

APR-8-64 258521

- VII 118193 0.00

RECEIPT

Nº 12574

OFFICE OF  
SI COHN, COUNTY CLERK  
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

*City of York*

FILE NO.

DOCUMENT

PARTIES

*Waiver*

*Mult City  
City of York*

*SA*

*Ord 118193  
Book 16  
Page 202  
April 18, 1964*

CONFORMED

**EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS, that the CITY OF PORTLAND, a municipal corporation of the State of Oregon, hereinafter called City, in consideration of the sum of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration, and other covenants and conditions contained in this instrument to be kept and performed by the WOLF CREEK HIGHWAY WATER DISTRICT, a corporation under the laws of the State of Oregon, hereinafter called District, does hereby grant unto the District the following easement in the County of Multnomah, State of Oregon, more particularly described as follows:**

**An easement to construct and maintain a water pumping station in the Hoyt Park Arboretum, being more particularly described as follows:**

**BEGINNING at a point on the north line of S.W. Fairview Boulevard N. 68° 16' E. 703.56 feet from the southeast corner of Lot 3, Block 9, THE HIGHLANDS, in Section 5, T1S, R1E, W.M.**

**Thence N. 21° 44' W. 25.00 feet to a point, thence N. 68° 16' E. 38.00 feet to a point, thence S. 21° 44' E. 24.16 feet to a point on the N. line of S.W. Fairview Blvd., thence along the N. line of S.W. Fairview Blvd., said line being on a curve having a radius of 379.30 feet whose chord bears S. 70° 10' W. 25.39 feet to a point of tangent of said curve, thence S. 68° 16' W. 12.70 feet along the N. line of S.W. Fairview Blvd., to the point of beginning,**

**for the purpose of constructing and maintaining a water pumping station in the Hoyt Park Arboretum.**

... SHALL HOLD the above described and granted easement to the City of Portland, its successors and assigns, but if the Wolf Creek Highway Water District shall be dissolved or merged into any other district, or if the Wolf Creek Highway Water District shall cease to exist or abandon the water pumping station upon said ...

be of no further force and effect.

IN WITNESS WHEREOF the City has caused this instrument to be executed by its Mayor and Auditor on the 7th day of April, 1964, pursuant to Ordinance No. 118193 passed by the Council March 18, 1964.

CITY OF PORTLAND

By /s/ Terry D. Schrunk  
Mayor

Seal

By /s/ Ray Smith  
Auditor

State of Oregon )  
County of Multnomah ) ss:

BE IT REMEMBERED, That on this 7th day of April, 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 was signed and sealed in behalf of said municipal corporation by authority of Ordinance No. 118193, and said TERRY D. SCHRUNK and RAY SMITH acknowledge 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

Approved:

/s/ Alexander G. Brown  
City Attorney

April 9, 1964

Mr. Elden W. Carter, Engineer  
Wolf Creek Highway Water District  
Oregon Bank Building  
319 S.W. Washington Street  
Portland, Oregon 97204

Dear Mr. Carter:

Enclosed please find easement granted by Ordinance No. 118193 to the Wolf Creek Highway Water District to construct and maintain a water pumping station in the Hoyt Park Arboretum.

A copy of the Ordinance is also enclosed.

Yours very truly,

Auditor of the City of Portland

JH:ec  
Encls.

WOLF CREEK HIGHWAY WATER DISTRICT--SITE OF PROPOSED PUMPING STATION

BEGINNING at a point on the north line of S.W. Fairview Boulevard N.  $68^{\circ}16'$  E. 703.56 feet from the southeast corner of Lot 3, Block 9, THE HIGHLANDS, in Section 5, T1S; R1E; W.M.

Thence N.  $21^{\circ}44'$  W. 25.00 feet to a point, thence N.  $68^{\circ}16'$  E. 38.00 feet to a point, thence S.  $21^{\circ}44'$  E. 24.16 feet to a point on the N. line of S.W. Fairview Blvd., thence along the N. line of S. W. Fairview Blvd., said line being on a curve having a radius of 379.30 feet whose chord bears S.  $70^{\circ}10'$  W. 25.30 feet to point of tangent of said curve, thence S.  $68^{\circ}16'$  W. 12.70 feet along the N. line of S.W. Fairview Blvd. to the point of beginning.

