

ORDINANCE NO. 518-A

Introduced by Commissioner Earl Johnson

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, CITY COMMISSIONERS AND AUDITOR AND POLICE JUDGE TO MAKE, EXECUTE AND DELIVER A DEED TO LEWIS & CLARK LUMBER CO., a NEVADA CORPORATION, FOR THE SUM OF TWO HUNDRED FIFTY ONE THOUSAND AND NO/100 DOLLARS.

THE CITY OF WARRENTON DOES ORDAIN AS FOLLOWS:

Section 1. That the Mayor, City Commissioners and the Auditor and Police Judge be and they are hereby authorized and directed to make, execute and deliver a deed to Lewis & Clark Lumber Co., a Nevada corporation, to the following described real property:

"All the lands, tidelands, water frontage and wharfing and riparian rights situated in the County of Clatsop, State of Oregon, and more particularly bounded and described as follows, to-wit:

PARCEL NO. 1:

Commencing at a point in the Westerly pierhead line of the Skipanon Waterway, City of Warrenton, as now established by the Common Council of the City of Warrenton, said point of beginning being South  $50^{\circ} 29 \frac{1}{4}'$  East and 2357.2 feet distant from the quarter corner between Sections 15 and 16, Township 8 North, of Range 10 West, Willamette Meridian, running thence North  $13^{\circ} 16 \frac{1}{2}'$  East along said pierhead line a distance of 981.64 feet to a point;

thence North  $71^{\circ} 0'$  West a distance of 1002.3 feet;

thence South  $19^{\circ}$  West, more or less, a distance of 1972.40 feet more or less, to a point in the Northerly boundary line as projected Westerly of the property conveyed to Pacific Marine Products Corporation by deed recorded February 23, 1938, in Book 142, at page 135, deed records, Clatsop County, Oregon;

thence in an Easterly direction along said Northerly boundary line as projected Westerly and along the said Northerly boundary line of said tract a distance of 1104.6 feet more or less, to an intersection with the said pierhead line;

thence North  $19^{\circ}$  East a distance of 1096.94 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM, that portion conveyed to Cranston Machinery Co., by deed recorded April 23, 1958 in Book 245, page 104 Deed Records Clatsop County, Oregon.

PARCEL NO. 2:

Commencing at a point in the Westerly pierhead line of the Skipanon Waterway as now established by the Common Council of the City of Warrenton, said point being South  $75^{\circ} 39 \frac{1}{2}'$  East and 2114.75 feet distant from the quarter corner between Sections 15 and 16, Township 8 North, Range 10 West, Willamette Meridian; running thence along said pierhead line North  $19^{\circ}$  East a distance of 1897.91 feet to a point which is the point of beginning of the parcel of land herein described;

thence continuing North  $19^{\circ}$  East along said pierhead line a distance of 2143.03 feet to the intersection of the said Skipanon Waterway pierhead line and the Columbia River Pierhead line, as now established and approved by the Secretary of War, May 21, 1896;

thence North  $67^{\circ}$  West along said Columbia River pierhead line a distance of 1002.44 feet;

thence South  $19^{\circ}$  West a distance 2212.97 feet;

thence South  $71^{\circ}$  East a distance of 1000 feet to the point of beginning;

PARCEL NO. 3:

Beginning at a point on the Westerly Pierhead line of the Skipanon River as now established by the War Department and approved by the Secretary of War on June 22, 1927, said point being South 50° 29 1/4' East and 2357.2 feet distant from the quarter corner between Sections 15 and 16, Township 8 North, Range 10 West, Willamette Meridian and running thence North 13° 16 1/2' East along said pierhead line a distance of 981.64 feet to a point, which point is the point of beginning of the tract herein described;

thence North 71° West a distance of 1002.3 feet;

thence North 19° East a distance of 1918.96 feet;

thence South 71° East a distance of 1000.00 feet to the said pierhead line;

thence South 19° West along said pierhead line a distance of 1897.91 feet;

thence South 13° 16 1/2' West along said pierhead line a distance of 21.06 feet to the point of beginning",

for the sum of TWO HUNDRED FIFTY ONE THOUSAND AND NO/100 (\$251,000.00) DOLLARS, Subject to lease dated November 1, 1968 by and between the CITY OF WARRENTON, an Oregon municipal corporation, (hereinafter called "LESSOR") and LEWIS & CLARK LUMBER CO., a Nevada corporation, (hereinafter called "L & C"), and WARRENTON CORPORATION, an Oregon corporation, (hereinafter called "WARRENTON CORPORATION"), and further subject to:

1. Leases, if any. No search has been made for incumbrances of leasehold interests.
2. Warrenton city liens, if any. We have requested a search and will advise later.
3. Dedication of the West 60 feet as Prouty Avenue, now N. E. Skipanon Drive. (affects Parcel 1)
4. Rights of the public in streets, roads and highways.
5. Rights of fishing, navigation and commerce in the Federal Government and State of Oregon and rights of the public in and to that portion of said premises lying below the high water line of Skipanon River and the natural low water line of Youngs Bay and the Columbia River.
6. Railroad right of way, including the terms and provisions, thereof reserved to Spokane, Portland and Seattle Railway Company, a corporation, as set out in agreement recorded November 21, 1916, in Book 90, page 358, Deed Records, Clatsop County, Oregon. (affects Parcel 2)
7. Easements for diking, including the terms and provisions thereof, granted by City of Warrenton to the United States of America by instruments recorded March 23, 1931 in Book 129 page 628 and Book 129 page 629, Deed Records, Clatsop County, Oregon.
8. Railroad rights of way, including the terms and provisions thereof, as disclosed by and set out in instrument from City of Warrenton et al to Spokane, Portland and Seattle Railway Company, a corporation, recorded December 29, 1952 in Book 220 page 269 Deed Records, Clatsop County, Oregon.
9. The premises herein described are within and subject to the statutory powers of City of Warrenton Diking District No. 1 and No. 2.

Passed by the City Commissioners of the City of Warrenton this 6th day of January, 1969.

Approved by the Mayor of the City of Warrenton this 6th day of  
January, 1969.

*J. Ganson*  
Mayor

ATTEST:  
*E. R. Baldwin*  
Auditor and Police Judge