

ORDINANCE No. 96235

An ordinance amending section 1 of Ordinance No. 96159 relating to the acquisition of options for certain property in Block 14, Proebstel's Subdivision an addition to Albina, so as to correct certain errors therein due to misunderstanding in original negotiation, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that due to a misunderstanding in negotiation prior to the passage of Ordinance No. 96159 relating to the acquisition of options for the purchase of certain property for municipal purposes, the amount of purchase price to be named in the option from F. T. Nahorney was incorrectly stated in said ordinance as \$4000.00; that section 1 of said ordinance should now be amended to correct said error and to conform with the actual agreement between the parties by stating \$4800.00 as the proposed purchase price of said property and changing totals to conform therewith; now, therefore, section 1 of Ordinance No. 96159 entitled: "An Ordinance authorizing the acquisition of options for the purchase for municipal purposes of certain property located in Block 14, Proebstel's Subdivision an addition to Albina, adjoining present Stanton Yard on the west, authorizing payment for said options, authorizing the drawing and delivery of warrants, providing for transfer of funds, and declaring an emergency," and passed by the Council April 10, 1952, be and the same hereby is amended to read as follows:

Section 1. The Council finds that heretofore certain options have been obtained by the City pursuant to Ordinance No. 94620, passed by the Council July 18, 1951, for the purchase of certain properties located in Block 12 of Proebstel's Subdivision an addition to Albina, for use as storage area for equipment and material for street and sewer maintenance, repair shops for city equipment, and other such municipal purposes; that acquisition of additional options for other properties in Block 14 in said Proebstel's Sub-

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division for the above stated purposes is now necessary and in the public interest; that the Real Estate Director for the City has obtained oral agreements from the owners of all of the lots in said Block 14 not now owned by the City, said lots lying immediately west of the present Stanton Yards, and that by said oral agreements said lot owners have offered for a consideration of \$150.00 each to sign options giving the City of Portland until August 1, 1952 the exclusive right to purchase the said several lots and improvements thereon at certain agreed purchase prices and upon condition of continued occupancy of sellers for certain definite periods of time, no occupancy being extended beyond February 1, 1953, said properties, purchase prices and periods of occupancy being set out particularly hereinbelow; that the total cost of said options offered by said property owners would amount to \$1200.00; that said proposed options would enable the city to obtain the entire property in said Block 14 not presently owned by the city for a total sum not in excess of \$49,075.00 including the cost of said options; that said total purchase price is the reasonable value of the property proposed to be purchased and it is to the advantage of the city that the offer of said property owners to execute said options be now accepted by providing for the taking of said options and payment therefor; now, therefore, the Mayor and the Auditor hereby are authorized and directed to draw warrants in the several amounts and payable to the several persons designated as sellers as set out in the following table, said warrants to be chargeable to the General Fund appropriation, Purchase of Property (No. 4685). The Auditor hereby is further authorized and directed to deliver said warrants to the Real Estate Director of said city; and said Real Estate Director hereby is authorized and directed to deliver each warrant to said respective seller or sellers upon the receipt by him on behalf of the City of Portland of an option to purchase the respective parcel or parcels of real property set out opposite said seller or sellers' names in said table, for the respective purchase price as stated therein, and providing for the specific dates on which possession of each of said properties would be relinquished to the city as indicated in said following table:

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Sellers	Property Description	Am't of warrant in paym't for option	Purchase Price	Date possession of property to be relinquished to city
Tom Wilborn & Emma Wilborn, husband & wf. 2848 N. Borthwick Ave.	Lot 1, Except E.3' Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$ 7,000	2-1-1953
Blanche Solyan & Jack Solyan, husband & wf. 2418 NE 21st Avenue	E.3' Lot 1 and All Lot 2, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$10,000	8-1-1952
F.T. Nahorney, single 2834 N. Borthwick Ave.	Lot 3, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	<u>\$4,800</u>	2-1-1953
Olof Ohlsson, single, 2822 N. Borthwick Ave.	Lot 4, Blk. 14, Proebstel's Subdivision an addition to Albina	\$150	\$ 3,000	2-1-1953
Gertie Stanley Weeden & Fred Weeden, wife & husband 2814 N. Borthwick Ave.	Tax Lot 1 of Lot 5, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$6,500	2-1-1953
Ira Hawkins & Oddie Hawkins, husband & wf. 639 N. Graham Street	Tax Lot 2 of Lot 5, & E.40' of Lot 6, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$ 5,500	2-1-1953
Wilfred J. Knight, single 2908 N. Kerby	Lot 7, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$ 4,000	8-1-1952
R.E. Donaldson & Novella Donaldson, husband & wf. 7516 NE Everett	Lot 16, Blk.14, Proebstel's Subdivision an addition to Albina	\$150	\$ 8,250	8-1-1952

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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: That there be no delay in the obtaining of options needed by the City for the acquisition of property for municipal purposes; 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, APR 24 1952

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

Attest:

Auditor of the City of Portland

Calendar No. 2248

INTRODUCED BY
Commissioner Bean

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Title

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Bennett	/	
Bowes	-	
Peterson	/	
Lee	/	

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DRAWN BY
HFA HFA-ak
Date April 23, 1952

NOTED BY THE COMMISSIONER
Affairs
Finance ORB
Safety
Utilities
Works

City Attorney MCR

NOTED FOR CITY AUDITOR
RSI

APPROVED
Date
By Chief Civil Engineer
Date
By City Engineer

FOUR-FIFTHS CALENDAR

Bean	ORB
Bennett	JEB
Bowes	WAB v
Peterson	FLP
Lee	DMCL WJW

Filed APR 23 1952

Phil Gibson
Auditor of the CITY OF PORTLAND

By ROBERT L. MCCOY
Deputy