ELDEN W. CARTER  
CONSULTING CIVIL ENGINEER  
OREGON BANK BLDG.  
319 S. W. WASHINGTON ST.  
PORTLAND 4, OREGON

March 24, 1964


Mr. Ray Smith, City Auditor  
202 City Hall  
Portland, Oregon 97204

CU 25-64

Dear Mr. Smith:

Returned herewith is the copy of Conditional Use Request No. CU 25-64 for the Wolf Creek Highway Water District to construct and maintain a water pumping station in Hoyt Arboretum, which has been signed by the President of the Board of Directors and the district seal affixed.

Very truly yours,



Elden W. Carter, Engineer  
Wolf Creek Highway Water  
District

Encl.

cc- Wolf Creek Highway Water District  
12845 N.W. Cornell Road  
Portland, Oregon 97210

Oct 11 1963

February 25, 1964

Real Estate Office

Department of Finance

Commissioner Ormond R. Bean

Easement to Wolf Creek Highway Water District in Hoyt Park

Dear Commissioner Bean:

Enclosed is a letter from Elden W. Carter, Consulting Civil Engineer for the Wolf Creek Highway Water District, requesting an easement to construct and maintain a water pumping station in the Hoyt Park Arboretum.

I also enclose a Waiver of Restriction from Multnomah County releasing the restrictions to allow this and other such easements to be granted by the City without future consent by the County. This Waiver of Restrictions should be recorded in the Deed Records of Multnomah County.

Mr. Buckley, Superintendent of Parks, has requested this easement be granted. It is, therefore, recommended that the appropriate Ordinance granting said easement and accepting the Waiver of Restrictions be drawn and submitted to the Council.

Very truly yours,

B. J. Smith

BJS:lr

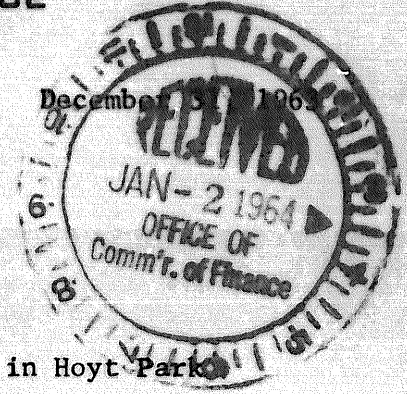
*approved  
JRB*

BTB

8659  
Park Bureau

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

*From* Bureau of Parks  
*To* Department of Finance  
*Addressed to* Commissioner Ormond R. Bean  
*Subject* Easement to Wolf Creek Highway Water District in Hoyt Park



Dear Commissioner Bean:

Transmitted herewith is a letter dated December 30, 1963 from Elden W. Carter, Consulting Civil Engineer for the Wolf Creek Highway Water District, requesting permission in behalf of that district to construct and maintain a water pumping station in the Hoyt Park Arboretum.

The proposed site has been inspected and elevations recommended to Mr. Carter which would make the pumphouse substantially below grade and unobtrusive on the landscape. No cutting of trees is necessary.

The Bureau of Parks recommends that the requested easement be granted.

Very truly yours,

*Harry B. Buckley*  
 Superintendent of Parks

HBB:mg

8659

Park Bureau

OTB



**ELDEN W. CARTER**  
 CONSULTING CIVIL ENGINEER  
 OREGON BANK BLDG.  
 319 S. W. WASHINGTON ST.  
 PORTLAND 4, OREGON

December 30, 1963

Mr. Harry B. Buckley, Superintendent  
 Bureau of Parks  
 City Hall  
 Portland, Oregon 97204

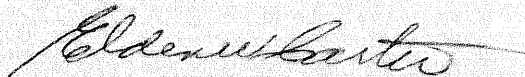
Dear Mr. Buckley:

In line with our recent discussions regarding the proposed construction by the Wolf Creek Highway Water District of a booster pumping station adjacent to S.W. Fairview Blvd. in Hoyt Park near the Water Bureau's Arlington Heights Reservoirs, there is herewith submitted a description of the site desired by the district as an easement to construct the pumping station.

The Wolf Creek Highway Water District has been issued permits and has purchased the cast iron pipe, valves and fittings to install the supply main from the City connection at the pumping site via S.W. Fairview Blvd. and Skyline Blvd. to a connection at W. Burnside St.

It is understood that you are to arrange for the preparation of the easement form and will let us know when it is ready for completion.

Very truly yours,



Elden W. Carter, Engineer  
 Wolf Creek Highway Water Dist.

