b. The City hereby assumes the obligation of the area designated in Section 1(a) hereof, for all liabilities and indebtedness previously contracted by Gilbert Water District in the proportion which the assessed valuation of said area bears to the total assessed valuation of the district, which has been found by the County Assessor to be 3.22583%, and said percentage a result of prior annexations and the outstanding bonded indebtedness of the Gilbert Water District as of July 1, 1979, and the proportions hereby assumed by the City of Portland and previously assumed are found to be as follows:

149996

THE CITY OF
PORTLAND



OREGON

DEPARTMENT OF
PUBLIC UTILITIES

FRANCIS J. IVANCIE
COMMISSIONER

BUREAU OF
WATER WORKS

CARL GOEBEL
ADMINISTRATOR

1800 S.W. SIXTH AVENUE
PORTLAND, OREGON 97201

May 20, 1980

TO: Charles J. Spear
Office of City Auditor

FROM: Jim Kessler *JK*
Bureau of Water Works

SUBJECT: Assumed Debt of Gilbert Water District

Portland Metropolitan Area Local Government Boundary Commission by Orders numbered 1485 and 1515 annexed areas of the Gilbert Water District to the City of Portland. Assessed value of the areas annexed (\$2,436,260) is 3.22583% of the assessed value of the district (\$75,523,495). Attached is a schedule of the Gilbert Water District bonds indicating the amounts assumed by the City of Portland on these and all previous annexations. It is requested the additional portion of the debt be assumed by the City.

JK:pc

cc: Rosalie Brown

First National Bank
May 20, 1980

GILBERT WATER DISTRICT

Assessed value of District 1979-80	\$ 75,598,605	
Less assessed value of areas previously annexed	<u>75,110</u>	
	\$ 75,523,495	
Assessed value of area annexed Order 1485	\$ 157,830	
1515	<u>2,278,430</u>	
	\$ 2,436,260	3.22583%

Issue Date: 11-1-61

<u>Interest</u>	<u>Maturities</u>
4%	\$18,000 due 1-1-81
	19,000 due 1-1-82
	20,000 due 1-1-83

Interest Dates	Gilbert W. D.		City of Portland	
	Principal	Interest	Principal	Interest
1-1-81	\$18,000	\$ 1,140	\$15,199.83	\$ 962.59
7-1-81		780		658.62
1-1-82	19,000	780	16,043.24	658.62
7-1-82		400		337.75
1-1-83	<u>20,000</u>	<u>400</u>	<u>16,887.61</u>	<u>337.75</u>
	\$57,000	\$3,500	\$48,130.68	\$2,955.33
			Assumed debt of previous annexations:	<u>\$ 7,264.95</u>
			Assumed debt of this annexation:	<u>\$ 1,604.37</u>
				\$ 446.16
				\$ 98.51

ANNEXATION
CITY OF PORTLAND

Beginning at the southwest corner of Section 15, T.1S., R.2E., W.M.; thence north along the west line of said Section 15, 205 feet, more or less, to the south line of the old Oregon Water Power and Railway right-of-way; thence northeasterly along said south right-of-way line 1334 feet, more or less, to a line drawn 67.5 feet west of and parallel to the west line of SE 107th Avenue; thence south along said parallel line 157.86 feet to the south line of SE Henry Street; thence east along said south street line 329.81 feet to the west line of Tract 79, Mentone; thence south along said west tract line and its extension 270 feet, more or less, to the south line of SE Foster Road; thence easterly along said south road line 590 feet, more or less, to the west line of a tract described in Trust Deed recorded in Book 1212, at Page 1837, said deed records for 1977; thence south along the west line of said tract 150 feet, more or less, to the southwest corner thereof, being a point in the north line of Section 22, T.1S., R.2E., W.M., and the north line of SE Duke Street as dedicated, 30 feet in width; thence west along said Section line and street line 55 feet, more or less, to the west terminus of SE Duke Street; thence south along the west terminus line of SE Duke Street and the west line of SE 110th Avenue 585 feet, more or less, to the center line of Johnson Creek; thence easterly following said Creek center line 180 feet, more or less, to a point in the west line of a 0.90 acre tract recorded in Book 1059 at Page 0273, said deed records for 1975; thence north 140 feet, more or less, to the northwest corner of said tract; thence easterly along the north line of said tract and its extension 228.76 feet to the center line of SE 110th Drive; thence southeasterly along said center line 65 feet, more or less, to the most westerly corner of a tract described in deed to Lester W. Marx, recorded May 2, 1945, in Book 929, at Page 277, said deed records; thence northeasterly along the northwesterly line of said Marx tract 44 feet, more or less, to the center line of Johnson Creek; thence in a general southwesterly direction following the center line of Johnson Creek to its intersection with the center line of SE 110th Drive; thence southeasterly along said street center line 25 feet, more or less, to its intersection with a line running S.88°17'W. from a point on the 1/2 section line north and south through Section 22, T.1S., R.2E., W.M., which is 578.86 feet south of the north quarter corner of said Section 22; thence S.88°17'W. to the west line of the east half of the northeast quarter of the northwest quarter of said Section 22; thence southerly along said west subdivision line to a point in the south line of the northeast quarter of the northwest quarter of Section 22, T.1S., R.2E., W.M., which point is 328.54 feet westerly of the southeast corner of the northeast quarter of the northwest quarter of said Section 22; thence westerly along said subdivision south line to the northwest corner of the south half of the northwest one-quarter of Section 22, T.1S., R.2E., W.M.; thence north along the section line between Sections 21, 22, 15 and 16, T.1S., R.2E., W.M. 1297.8 feet, more or less, to the point of beginning.

