

Ord 119325

119325

EASEMENT

KNOW ALL MEN by THESE PRESENTS, that the CITY OF PORTLAND, a municipal corporation of the State of Oregon, herein called "Grantor," for valuable consideration paid to it by VINCENT RASCHIO, herein called "Grantee," the receipt whereof hereby is acknowledged, does hereby grant, bargain, sell and convey unto Grantee, his heirs and assigns, an easement in the following described property, for the purpose of constructing and maintaining a sewer line across Park Bureau property, as follows:

A 10 foot easement across Lot 2, Block 6, April Hill Addition, located in the Northwest 1/4 of Section 19, T.1S., R.1E., W. M., 5 feet on each side of the following described center line:

Beginning at a point that is 20.25 feet East of the Southwest corner of Lot 2, Block 6, April Hill Addition; thence North 116.35 feet to a point on the South line of S. W. Canby Street as now laid out and established, in the City of Portland, County of Multnomah and State of Oregon.

This easement is granted subject to the condition that the Grantee shall agree to install a manhole upon his property just inside the property line to insure facilities for cleaning the proposed sewer between the manhole and the trunk sewer, and upon the further condition that any portion of the proposed sewer running beneath Fanno Creek shall be at a depth to be specified by the Plumbing Division of the Bureau of Buildings of the City of Portland, and shall be constructed of cast iron.

TO HAVE AND TO HOLD the above described rights and easement unto the Grantee, his heirs and assigns, for as long as Grantee desires to exercise the same, and Grantee may assign the rights and easement herein granted, either in whole or in part, subject to the terms of this grant.

The provisions hereof shall inure to the benefit of and

be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the City has caused this instrument to be executed by its Mayor and Auditor on the 30th day of October, 1964, pursuant to Ordinance No. 119325, passed by the Council, October 21, 1964.

CITY OF PORTLAND

By /s/ Terry D. Schrunk
Mayor

By /s/ Ray Smith
Auditor

Approved:

/s/ Ormond R. Bean
Commissioner in charge
of the Bureau of Parks

Approved as to form:

/s/ M. L. Rushing
City Attorney

STATE OF OREGON }
County of Multnomah) ss:

BE IT REMEMBERED, That on this 30th day of October, 1964, before me, the undersigned, a notary public in and for said county and state, appeared TERRY D. SCHRUNK and RAY SMITH, to me personally known, who being first duly and severally sworn, did say that he, the said TERRY D. SCHRUNK is the Mayor of the CITY OF PORTLAND, and he, the said RAY SMITH, is the Auditor of the CITY OF PORTLAND, the municipal corporation which executed the foregoing instrument, and that the seal affixed to said instrument is the corporate seal of said city and that said instrument was signed and sealed in behalf of said municipal corporation by authority of Ordinance No. 119325, and said TERRY D. SCHRUNK and RAY SMITH acknowledged said instrument to be the free act and deed of said CITY OF PORTLAND.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year first in this my certificate written.

/s/ Robert C. Hyle
Notary Public for Oregon
My commission expires May 9, 1966

November 19, 1964

Mr. Vincent Raschio
5701 S. W. Multnomah Boulevard
Portland, Oregon

Dear Mr. Raschio:

Enclosed please find Easement for sewer purposes across
Park Bureau property, authorized by Ordinance No. 119325.

Please place this of record at your earliest convenience.

Yours very truly,

Auditor of the City of Portland

JH:sjt
Encl.

119352

250

250

Stork Farm Creek

240

230

220

210

200

190

240

230

220

210

200

190

Note change of Orientation of Treatment plant

Sewage Treatment Plant

Contours

Rain Drains

Sewage lines

West Hills Convalescent Center

Scale 1" = 50'

Map by Geo. H. Brown & Son

Base - 350 Ft. Elevation

Base 345 Ft. Elevation

SW MULTNOMAH BLVD.

