

# ORDINANCE No. 98751

An Ordinance granting a revocable permit to the McCormick & Baxter Creosoting Co., a corporation, 1017 Board of Trade Building, Portland, Oregon, to erect and maintain two creosote storage tanks with retaining wall on certain property at 6900 North Edgewater Road, repealing Ordinance No. 98188, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that McCormick & Baxter Creosoting Co., a corporation, by Charles R. McCormick, Jr. and Howard W. Baxter, 1017 Board of Trade Building, Portland, Oregon, heretofore petitioned the Council for a permit to erect one (1) 230,000 gallon bulk storage tank and one (1) 70,000 gallon bulk storage tank, together with a retaining wall on the following described real property, located at 6900 North Edgewater Road, to wit:

Part of Tax Lots 17, 33, 36, and 12, in Section 7 and Section 18, Township 1 North, Range 1 East of Willamette Meridian, and Section 12, Township 1 North, Range 1 West of Willamette Meridian, south of O.W.R.R. & N. Co's right of way, east of S.P. & S. right of way, north of Harbor Line, west of dedicated street, all in Multnomah County, Oregon, described as follows:

Commencing at the intersection of the westerly line of McKenna Avenue, as dedicated in the plat of Portsmouth with the southerly line of Willamette Boulevard, in Section 7, Township 1 North, Range 1 East of Willamette Meridian, in the City of Portland, Oregon; thence north  $62^{\circ} 22' 30''$  west 1637.69 feet; thence south  $27^{\circ} 37' 30''$  west 55.31 feet to a point in the southwesterly line of O.W.R.R. & N. Co's right of way from the point of beginning of tract to be described; running thence northwesterly along said right of way line 954.16 feet to the southeasterly line of the S.P. & S. Ry. Co's right of way; thence south  $40^{\circ} 26' 40''$  west on said southeasterly line of S.P. & S. Co's right of way 1516.02 feet to the Harbor Line of the Willamette River; thence south  $52^{\circ} 28' 30''$  east along said Harbor Line 1923.95 feet to the point which is south  $37^{\circ} 58'$  west from the southwest end of the center line of a dedicated street as recorded in Ps. Book 426, page 537, Record of Deeds for Multnomah

## ORDINANCE No. 98754

County, Oregon; thence north 37° 58' east 111.89 feet to the southwest end of said dedicated street; thence north 52° 02' west on the said southwest end of dedicated street 20.00 feet to the northwest line of said dedicated street; thence north 37° 58' east on the northwest line of said dedicated street 376.20 feet to an angle point; thence north 26° 00' east on the northwest line of said dedicated street 167.41 feet to an angle point; thence north 52° 30' east along the northwest line of said dedicated street 433.07 feet to the said southwesterly line of O.W.R.R. & N. Co's right of way; thence northwesterly along said right of way line 1015.75 feet to the place of beginning, containing 58.15 acres, more or less,

and that said permit should be granted, subject to the terms and conditions herein provided; now, therefore, a revocable permit hereby is granted to McCormick & Baxter Creosoting Co., a corporation, by Charles R. McCormick, Jr., and Howard W. Baxter, 1017 Board of Trade Building, Portland, Oregon, to erect, maintain and use one (1) 230,000 gallon bulk storage tank, and one (1) 70,000 gallon bulk storage tank, together with an extension of the present retaining wall, so as to enclose said tanks at the above location, subject to the following terms and conditions:

Said tanks shall be constructed of steel, having a thickness of not less than 5/16ths of an inch and bearing underwriter's label and said tanks and retaining wall shall be built and maintained in strict conformity to the plans therefor attached to the application for permit herein granted and filed of record in the office of the City Auditor in these proceedings, and which plan is by reference adopted into and made a part of this ordinance as fully and effectually, to all intents and purposes, as though set forth at length herein; and upon the further condition that said tank, together with the premises and all things appurtenant thereto, shall be erected, installed, kept, maintained and conducted in strict compliance to the laws and statutes of Oregon and the charter and ordinances of the City of Portland applicable thereto. No action shall be taken hereunder until the said grantee corporation aforesaid shall have executed and filed with the City Auditor a document approved by the City Attorney as to form, accepting and agreeing to keep and perform each and all of the terms and provisions hereof.

## ORDINANCE No. 98754

No action shall be taken hereunder until the said grantee corporation shall have executed and filed with the City Auditor a document, approved by the City Attorney as to form, accepting the terms and conditions of this ordinance.

Section 2. The Council finds that Ordinance No. 98188, passed by the Council April 9, 1953, identified the grantee as a co-partnership, whereas it is in fact a corporation; now, therefore, Ordinance No. 98188, entitled: "An Ordinance granting a revocable permit to Charles R. McCormick, Jr., and Howard W. Baxter, co-partners, doing business as McCormick & Baxter Creosoting Co., (1017 Board of Trade Building, Portland, Oregon) to erect and maintain two creosote storage tanks with retaining wall on certain property at 6900 N. Edgewater Road, and declaring an emergency," passed by the Council April 9, 1953, hereby is repealed.

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: In order that proper authority may be granted for the construction which has heretofore been made on the premises and the same legalized in conformity with applicable ordinances of the City of Portland, 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, JUL 9 - 1953

*Lud A. Peterson*  
Mayor of the City of Portland

Attest:

*Will Gibson*

Auditor of the City of Portland

Calendar No. 3834

# ORDINANCE No. 98751

## Title

An Ordinance granting a revocable permit to the McCormick & Baxter Creosoting Co., a corporation, 1017 Board of Trade Building, Portland, Oregon, to erect and maintain two creosote storage tanks with retaining wall on certain property at 6900 North Edgewater Road, repealing Ordinance No. 98188, and declaring an emergency.

THURSDAY

Filed JUL 1 - 1953

*Will Gibson.*  
Auditor of the CITY OF PORTLAND

By ROB'T L. McCOY  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

INTRODUCED BY	
Comm'r Earl	
DRAWN BY	
AGB:li	
Date	June 29, 1953
NOTED BY THE COMMISSIONER	
Affairs	SWE
Finance	
Safety	
Utilities	
Works	
City Attorney	AGB
NOTED FOR CITY AUDITOR	
RSI	
JHL	
APPROVED	
Date	
By	City Engineer
Date	
By	