Generally on SW edge of City, south of SE Claybourne Street, east of SE 122nd Avenue, north of SE Knapp Street and west of SE 134th Avenue, more particularly: Lot 24 except the northerly 130 feet, the southwest corner of Lot 25, located southwest of Farber Terrace, Tax Lots 1 and 12, Lot 23, except the north 130 ft., all in Lamargent Park, a duly recorded subdivision in Multnomah County, Oregon, Tax Lot 20 and 184, Sec. 23, T1S, R2E, W.M., Multnomah County, Oregon.

Beginning at the northwest corner of Lot 5, Block 1, Farber Terrace, a duly recorded plat; thence along the west line of Farber Terrace through the following three courses and distances: south 197.40 feet, east 113 feet, and south 130.25 feet along said west line extended to the south line of the Ezra Johnson D.L.C.; thence westerly along said D.L.C. line 78.32 feet, more or less, to the northwest corner of a 0.38 acre tract, which corner lies 691.68 feet east of the south west corner of said D.L.C.; thence south along the west line of said tract 220 feet, more or less, to the southwest corner of said tract, being a point in the center line of Johnson Creek; thence northwesterly along said creek center line 300 feet, more or less, to the south line of Lot 24, Lamargent Park No. 2; thence west to the southwest corner of said Lot 24; thence north along the west line of said Lot 24, 53 feet, more or less, to the center line of Johnson Creek; thence westerly along said creek center line 240 feet, more or less, to the west line of Lot 23, Lamargent Park No. 2, at an angle point in the east line of a tract conveyed to Richard Hubler, et ux, by deed recorded March 12, 1970 in Book 723, at Page 1127, Deed Records; thence north along said tract line 19.51 feet, more or less, to the northeast corner of said Hubler tract, and the north line of Johnson Creek; thence west along the north line of said Hubler tract 74.85 feet to the northwest corner thereof; thence south along the west line of said Hubler tract 40 feet, more or less, to an iron pipe on the south bank of Johnson Creek being the south line of a tract conveyed to George Bates by deed recorded April 22, 1924, in Book 956, at Page 167, Deed Records, said iron pipe lying 71.94 feet west and 117.3 feet north of the southwest corner of the Ezra Johnson D.L.C.; thence westerly along the south bank of Johnson Creek as existing in 1924, 175 feet, more or less, to an iron pipe; thence north 43 feet, more or less, to an iron pipe on the north bank of Johnson Creek being also the south line of said Bates tract; thence westerly along said north bank 332 feet to the west line of a tract conveyed to Robert H. Wells by deed recorded September 13, 1905, in Book 841, at Page 441, Deed Records, said west line being also the east line of a tract conveyed to John R. Leach and Lilla Leach, by deed recorded August 24, 1931, in Book 141, at Page 163, deed records; thence north along the east line of said Leach tract 510 feet, more or less, to the northeast corner of said tract, being also a point in a 1.40 acre tract conveyed to Billy R. Lee, as recorded in Book 0779, at Page 1141, Deed Records; thence southeasterly along the south line of said Lee tract 130.40 feet to the southeast corner of said tract; thence north along the east line of said Lee tract 76.30 feet; thence easterly in a straight line 468.70 feet to a point in the west line of Lamargent Park No. 2, at its intersection with the center line of SE Claybourne Street; thence south along said plat line 30 feet; thence west, parallel to the second preceding course 74.17 feet; thence south parallel to the west line of Lamargent Park 130 feet, more or less, to a line drawn 130 feet south of and parallel to the south line of SE Claybourne Street extended; thence east along said parallel line 728.94 feet to a point 12 feet east of the east line of Lot 24, Lamargent Park No. 2; thence south parallel to said east lot line 190 feet, more or less, to the point of beginning.

Calendar No. ²⁴⁹⁷~~2410~~

ORDINANCE No. 149996

Title

An Ordinance withdrawing Tax Lots 12, 18, 23, 24, 44, 45, 52, 64, 74, 93, 97, 103, 80, 81, 157, 171, 177, 233, 234 and 243, Section 15, T1S, R1E, W.M.; and all of Stouts Acres; Lot 24, except the north-erly 130 feet, the southwest corner of Lot 25, Tax Lots 1 and 12, Lot 23, except the north 130 feet, Lamargent Park; Tax Lots 20 and 184, Section 23, T1S, R2E, W.M., from Gilbert Water District and assuming a portion of the bonded indebt- edness.

JUL 2 1980

PASSED TO SECOND READING JUL 9 1980

JUN 27 1980

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Yerkovich
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>AM</i>
Safety
Utilities
Works

BUREAU APPROVAL	
Bureau:	
City Auditor	
Prepared By: ALB/RB:ca	Date: 6/25/80
Budget Impact Review:	
<input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head:	
George Yerkovich	

CALENDAR	
Consent	Regular

NOTED BY
City Attorney
City Auditor
City Engineer <i>GC</i>