

## ORDINANCE NO. 119602

An Ordinance withdrawing from Mt. Scott Water District that portion of Willamette National Cemetery lying within said district, annexed to the city of Portland, and repealing Ordinance No. 119489.

The City of Portland ordains:

Section 1. The Council finds that Willamette National Cemetery has been annexed to the city of Portland by Ordinance No. 118519, passed by the Council May 13, 1964, and said annexation has become effective pursuant to ORS 222.180; that under ORS 222.520 and 222.524 the City may cause the annexed area to be withdrawn from a water district; that Mt. Scott Water District has bonded indebtedness outstanding, but because Willamette National Cemetery is owned by the United States of America, the federal government, it is unassessable and therefore no assumption of such debt is involved; that the City Council fixed a date, time and place for hearing on the said withdrawal of said area from Mt. Scott Water District for November 4, 1964, at 9:30 a.m. in the Council Chambers in the City Hall, and notice thereof was duly published for two successive weeks in a newspaper of general circulation in said city, namely, the Daily Journal of Commerce, the official newspaper of the City of Portland, and notice thereof was posted in four public places in the city for a like period, all in accordance with provisions of ORS 222.524; that a hearing was duly held at said time and place on the question of withdrawal of said area from Mt. Scott Water District, at which time no objection was made to said withdrawal; that said district was duly informed of said proposed action to withdraw and has made no objection thereto; now, therefore, all that portion of the following-described territory lying within said district is hereby withdrawn therefrom:

Beginning at the southeast corner of the north half of the southwest quarter of Section 22, Township One South, Range Two East of the Willamette Meridian, being a point in the center line of SE 112th Avenue; thence southerly to the quarter corner in the south line of said Section 22, being also the boundary line common to Multnomah and Clackamas Counties; thence N.  $87^{\circ} 27' 10''$  E. 89.13 feet to the center line of the Clackamas County Road known as Happy Hollow Road; thence southeasterly along the center line of said road to a point which bears N.  $19^{\circ} 33' 30''$  W. 948.12 feet from the intersection of said road center line with the east and west half section line of Section 27, T.1S., R.2E., W.M.; thence S.  $38^{\circ} 52' 30''$  E. 76.27 feet to an iron pipe in the east line of said Section 27, which point lies 870.29 feet north of the quarter corner between Sections 26 and 27, T.1S., R.2E., W.M.; thence East 700 feet to the southeast corner of that certain tract of land conveyed to the United States of America by deed recorded January 9, 1951, in Book 440, at Page 235, deed records of Clackamas County; thence northerly, parallel to the west line of said Section 26, a distance of 1760.32 feet, more or less to a point in the north line of said Section 26, being also the boundary line common to Multnomah and Clackamas Counties; thence northerly, parallel to and 700 feet east of the west line of Section 23, T.1S., R.2E., W.M. a distance of 1604.56 feet to the northeast corner of that certain tract of land conveyed to the United States of America, by deed recorded June 11, 1952, in Book 1542 at Page 133, Multnomah County deed records; thence S.  $87^{\circ} 51' 40''$  W. along the north line of said United States of America tract 487.5 feet; thence westerly 2905.38 feet to the north and south half-section line of Section 22, T.1S., R.2E., W.M.; thence southerly to the southeast corner of the north half of the southwest quarter of said Section 22, and the point of beginning.

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Section 2. The Council further finds that Willamette National Cemetery is by law exempt from taxation and is therefore not obligated to participate in paying off any obligation of the water district including the area mentioned in Section 1 above and therefore assumption of a proportionate share of outstanding bonded indebtedness of said district is not appropriate; therefore, the City does not assume any portion of the bonded indebtedness of said district by this annexation.

Section 3. Ordinance No. 119489, entitled "An Ordinance withdrawing from Mt. Scott Water District that portion of Willamette National Cemetery lying within said district, annexed to the city of Portland," passed by the Council November 25, 1964, is hereby repealed.

Passed by the Council, DEC 16 1964

*Wm. J. Brues*  
PRESIDENT OF THE COUNCIL AND ACTING  
Mayor of the City of Portland

Attest:

*Olaf Johnson*  
Auditor of the City of Portland



Calendar No. <sup>4842</sup> ~~1714~~

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Title

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<sup>142</sup>  
DEC 9 - 1964  
Read 1 & 2 &

PASSED TO THIRD READING 9:30 A. M. DEC 16 1964

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

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

INTRODUCED BY

Order of Council

DRAWN BY

MCR:jw

Date December 2, 1964

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

*AYB*

NOTED FOR CITY AUDITOR

*RIA*  
*mc*

APPROVED

Date

By

City Engineer

Date

By

DEC 2 - 1964

Filed.....

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