

ORDINANCE NO. 157894

An Ordinance amending Ordinance No. 157063, passed by Council February 20, 1985, which authorized acceptance of a parcel 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. A8108-04098, in connection with the SE 39th Avenue, NE Glisan-SE Glenwood Street Improvement Project, designating and assigning said parcel as public street area, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 157063, passed by Council February 20, 1985, authorized the acceptance of a parcel 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. A8108-04098, in connection with the SE 39th Avenue, NE Glisan-SE Glenwood Street Improvement Project, designating and assigning said parcel as public street area.
2. Portions of the Ordinance were incorrect and might cause confusion as to the property's status.
3. To avoid confusion in the public record, said Ordinance should now be amended.

NOW, THEREFORE, the Council directs:

- a. The heading should be amended as follows:

An Ordinance authorizing the acceptance of a parcel 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. A8107-04098, in connection with the SE 39th Avenue, NE Glisan-SE Glenwood Street Improvement Project, designating and assigning said parcel as public street area, and declaring an emergency.

- b. Section 1.5 should be amended as follows:

That the City has been granted judgements by the Circuit Court of the State of Oregon for the County of Multnomah, Case No. A8107-04098, and compensation has been delivered to Juan Young, W. F. Case, Dan H. Kienow, Harvey S. Benson, W. H. Courtney, as Trustees for Kienows Profit Sharing Trust; Tom J. Belesiu and Georgia Belesiu, husband and wife; Mark Miller and Debra Miller, dba Horseshoe Music Company.

ORDINANCE No.

- c. Section 1.a should be amended as follows:

The following described property is hereby accepted, designated and assigned as public street area:

R/W 3966-16

Parcel 1

A parcel of land lying in the southeast one-quarter of Section 1, T1S, R1E, W.M., Multnomah County, Oregon, and being a portion of that property described in that deed to Juan Young, Dan H. Kienow, Harvey S. Benson, and W. H. Courtney, Trustees for Kienow's Profit Sharing Trust, recorded November 17, 1970, in Book 760, Page 416, of Multnomah County Record of Deeds; the said parcel being described as follows:

Beginning on the east line of said property at a point 110 feet north of the southeast corner of said property; thence west parallel with the south line of said property 9 feet to the true point of beginning; thence south parallel with said east line to a point 7 feet north of (when measured at right angles to) said south line; thence southwesterly in a straight line to said south line at a point 16 feet west of said southeast corner; thence east along said south line 16 feet to said southeast corner; thence north along said east line to the northeast corner of said property; thence west along the north line of said property 6 feet; thence southerly in a straight line to the true point of beginning. (Granted by Juan Young, W. F. Case, Dan H. Kienow, Harvey S. Benson, W. H. Courtney, as Trustees for Kienow's Profit Sharing Trust; Tom J. Belesiu and Georgia Belesiu, husband and Wife; Mark Miller and Debra Miller, dba Horseshoe Music Company.)

- d. The Auditor shall record a copy of this Ordinance in the appropriate deed records and shall return a recorded copy of this 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 clarifying the property's status might cause confusion in the public record; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **OCT 16 1985**

Commissioner Margaret Strachan
Paul Niles:PR:mwp.4
October 1, 1985

Jewel Lansing
Auditor of the City of Portland
By

Edna Courvoisier

Deputy

Calendar No. 2049

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Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGIE	1	
LINDBERG	1	
SCHWAB	1	
STRACHAN		
CLARK	1	

FOUR-FIFTHS CALENDAR	
BOGIE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Filed

OCT 11 1985

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By Dennis Nelson
Deputy

INTRODUCED BY	
Commissioner Margaret Strachan	
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau	
Transportation Engineering	
Prepared By: <u>PN</u>	Date
Paul Niles: <u>PN</u>	10-1-85
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head <u>Richard O. Schmidt</u>	
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: <u>Richard O. Schmidt</u>	