92357
Per H. Brown

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

119325

September 23, 1964

From Plumbing Inspection
To Park Bureau
Addressed to Mr. Harry Buckley, Director
Subject Sewer easement for West Hill Convalescent Center

Dear Mr. Buckley:

Mr. Raschio's request for a needed sewer easement across Park Bureau property has been made to this office. It is noted that the preliminary drawing should be treated as for discussion only. The formal agreement to an easement ought to have a qualified engineers design treating the unique problem of crossing under the creek showing an approved location with kind of pipe depth and width.

Please call extension 427, City Hall, if more information is needed.

Yours very truly,

C. N. CHRISTIANSEN
BUILDING INSPECTIONS DIRECTOR

George H. Wallace

George Wallace
Chief Plumbing Inspector

GW:DH

9.257

Park Bureau

Ordinance
119325

VINCENT RASCHIO

Construction

Westside Office
5701 S. W. Multnomah Blvd. 97219
Telephone: 246-6594

PORTLAND
OREGON

Eastside Office
7231 S. E. Clay Street, 97215
Telephone: 775-8043

September 20, 1964

City of Portland, Oregon
Bureau of Buildings
Portland, Oregon

Gentlemen:

Attention: Mr. George Wallace

Under date of 9 March 1964 we wrote asking for approval of our storm drain system and sewage system outfall and on 24 March 1964 we wrote to the Bureau of Design, attention Mr. Eisman, enclosing a sketch of our proposed installation for inclusion in to the projected Maplewood Sewer.

In an enclosing hereto an additional copy of the sketch which Mr. Wallace, Mr. Raschio and Mr. Haley discussed in March of this year with a request that this sketch be approved and forwarded to the Bureau of Parks, Attention Mr. Buckley.

Mr. Buckley has verbally approved an easement across park property at a point 200 ft. east of the west boundary of the West Hills Convalescent Center, north to Fanno Creek. At such time as the Plumbing Division gives him approval of our project he will recommend a formal easement.

It will be much appreciated if you will communicate with Mr. Buckley so that we may request a formal easement and institute action with the City Council.

Very truly yours,

VINCENT RASCHIO

By Donald W. Haley
Donald W. Haley

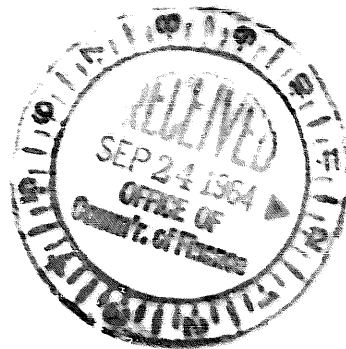
WVH/h

9257
Park Bus

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

119325

From Bureau of Parks
To Department of Finance
Addressed to Commissioner Ormond Bean
Subject



Transmitted herewith is the file consisting of a letter from Mr. Donald Haley dated September 20 in which he requests a sewer easement across a portion of April Hill Park on behalf of Vincent Raschio and the Westhills Convalescent Center.

Mr. Haley was advised recently that approval of the Plumbing Division would be necessary before any construction would be permitted.

The present plan calls for the discharge of effluent from theirsewage treatment plant into Fanno Creek which is in the park with the intention of a connection of the sanitary sewer into the currently proposed trunk sewer which will be installed parallel to Fanno Creek.

The Park Bureau has no objection to such an easement provided it contains the requirements that a manhole be installed on their property, just inside the line to assure facilities for cleaning the sewer between that point and the trunk sewer. The portion under the creek should be well below the bottom of the creek and be cast iron.

The Plumbing Division will specify this but it should also be in the easement conditions.

An exact location and width of easement should be specified and we suggest 4 feet each side of a described center line. Both sanitary and storm sewer can be installed in this space.

It is recommended that the easement be granted.

Very truly yours,

Harry B. Budley
Harry B. Budley
Superintendent of Parks

OK for ad

9257

Park Bureau

WEST HILLS CONVALESCENT CENTER, INC.
5701 SW Multnomah Blvd.
Portland, Oregon

119325

October 7, 1964

City of Portland
Right-of-Way Dept.
City, Hall Room 206
Portland, Oregon

Gentlemen:

Attn: Mr. Bob Smith

Confirming conversation held October 7th with Mr. Bob Smith, this letter will transmit to you the metes and bounds description of a utility easement across Portland Park Department property for the purpose of running sewer pipe to the proposed Maplewood Sewer.

