

Please file on **115273**
Ordinance 115273

CITY OF PORTLAND, OREGON
OFFICE OF CITY AUDITOR
ROOM 202 CITY HALL
PORTLAND 4, OREGON

RECEIVED

1962 JUN 4 PM 1 21

RAY SMITH
CITY AUDITOR

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.
BY *AS*

Date JUN 4 1962

To *Mrs Budemeier*

Please deliver warrants authorized by Ordinance No. 115273.

 For purchase of property by the City.

 For sale of property by the City.

✓ For acquiring easements or rights-of-way by the City.

 and order Title Insurance Order No. in
the amount of \$.

All of the conditions for payment required by said Ordinance
have been met. *and return Easement authorized by Ord 114877*
refused by Ord 115273

RAY SMITH

Auditor of the City of Portland
By

James L Hamill
Deputy

A.V. 49408 } mailed
5/31/62 } 6/5/62
\$55.50 }

RECEIPT

Nº 106015

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City And

FILE NO.

DOCUMENT

PARTIES

*Severs
Case*

*Walters
City Post*

28

And 115273

Book 2119

Page 283

ORDINANCE NO. 115273

An Ordinance accepting a sewer easement through Tax Lot 125, Section 21, Township 1 South, Range 1 East, W. M., Multnomah County, Oregon, granted by Albert P. Walton and Helen J. Walton, husband and wife, for the construction of Tryon Creek Interceptor Sewer, authorizing the drawing and delivery of a warrant, repealing Ordinance No. 114877, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Ordinance No. 114877 passed by the Council March 14, 1962 accepted a sewer easement from Albert P. Walton and Helen J. Walton, husband and wife, through Tax Lot 125, Section 21, Township 1 South, Range 1 East, W.M., Multnomah County, Oregon, for the Tryon Creek Interceptor Sewer; that the sewer easement accepted by Ordinance No. 114877 contained an incorrect construction easement description and that a new easement with a corrected description should be accepted and made a part of record; now, therefore, the following described sewer easement from Albert P. Walton and Helen J. Walton, husband and wife, granted for the Tryon Creek Interceptor Sewer be and the same hereby is accepted for interceptor sewer purposes:

The right to lay down, construct and perpetually maintain a sewer or sewers through, under and along that portion of Tax Lot 125, Section 21, T.1S., R.1E., W.M., as shown on Multnomah County Assessor's map for 1961, said portion lying within a strip of land 15.0 feet in width, 7.5 feet on either side of the following described center line:

Beginning at a point in the north line of S.W. Dolph Court, as now laid out 30.0 feet in width, 37.76 feet easterly of the east line of S.W. 11th Avenue, as now laid out 50.0 feet in width; thence N. 05°43'52" E. 111.17 feet to a point in the south line of that certain tract of land conveyed to the City of Portland by deed recorded May 24, 1948 in Book 1266 at Page 57, Multnomah County P.S. Deed Records, and shown as Tax Lot 131 of said Section 21, said point being 48.86 feet easterly of the east line of S. W. 11th Avenue when measured along the south line of said City of Portland tract, all within the corporate limits of the City of Portland, County of Multnomah and State of Oregon.

During the construction of said sewer the City is granted the privilege to use mechanical equipment for

ORDINANCE No.

digging, hauling, unloading and temporarily storing materials on said grantor's property within 15 feet of the sidelines of said permanent easement. Payment for damage to any portion of the grantor's property lying outside the permanent easement hereinabove mentioned shall be provided for in the same manner as is provided for payment for damages within said permanent easement.

Section 2. The Mayor and Auditor be and they hereby are authorized to draw and deliver a warrant in favor of Albert P. Walton and Helen J. Walton, 3815 S. W. Wilbard Street, Portland, Oregon, in the amount of \$55.50 for the sewer easement as described in Section 1 of this ordinance, said warrant to be charged to the appropriation Tryon Creek Sewage Disposal Construction Fund (6351.765).

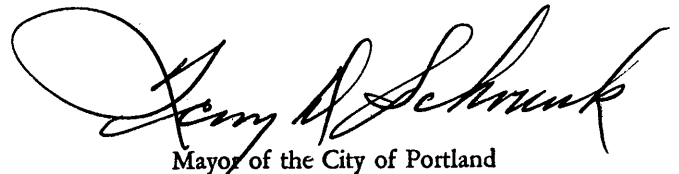
Section 3. The City Auditor be and he hereby is directed to have the easement as described in Section 1 of this ordinance placed of record with Multnomah County Deed Records upon receipt thereof approved as to form by the City Attorney.

Section 4. Ordinance No. 114877, entitled, "An Ordinance accepting a sewer easement through Tax Lot 125, Section 21, T. 1S., R. 1E., W.M., granted by Albert P. Walton and Helen J. Walton, for the Tryon Creek Interceptor Sewer, authorizing the drawing and delivery of a warrant, and declaring an emergency," passed by the Council March 14, 1962, be and the same hereby is repealed.

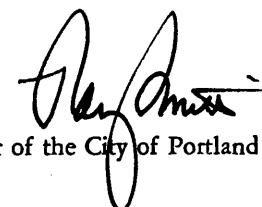
Section 5. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the necessary easement for sewer purposes as described in Section 1 of this ordinance may be acquired and made of record without unnecessary delay; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

MAY 24 1962


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 1973

ORDINANCE No. 115873

Title

An Ordinance accepting a sewer easement through Tax Lot 125, Section 21, Township 1 South, Range 1 East, W. M., Multnomah County, Oregon, granted by Albert P. Walton and Helen J. Walton, husband and wife, for the construction of Tryon Creek Interceptor Sewer, authorizing the drawing and delivery of a warrant, repealing Ordinance No. 114877, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	1	
Bowes	1	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR

Bean	<i>W. B. B.</i>
Bowes	<i>W. B. B.</i>
Earl	
Grayson	<i>N. S. A. P.</i>
Schrunk	<i>T. D. S. M. P.</i>

Filed MAY 23 1962

RAY SMITH
Auditor of the CITY OF PORTLAND

By *R. S. Smith*
Deputy

INTRODUCED BY

Commissioner Bowes

DRAWN BY

RLU/fg

Date May 23, 1962

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

W. B. B.

City Attorney

W. B. B.

NOTED FOR CITY AUDITOR

R. S. Smith
W. B. B.

APPROVED

Date

By

City Engineer

Date

By