

## ORDINANCE No. 40376

An Ordinance concerning the purchase of certain land within the water shed of the City's water supply in the Oregon National Forest, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing that on May 26, 1920, the Council passed Ordinance No. 37396 of the City of Portland authorizing the purchase of the north-east quarter of Section 18, Tp. 1 S. of R. 6, east of Willamette Meridian, in the County of Multnomah, State of Oregon, from the owners thereof, for the sum of \$3,000.00, and authorizing a warrant to be drawn in favor of such persons as the City Attorney should find to be the owners after the examination of an abstract of title covering said land, and the City Attorney having ascertained that the property was owned by the estate and heirs of W. R. Maffet, that said heirs were numerous and widely scattered, and the matter of acquiring a clear title a difficult and complicated matter, advised that the City procure title insurance covering said land, and the Title & Trust Company of the City of Portland was employed for that purpose. It now appears that the Title & Trust Company has procured from the present owners of said property a bargain and sale deed conveying to the City of Portland said property, and said deed is now in possession of the Title & Trust Company as escrow agent with instructions to deliver the same to the City of Portland upon receipt of the sum of \$3,000.00, whereupon the Title & Trust Company has agreed to issue to the City of Portland a title insurance policy insuring said title in the City of Portland; therefore

The Mayor and Auditor are hereby authorized and directed to draw a warrant on the Water Fund in the sum of three thousand (\$3,000.00) dollars in favor of the Title & Trust Company of Portland, Oregon, in payment for said land. Said warrant shall be delivered to said Title & Trust Company upon receipt of a deed conveying said property to the City of Portland, and the receipt of a title insurance policy from said Title & Trust Company insuring the title to said property in the City of Portland, clear of all incumbrances.

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The Mayor and Auditor are further authorized to draw a warrant on the Water Fund in favor of the Title & Trust Company in the sum of thirty-two (\$32.00) dollars to cover the compensation or premium charged by said company for the issuance of said title insurance and the recording of said deed.

Section 2. That the sum of \$3,032.00 be and is hereby appropriated out of the Water Fund to provide for the purchase of the property above mentioned and the payment of premium on title insurance.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: It is necessary, in order to protect the City's present and future water supply that all privately owned land within the water shed of the Bull Run River should be promptly acquired by the City of Portland; 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, December 7, 1921.

GEO. L. BAKER  
Mayor of the City of Portland

Attest:

*Geoff Link*  
Auditor of the City of Portland.