

CITY OF PORTLAND
INTER-OFFICE CORRESPONDENCE
(NOT FOR MAILING)

March 17, 1961

From Dept. of Finance, Right of Way Agent
To Dept. of Finance
Addressed to Commissioner Ormond R. Bean
Subject Lease agreement for Fire Station Site on University
of Oregon Medical School Property

Dear Commissioner Bean:

Attached are two copies of the lease agreement for the new fire station site on the University of Oregon Medical School property at S. W. 6th and Gaines Street. Said copies of the agreement have been executed by the State Board of Higher Education.

It is recommended that the matter be referred to the City Attorney's office, attention of Mr. Hurtig, for an ordinance authorizing the signing of this agreement by the City. Provisions should be made for the recording of this agreement and directing the Property Control Officer to obtain the liability insurance required in Paragraph 7 of the agreement.

Very truly yours,

Orvin E. Ahern, Jr.
Orvin E. Ahern, Jr.
Right of Way Agent

OEA:b

Attachments - 2

ORR

University of Oregon Medical School

3181 S.W. Sam Jackson Park Road • Portland 1, Oregon

OFFICE OF THE BUSINESS MANAGER

March 16, 1961

Mr. Orvin E. Ahern, Jr.
Right of Way Agent
Department of Finance
City of Portland
City Hall
Portland, Oregon

Dear Mr. Ahern:

I am pleased to advise you that the State Board of Higher Education at its meeting earlier this week officially approved the agreement with the City of Portland covering the arrangements for the construction of a fire station on the Medical School campus. They also approved the preliminary plans for the building.

Enclosed herewith are two copies of the lease agreement which have been signed by the President and Secretary of the Board. Would you please arrange for signatures on behalf of the City of Portland, and then return to us one fully signed copy of the agreement.

When the architect has completed final plans and specifications for the building, one copy of such plans and specifications should be forwarded to this office so that a review can be made and approval given by the Board before construction is undertaken.

Very truly yours,


W. A. Zimmerman
Business Manager

WAZ:bc

Enclosures

EXHIBIT "A"

THIS AGREEMENT, made and entered into this _____ day of _____, 1961, by and between the STATE OF OREGON, acting by and through the State Board of Higher Education, hereinafter referred to as State, and the CITY OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter referred to as City,

W I T N E S S E T H:

WHEREAS State owns certain property in the vicinity of the Medical and Dental Schools within the corporate limits of the City of Portland, and

WHEREAS it is to the mutual benefit of the parties hereto that a fire station and fire fighting facilities be established upon certain land owned by State, and

WHEREAS the parties desire that a formal agreement be entered into specifically authorizing the City to build and maintain a fire station and fire fighting facilities upon such land;

NOW, THEREFORE, in consideration of the covenants herein-after contained and in consideration of the benefit that will accrue to the respective parties by reason of the location of fire fighting facilities on property at and near valuable improvements owned by State, it is agreed;

1. That State agrees to allow City to build, equip and maintain a fire station and attendant fire fighting facilities upon the following described real property, owned by State:

A tract of land in the Elizabeth Caruthers D.L.C. in the S.E. 1/4 of Section 9 T1S, R1E. W.M., County of Multnomah, State of Oregon, being more particularly described as follows:

Beginning at a point on the south line of S.W. Gaines Street, which point bears N 60°20'20" E. a distance of 1043.19 feet from the S.W. corner of the Elizabeth Caruthers D.L.C. and which point also bears S 55°04'10" E. a distance of 59.33 feet from a monument on the centerline of the said S.W. Gaines Street at engineer's station 11+44.17; thence northeasterly along the arc of a curve to the left having a radius of 189.17 feet (the long chord of which bears N 72°18' E. 92.29 feet) a distance of 93.23 feet; thence S. 4°55'40" E. a distance of 120.43 feet; thence S. 85°04'20" W. a distance of 90.00 feet; thence N. 4°55'40" W. a distance of 100.00 feet to the true point of beginning.

2. That the City is hereby granted the right to exclusive possession of the property hereinabove described for the indicated purposes, for a term beginning March 15, 1961 and ending March 14, 2010, and the City is also given the right to extend this agreement for an added period of 40 years, subject to the terms and conditions herein specified. In exercising its privilege to extend this agreement, no formal notice to State shall be required, it being the intention of the parties that the additional period be extended to the City unless the City shall notify State of its intention to terminate the agreement as of March 14, 2010.

3. That this agreement shall run with the land and shall bind the successors and assigns of the grantor.

4. That at such time as the property hereinabove described shall cease to be used for the indicated purposes, this agreement shall terminate and the City shall be allowed a period of six (6) months to remove all improvements or fixtures upon said described property.

5. That the City will provide to the State for review and approval, preliminary and final plans and specifications for building construction and site improvements, and all construction and improvements shall be in accord with such approved plans and specifications.

7. City agrees to allow no liens or encumbrances to be placed upon the subject property or any improvement or improvements thereon.

