

157111

ORDINANCE NO. 157111

An Ordinance authorizing the acceptance of two parcels of land appropriated, condemned and vested in the City of Portland, as plaintiff in the Circuit Court of the State of Oregon for the County of Multnomah, Case No. A8109-05613, in connection with the SE 39th Avenue, NE Glisan-SE Glenwood Street Improvement Project, designating and assigning one parcel as public street area, and accepting the other parcel therein conveyed for permanent slope purposes, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Right of way was required to accommodate the street improvements for the SE 39th Avenue, NE Glisan-SE Glenwood Street Improvement Project.
2. Purchase of several parcels of private property was necessary for construction of the project.
3. Burtis Corporation, a corporation, Union Oil Company of California, a corporation, Morgan Guaranty Trust, a corporation, and James Lucas, refused to grant two of the required parcels under the terms proposed by the City.
4. That the City Attorney continued negotiations on behalf of the City for acquisition of the parcels of land, and commenced condemnation proceedings to acquire the parcels of land.
5. That the City has been granted a judgment by the Circuit Court of the State of Oregon for the County of Multnomah, Case No. A8109-05613, and compensation has been delivered to Burtis Corporation, a corporation, Union Oil Company of California, a corporation, Morgan Guaranty Trust, a corporation, and James Lucas.
6. That the parcels of land granted by the Court to the City should now be officially accepted.

NOW, THEREFORE, the Council directs:

- a. That the following described property is hereby accepted, designated and assigned as public street area.

R/W #3966-1

Parcel 1

A parcel of land lying in Lots 15 and 16, Block 1, Richmond Addition to East Portland, Multnomah County, Oregon and being a portion of that property described in that deed to Burtis Corp., recorded July 11, 1966, in Book 515, Page 682, of Multnomah County Record of Deeds; the said parcel being described as follows:

Beginning at the southeast corner of said property; thence west along the south line of said property 8.5 feet; thence northerly in a straight line to the north line of said Lot 16 at a point 9.5 feet west of (when measured along said north line) the northeast corner of said Lot 16; thence north parallel with the east line of said Lot 15 to a point 12.01 feet south of (when measured at right angles to) the north line of said Lot 15; thence on a 12 foot radius curve left 18.86 feet to the north line of said Lot 15; thence east along said north line 21.51 feet to the northeast corner of said Lot 15; thence south along the east line of said Lots 15 and 16 to the point of beginning. (Granted by Burtis Corporation, a corporation, Union Oil Company of California, a corporation, Morgan Guaranty Trust, a corporation, and James Lucas.)

- b. That the following described easement is hereby accepted for permanent slope purposes:

R/W 3966-1

Parcel 2

A parcel of land lying in Block 1, Richmond Addition to East Portland, Multnomah County, Oregon and being a portion of that property described in that deed to Burtis Corporation, recorded July 11, 1966, in Book 515, Page 682, of Multnomah County Record of Deeds; the said parcel being described as follows:

Beginning on the south line of said property at the southwest corner of Parcel 1; thence west along said south line 2 feet; thence north parallel with and 2 feet west of the west line of Parcel 1 to a point 12.01 feet south of (when measured at right angles to) the north line of said Block 1; thence northwesterly in a straight line to a point on a line which is parallel with and 3 feet south of said north line, said point being 21.51 feet west of (when measured along said last mentioned parallel line) the east line of said Block 1; thence west along said last mentioned parallel line 30 feet; thence north at right angles to the north line of said Block 1 a distance of 3 feet to said north line; thence east along said

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north line to the northwest corner of Parcel 1, thence southerly along the westerly line of Parcel 1, to the Point of Beginning. (Granted by Burtis Corporation, a corporation, Union Oil Company of California, a corporation, Morgan Guaranty Trust, a corporation, and James Lucas.)

- c. The Auditor shall record a certified copy of this Ordinance and return one copy of the recorded Ordinance to the Right of Way Acquisition Section, Bureau of Transportation Engineering.

Section 2. The Council declares that an emergency exists because a delay in the acceptance, designating and assigning of the property as street area, and accepting the permanent slope easement might cause confusion as to the property's status; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAR 6 1985**

Commissioner Margaret Strachan  
Paul Niles:PR:mwp  
February 19, 1985

**Jewel Lansing**

Auditor of the City of Portland

By

*Elena Civera*

Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
CLARK	/	

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. 395

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### Title

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MAR 1 1985

Filed \_\_\_\_\_

JEWEL LANSING  
Auditor of the CITY OF PORTLAND

By   
Deputy

INTRODUCED BY
Commissioner Margaret Strachan

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>MDS / jja</i>
Works

BUREAU APPROVAL
Bureau Transportation Engineering
Prepared By: <i>PN</i> Date: Paul Niles:PR:mwp 2-19-85
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Richard O. Schmidt</i> Richard O. Schmidt, Chief

CALENDAR
Consent <input checked="" type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer Approved: Richard O. Schmidt, P.E.
By: <i>R.O. Schmidt</i>