Pending the construction of this sewer the pipe will be used to drain the effluent of our sewage treatment plant into Fanno Creek as authorized by the State Sanitation Department. When the sewer is constructed this pipe will then be connected on to the sewer. Our storm drains system will be discharged in to Fanno Creek and will at all times continue to be discharged in to Fanno Creek.

The requested easement is described as follows:

"From a point 193 ft. east of the Northwest corner of the West portion of tax lot 22, southwest quarter of Section 19 T1S, R1E, W1E, Multnomah County, north across lot 2, Block 6, April Hill Addition, now part of property owned by City Park Board, to the south boundary of CANBY ST; thence east 10 ft. along the south boundary of Canby St., thence north to the north line of tax lot 22 and from there 10 ft. west to the point of beginning."

We trust that the above information will supply the necessary data for the requested easement to be granted.

Very truly yours,

WEST HILLS CONVALESCENT CENTER, INC.

Donald W. Haley
Donald W. Haley, Sec. Treas.

DWH/h

ORDINANCE NO. 119325

An Ordinance authorizing the granting of an easement for sewer purposes across Lot 2, Block 6, April Hill Addition, to Vincent Raschio, upon certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Vincent Raschio, as developer of adjacent properties, has requested a sewer easement across Park Bureau property to be located across Lot 2, Block 6, April Hill Addition, located at S. W. Canby Street, East of S. W. 59th Avenue; that the Commissioner in charge of the Bureau of Parks and the Superintendent of the Bureau of Parks have approved the request for granting of such easement upon certain conditions; now, therefore, the Mayor and Auditor hereby are authorized to execute and deliver a sewer easement to Vincent Raschio over certain Park Bureau property, the description of such easement to be as follows:

A 10 foot easement across Lot 2, Block 6, April Hill Addition, located in the Northwest 1/4 of Section 19, T.1S., R.1E., W.M., 5 feet on each side of the following described center line:

Beginning at a point that is 20.25 feet East of the Southwest corner of Lot 2, Block 6, April Hill Addition; thence North 116.35 feet to a point on the South line of S. W. Canby Street as now laid out and established, in the City of Portland, County of Multnomah and State of Oregon,

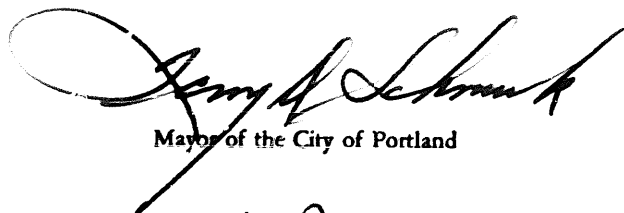
Section 2. The easement authorized in Section 1 of this ordinance shall be granted upon condition that the grantee shall agree to install a manhole upon his property just inside the property line to insure facilities for cleaning the proposed sewer between the manhole and the trunk sewer, and upon the further condition that any portion of the proposed sewer running beneath Fanno Creek shall be at a depth to be specified by the Plumbing Division of the Bureau of Buildings and shall be constructed of cast iron.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and

ORDINANCE No.

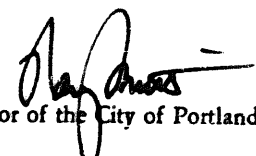
safety of the City of Portland in this: In order that the easement described in Section 1 of this ordinance may be granted for the beneficial use of the grantee without unnecessary delay; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, OCT 21 1964



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No.

1041

ORDINANCE NO. 113325

Title

An Ordinance authorizing the granting of an easement for sewer purposes across Lot 2, Block 6, April Hill Addition, to Vincent Raschio, upon certain conditions 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 OCT 16 1964

RAY SMITH

Auditor of the CITY OF PORTLAND

By

Robert C. Kyle

Deputy

INTRODUCED BY
Commissioner Bean

DRAWN BY
RLH/fg
Date October 14, 1964

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney
<i>MLT</i>

NOTED FOR CITY AUDITOR
<i>MLT</i>
<i>Mc</i>

APPROVED
Date
By
City Engineer
Date
By