Encl.  
 cc- Wolf Creek Highway Water District  
 12845 N.W. Cornell Road  
 Portland, Oregon 97210

RECEIVED

DEC 31 1963

BUREAU OF PARKS &  
 PUBLIC RECREATIONS

No. \_\_\_\_\_

8659

Park Bureau

Ord. 118193

WOLF CREEK HIGHWAY WATER DISTRICT--SITE OF PROPOSED PUMPING STATION

BEGINNING at a point on the north line of S. W. Fairview Boulevard N.  $68^{\circ}16'$  E. 703.56 feet from the southeast corner of Lot 3, Block 9, THE HIGHLANDS, in Section 5, T1S; R1E; W.M.

These N.  $21^{\circ}44'$  W. 25.00 feet to a point, thence N.  $68^{\circ}16'$  E. 38.00 feet to a point, thence S.  $21^{\circ}44'$  E. 24.16 feet to a point on the N. line of S. W. Fairview Blvd., thence along the N. line of S. W. Fairview Blvd., said line being on a curve having a radius of 379.30 feet whose chord bears S.  $70^{\circ}10'$  W. 25.30 feet to point of tangent of said curve, thence S.  $68^{\circ}16'$  W. 12.70 feet along the N. line of S. W. Fairview Blvd. to the point of beginning.

RECEIVED

DEC 31 1963

BUREAU OF PARKS &  
PUBLIC RECREATIONS

No. ....

8659

Park Bureau

## ORDINANCE No. 118193

An Ordinance authorizing the granting of an easement to Wolf Creek Highway Water District to construct and maintain a water pumping station in the Hoyt Park Arboretum, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that the Wolf Creek Highway Water District by Elden W. Carter, Engineer, has requested an easement in the Hoyt Park Arboretum to construct and maintain a water pumping station; that the proposed site has been inspected and the installation would be unobtrusive and involve no cutting of trees; that the request has been approved by the Superintendent of Parks and the Commissioner in charge of the Bureau of Parks; now, therefore, the Mayor and Auditor are hereby authorized to execute and deliver an easement to the Wolf Creek Highway Water District for establishment and maintenance of a water pumping station in the Hoyt Park Arboretum; that a description of such easement is as follows:

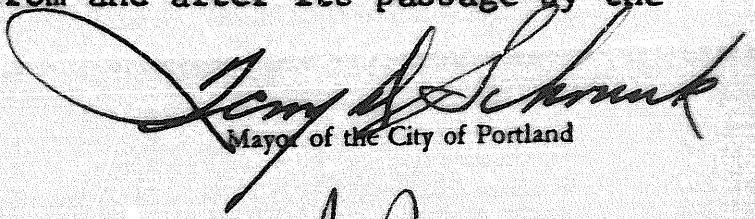
Beginning at a point on the north line of S.W. Fairview Boulevard N.68°16'E. 703.56 feet from the southeast corner of Lot 3, Block 9, THE HIGHLANDS, in Section 5, T1S, R1E, W.M.

Thence N.21°44'W.25.00 feet to a point, thence N.68°16'E.38.00 feet to a point, thence S.21°44'E. 24.16 feet to a point on the N. line of S.W. Fairview Blvd., thence along the N. line of S.W. Fairview Blvd., said line being on a curve having a radius of 379.30 feet whose chord bears S.70°10'W.25.30 feet to a point of tangent of said curve, thence S. 68°16'W.12.70 feet along the N. line of S.W. Fairview Blvd., to the point of beginning.

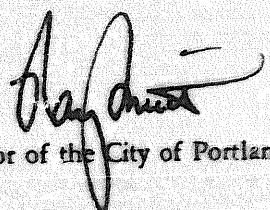
The easement shall be approved as to substance by the Commissioner in charge of the Bureau of Parks and as to form by the City Attorney

Section 2. 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 the easement authorized in Section 1 of this ordinance may be granted without undue 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, MAR 18 1964

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. 945

ORDINANCE No. 118193

Title

An Ordinance authorizing the granting of an easement to Wolf Creek Highway Water District to construct and maintain a water pumping station in the Hoyt Park Arboretum, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean		
Bowes		
Earl	-	
Grayson		
Schrunk		

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

MAR 13 1964

Filed.....

RAY SMITH  
 Auditor of the CITY OF PORTLAND  
 By *Robert L. Carr*  
 Deputy

INTRODUCED BY  
Commissioner Bean

DRAWN BY  
RLH/fg  
Date March 6, 1964

NOTED BY THE COMMISSIONER

Affairs

Finance *CR Bean*

Safety

Utilities

Works

City Attorney *AMB*

NOTED FOR CITY AUDITOR

*RS*

*MC*

APPROVED

Date

By

City Engineer

Date

By