

ORDINANCE NO. 74291

AN ORDINANCE repealing Ordinance No. 73763 concerning the purchase of Tax Lot 3, in Section 31, Township 1 North, Range 2 East of the Willamette Meridian, from the Odell Estate for the price of \$4250.00, providing a different basis for payment, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the property described in said Ordinance No. 73763 is no longer in the Odell Estate but now belongs to the widow and heirs of Albert Odell who was otherwise described as John Albert Odell, who is now deceased and his estate is probated and closed in Yamhill County, Oregon; that the widow and heirs have executed a deed of conveyance to the City but the first payment provided for in said ordinance is insufficient to cover the taxes against the property, in consequence of which the Advisory Committee on the Acquisition of Park property has recommended that the first payment be increased so as to make it \$1916.66, and the balance to be paid in two annual payments of \$1166.67 each, making a total of \$4250.00, which is the same amount provided in said Ordinance No. 73763; now, therefore, said Ordinance No. 73763, passed by the Council May 1st, 1940 entitled, "An Ordinance providing for the purchase from A.L. Odell Estate, F.W. Odell, Administrator, of property described as Tax Lot 3, in Section 31, Township 1 North, Range 2 East of the Willamette Meridian, being property located between N.E. 55th Avenue and N.E. 57th Avenue at about N.E. Multnomah Street, for park and playgrounds, price \$4250.00, optional payment in two years, making a down payment, and declaring an emergency," is hereby repealed.

Section 2. The Mayor and Commissioner of Public Affairs are hereby authorized on behalf of the City of Portland to execute in duplicate a document in substantially the form attached to Ordinance No. 73648, marked Exhibit "A" and made a part thereof, and the Mayor and Auditor are hereby authorized to draw a warrant in favor of F. W. Odell, who is one of the heirs and representative of the remaining heirs, for

a first payment in the sum of \$1916.66, such warrant to be drawn against the Public Recreational Areas Fund (5600.780) and to be delivered upon receipt of a good and sufficient warranty deed conveying said property to the City of Portland free and clear of liens and incumbrances except taxes payable in the year 1941, and the furnishing of a title insurance, all meeting the approval of the City Attorney, provided that said widow and heirs also sign their approval to at least one duplicate original of said option agreement concerning the remaining payments and present the same to the City Auditor, whereupon said warrant and the other duplicate original of said documents shall be delivered to said F. W. Odell, it being understood and provided that the two remaining payments shall be \$1166.67 each, payable as provided in said agreement.

Section 3. The warrant heretofore drawn in the sum of \$1416.66 for the first payment on said property in favor of F. W. Odell, administrator of said estate, shall be cancelled by the Auditor and held as for naught.

Section 4. 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 unnecessary delay should be avoided in securing said property for park and playground purposes; 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 SEP 5 1940

JOSEPH K. CARSON, Jr.

Mayor of the City of Portland.

Attest:

Will C. Gibson

8-30-40
Commissioner Bennett.

Auditor of the City of Portland.

LEL

LEE

4338

4419

Ordinance No. 24291

An Ordinance repealing Ordinance No. 73763 concerning the purchase of Tax Lot 3, in Section 31, Township 1 North, Range 2 East of the Willamette Meridian, from the Odell Estate for the price of \$4250.00, providing a different basis for payment, and declaring an emergency.

Mayor

JKC

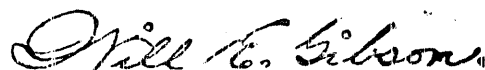
LWH

SEP 4-1940

CONTINUED TO 1:30 P.M. SEP 5-1940

THE FOLLOWING IS THE OFFICIAL VOTE ON THE FOREGOING ORDINANCE		
	YEAS	NAYS
BENNETT		
BOWES		
CLYDE		
RILEY		
CARSON		

Filed SEP 6 1940



Auditor of the CITY OF PORTLAND

By R. S. IVEY

Deputy