7. City agrees to obtain and keep in full force and effect a policy of public liability insurance, insuring the State, its officers, agents and employees in the amount of \$50,000 for any single injury, \$500,000 for any one accident and in addition \$50,000 property damage pertaining to the subject property, said policy authorized by ORS 271.380, shall be filed with the State when requested, and shall be subject to the approval of the Attorney General of the State.

IN WITNESS WHEREOF, State has caused these presents to be signed by its President and Secretary of its Board of Higher Education, and its seal to be affixed hereto, and the City of Portland, has caused these presents to be executed by its Mayor and Commissioner in charge of the Bureau of Fire, by authority of Ordinance No. _____, passed by the Council of the City of Portland

STATE OF OREGON, acting by and

2-Agreement

2-16-61
RLH:gm

through the State Board of
Higher Education

By _____
President

By _____
Secretary

CITY OF PORTLAND

Approved as to form:

By _____
Mayor

City Attorney

By _____
Commissioner in charge of the
Bureau of Fire

STATE OF OREGON) ss.
County of Multnomah)

ON this ____ day of _____, 1961, personally appeared
before me, _____ and _____, to me
known to be the President and Secretary respectively of the State
Board of Higher Education, and acknowledged the within and foregoing
instrument to be the free and voluntary act and deed of the said
Board for the uses and purposes therein mentioned, and on oath
stated that they were authorized to execute said instrument and
that the seal affixed is the seal of the said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year first above written.

Notary Public for Oregon

My commission expires _____

3-Agreement
2-16-61
RLH:gm

ORDINANCE NO. 113334

An Ordinance authorizing execution of an agreement between the City and the State of Oregon, acting by and through the State Board of Higher Education, for use of State-owned property for the construction and maintenance of a City fire station, and declaring an emergency.

The City of Portland does ordain as follows:

n Section 1. The Council finds that it is desirable that a new fire station be constructed and maintained on property owned by the State of Oregon in the vicinity of the Oregon Medical School at S.W. 6th Avenue and Gaines Street; that the State of Oregon has agreed to make the necessary property available to the City for a term beginning March 15, 1961 and ending March 14, 2010 with the right to extend the agreement for an added period of 40 years; that it is in the public interest that such agreement be executed by the parties; now, therefore, the Mayor and Commissioner in charge of the Bureau of Fire hereby are authorized to enter into an agreement between the City and the State of Oregon, acting by and through the State Board of Higher Education for use of State-owned land as a site for the construction and maintenance of a fire station on the following described property:

A tract of land in the Elizabeth Caruthers D.L.C. in the S.E. 1/4 of Section 9 T1S, R1E, W.M., County of Multnomah, State of Oregon, being more particularly described as follows:

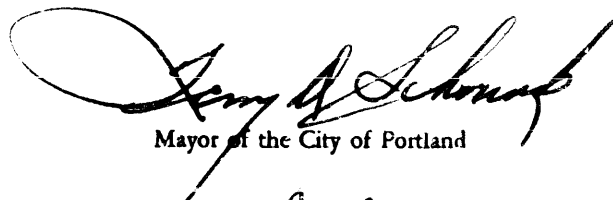
Beginning at a point on the south line of S.W. Gaines Street, which point bears N. 60°20'20" E, a distance of 1043.19 feet from the S.W. corner of the Elizabeth Caruthers D.L.C. and which point also bears S 55°04'10" E. a distance of 59.33 feet from a monument on the centerline of the said S.W. Gaines Street at engineer's station 11+44.17; thence northeasterly along the arc of a curve to the left having a radius of 189.17 feet (the long chord of which bears N72°18' E. 92.29 feet) a distance of 93.23 feet; thence S. 4° 55'40" E. a distance of 120.43 feet; thence S.85°04'20" W. a distance of 90.00 feet; thence N. 4°55'40" W. a distance of 100.00 feet to the true point of beginning.

Such agreement shall be substantially in accordance with the form of agreement attached hereto, marked Exhibit "A" and by this reference made a part of this ordinance.

ORDINANCE No.

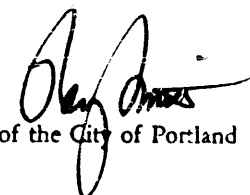
Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the City may acquire use of the State property herein described for public purposes without unnecessary delay; therefore, an emergency 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, MAR 29 1961



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. 1117

INTRODUCED BY
Commissioner Earl
Commissioner Bean

ORDINANCE No. 1117

Title

An Ordinance authorizing execution of an agreement between the City and the State of Oregon, acting by and through the State Board of Higher Education, for use of State-owned property for the construction and maintenance of a City fire station, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Filed MAR 24 1961

RAY SMITH

Auditor of the CITY OF PORTLAND

By *J. A. Smith* Deputy

DRAWN BY
RLH:gm
Date 3-23-61

NOTED BY THE COMMISSIONER
Affairs <i>W. E. Earl</i>
Finance <i>W. E. Earl</i>
Safety
Utilities
Works

City Attorney <i>W. E. Earl</i>

NOTED FOR CITY AUDITOR
<i>W. E. Earl</i>

APPROVED
Date
By <i>W. E. Earl</i> City Engineer
Date
By