

ORDINANCE NO. 158729

An Ordinance accepting a Warranty Deed in connection with the North Going Street Noise Mitigation Project, granted by Rollie F. Owens and Mary E. Owens, designating and assigning property therein conveyed as public street area, accepting an easement for wall and drainage purposes, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Right-of-way was required for the North Going Street Noise Mitigation Project.
2. The Portland Development Commission acquired the necessary property from Rollie F. Owens and Mary E. Owens for the City of Portland; the grantors have been compensated and the Warranty Deed has been recorded in the Multnomah County Deed Records.
3. The Warranty Deed, which has been approved as to form by the City Attorney, should now be accepted for the purposes hereinafter described.

NOW, THEREFORE, the Council directs:

- a. The following described property is hereby accepted, designated, and assigned as public street area:

R/W #4032-21-1

A parcel of land in Section 21, T1N, R1E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at the northwest corner of Lot 16, Block 1, Ethel Lynn Addition; thence S.00°13'00" W, 40.00 feet to the true point of beginning; thence N. 89°56'31" E, 50.00 feet; thence S 00°13'00" W, 2.25 feet; thence S 84°37'01" W, 50.24 feet; thence N 00°13'00" E, 6.92 feet to the true point of beginning, Reserving, however, to Grantor an easement to perpetually maintain, construct and reconstruct a lateral sewer line to N Going Street. (Granted by Rollie F. Owens and Mary E. Owens.)

- b. The following described easement is hereby accepted for wall and drainage purposes:

R/W #4032-21-2

A parcel of land in Section 21, T1N, R1E, W.M., Multnomah County, Oregon, more particularly described as follows:

Beginning at the northwest corner of Lot 16, Block 1, Ethel Lynn Addition; thence S 00°13'00" W, 46.92 feet to the true point of beginning; thence N 84°37'01" E, 50.24 feet; thence S 00°13'00" W, 8.00 feet; thence S 84°37'01" W, 50.24 feet; thence N 00°13'00" E, 8.00 feet to the true point of beginning, excluding the area occupied by existing structure so long as said structure continues to exist, but thereafter said area shall be subject to this easement. (Granted by Rollie F. Owens and Mary E. Ownes.)

- c. The Auditor shall record a certified copy of this Ordinance and return one copy of the recorded Ordinance to the Right-of-Way Acquisition Section, Bureau of Transportation Engineering.

Section 2. The Council declares an emergency exists because a delay in accepting the Warranty Deed might cause confusion as to the City's rights; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUL 10 1986**

Commissioner Margaret D. Strachan
Phyllis Redman:mwp.5
June 19, 1986

Jewel Lansing
Auditor of the City of Portland
By *Dore E. Oleson*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE	<u> </u>	<u> </u>
LINDBERG	<u> ✓ </u>	<u> </u>
SCHWAB	<u> ✓ </u>	<u> </u>
STRACHAN	<u> ✓ </u>	<u> </u>
CLARK	<u> ✓ </u>	<u> </u>

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. **1372**

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Title

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Filed JUL 1 1986

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By *Dana Cervone*
Deputy

INTRODUCED BY

Commissioner Margaret Strachan

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities MDS/pp

Works

BUREAU APPROVAL

Bureau:
Transportation Engineering

Prepared By: PLW Date:
Phyllis I. Redman:mwp 6-19-86

Budget Impact Review:

☐ Completed ☒ Not required

Bureau Head: *Richard O. Schmidt*
Richard O. Schmidt, Chief

CALENDAR

Consent ✓

Regular

NOTED BY

City Attorney

City Auditor

City Engineer Approved:
Richard O. Schmidt, P.E.

By: *Richard E. Johnson*