

An Ordinance providing for the purchase from B. D. Sigler of certain property needed for extending Mt. Tabor Park and providing for the payment of \$1,000.00 therefor and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the property herein described is required for extending Mt. Tabor Park and that as a compromise and settlement of contemplated litigation for condemning the same a deed may be obtained to said property for the consideration of \$1,000.00 upon the terms and provisions herein contained and it appearing to the Council that such settlement is for the best interest of the public, now, therefore, the Superintendent of Parks is hereby authorized to acquire said property on the basis above stated and the Mayor and Auditor are hereby authorized to draw a warrant in favor of said B. D. Sigler, which warrant shall be delivered by the Auditor to said B. D. Sigler upon receiving from him a good and sufficient warranty deed for said property approved by the City Attorney as to form and also an opinion from the City Attorney to the effect that he has examined an abstract of title to be furnished by said B. D. Sigler covering said property and that the title thereto appears to be vested in said B. D. Sigler free and clear of liens and incumbrances except as herein provided. Said warrant shall be drawn against and chargeable to the appropriation heretofore made for Playgrounds and Parks.

Section 2. Inasmuch as said property constitutes a part of a larger tract against which certain bonded liens exist it is hereby provided that a segregation may be made in the usual manner of the bonded liens and said B. D. Sigler shall from the consideration herein provided pay off and discharge the property to be conveyed to the city from all such liens and also any taxes against said property. Inasmuch as the chain of title to said property shows that the same is subject to a certain right of way, it is further provided that the conveyance to the city may also be subject to such incumbrance as may exist by reason of such right of way. The property herein referred to for conveyance to the city is the west 55 feet of the north 160 feet of Tax Lot 22, Section 5, Township 1 South, Range 2 East of Willamette Meridian, which shall be particularly described by metes and bounds in the conveyance to the City.

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: That said property is needed for use at the earliest practicable date; 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 NOV 28 1928

G. E. HARRIS
PRESIDENT OF THE COUNCIL AND ALDERMAN

Mayor of the City of Portland.

Geo. R. Funk

Attest:

Auditor of the City of Portland.

11-24-28
Com. Pier.

PREPARED--APPROVED
CITY ATTORNEY