

ORDINANCE NO. 61662

Dist-78 C-4629

An Ordinance adopting the City Engineer's report made pursuant to Resolution No. 20250 for the proposed widening of the intersection of East Franklin Street and 33rd Avenue Southeast to a width of not less than 60 feet, in the City of Portland, Oregon.

The City of Portland does ordain as follows:

Section 1. The City Engineer's report filed with the City Auditor September 5, 1931, pursuant to Resolution No. 20250 for the proposed widening of the intersection of East Franklin Street and 33rd Avenue Southeast to a width of not less than 60 feet, in the City of Portland, Oregon, is hereby adopted, approved and confirmed, which report, omitting map attached, is in words and figures as follows:

Portland, Oregon

AUG 31 1931

TO THE COUNCIL OF THE
CITY OF PORTLAND, OREGON

Gentlemen:

Pursuant to Resolution No. ~~20250~~ adopted by

the Council 'AUG 26 1931', directing me to survey a proposed widening of the intersection of East Franklin Street and 33rd Avenue Southeast to a width of not less than 60 feet, in the City of Portland, Oregon, and to make a plat of the same together with a written report; I have made such survey and plat, which is filed herewith and for identification is marked "Map Showing Property to be Acquired in connection with the Widening of the Intersection of East Franklin Street and 33rd Avenue Southeast". There is further shown on this map the boundaries of the district to be assessed for said widening, and I make this my written report as follows:

DESCRIPTION OF PROPERTY REQUIRED

A full description of such proposed widening of the intersection of East Franklin Street and 33rd Avenue Southeast is as follows:

Beginning at a point on the south line of East Franklin Street, 50 feet west of the west line of Klippel Acre Tracts, when measured along the south line of East Franklin Street; thence east along said south street line a distance of 50 feet to a point; thence south along the west line of Klippel Acre Tracts, a distance of 33.33 feet to a point; thence northwesterly to the place of beginning.

And also, beginning at the intersection of the north line of East Franklin Street with the west line of Klippel Acre Tracts; thence southwesterly to a point on the north line of 33rd Avenue Southeast, 90 feet east of the west line of Klippel Acre Tracts, when measured along the north line of 33rd Avenue Southeast; thence west along said north street line to the west line of Klippel Acre Tracts; thence north to the place of beginning, in the City of Portland, County of Multnomah, State of Oregon.

DESCRIPTION OF PARCELS REQUIRED

A description of each lot, tract or parcel of land or portion thereof to be appropriated is as follows:

TRACT NO. 1. PARCEL "A"

Beginning at a point on the south line of East Franklin Street, 50 feet west of the west line of Klippel Acre Tracts, when measured along the south line of East Franklin Street; thence east along said south street line, a distance of 50 feet to a point; thence south along the west line of Klippel Acre Tracts, a distance of 33.33 feet to a point; thence northwesterly to the place of beginning; containing 834 square feet, more or less.

The foregoing parcel is part of a tract of land herein designated as Tract No. 1 and described as follows: Beginning at the intersection of the south line of East Franklin Street with the west line of Klippel Acre Tracts; thence south along the west line of Klippel Acre Tracts, a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street a distance of 50 feet to a point; thence north parallel with the west line of Klippel Acre Tracts to the south line of East Franklin Street; thence east to the place of beginning; containing 5000 square feet, more or less.

TRACT NO. 2. PARCEL "A"

Beginning at the intersection of the north line of East Franklin Street, with the west line of Klippel Acre Tracts; thence southeasterly to a point on the north line of 33rd Avenue South-east, 90 feet east of the west line of Klippel Acre Tracts, when measured along said north street line; thence west along said

north street line a distance of 90 feet to a point; thence north to the place of beginning; containing 2700 square feet, more or less.

The foregoing parcel is part of a tract of land herein designated as Tract No. 2 and described as the southerly 100 feet of lot 8, Klippel Acre Tracts; containing 16,995 square feet, more or less.

DAMAGES SUSTAINED

The "Damages Sustained" embraces the value of land taken, including buildings and improvements, if any, and the damages, if any, to the residue. All liens, taxes, mortgages, leases, rental agreements and other incumbrances have been taken into consideration and are included in the amount of damages awarded for such appropriation.

All damages to sidewalks and curbs occasioned by the widening of the intersection of East Franklin Street and 33rd Avenue Southeast, have been included in the amount of damages awarded.

The "damages sustained" include all damages to the properties along the sides of the widening of the intersection of East Franklin Street and 33rd Avenue Southeast on account of the right to fill by constructing sloping embankments in order to maintain the street or grade, and the right to slope by trimming off banks or outs. The right to slope by such filling or trimming is not intended to give the city any possession of the property except to make and maintain such slope as herein provided. The owner of each piece of property will continue to be the owner of the same and to have the right to use the property, including the sloped portion, for all lawful purposes, including the right to place and maintain buildings or other improvements upon the

sloped portion, and also the right to remove any part or all of such trim or slope or alter the same in case a suitable wall be constructed or other arrangement be made to protect and maintain said street level in lieu of such slope.

PAID BOND

The several parcels of land which are in part or all appropriated by said proposed widening of the intersection of East Franklin St. and the damages and benefits, in my judgment, and amount of damages over benefits, amount of benefits over damages, others than owners having interest and supplied own-ers, are as follows:

Entire Tract (as heretofore described)	Tract No. 1 (As heretofore described) 5000 square feet								
Portion taken for street (as heretofore described)	Parcel "A" (As heretofore described) 834 square feet								
Portion remaining	4166 square feet								
Damages Sustained	\$309.00								
Proportional share of special benefits accruing	\$21.60								
Amount of such benefits	\$287.40								
Amount of such benefits over damages	None								
Others than owners having interest	State, County, etc. taxes for 1930 unpaid								
Reputed Owner	Luey Jacobs								

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CITY OF PORTLAND, OREGON
DEPARTMENT OF PUBLIC WORKS

BUREAU OF CONSTRUCTION—AWARD SHEET

The several parcels of land which are in part or all appropriated by said proposed widening of the intersection of East Franklin St. and 33rd Avenue Southeast. and the damages and benefits, in my judgment, and amount of damages over benefits, amount of benefits over damages, others than owners having interest and reputed owners, are as follows:

Entire Tract (as heretofore described)	Parcel No. 2 (As heretofore described) 16995 square feet	Parcel "A" (As heretofore described) 2700 square feet	14295 square feet	\$284.00	\$88.15	\$195.85	None	State, County, etc. taxes paid for last half 1930 un-	Reputed Owner
Portion taken for street (as heretofore described)	Portion remaining	Damages Sustained	Proportional share of special benefits accruing	Amount of damages over such benefits	Amount of such benefits	Others than owners having interest		Bernard J. and Florence Each	

The column headed "Damages sustained" embraces the value of land taken, including buildings and improvements, if any, and the damages, if any, to the residue. All liens, taxes, mortgages, leases and other incumbrances against the property to be appropriated for street purposes have been taken into consideration and are included in the amount of damages awarded for such appropriation. The City in the event said award is paid by it, will deduct from said award, before delivering a warrant, the amounts due for all such liens, taxes, mortgages, leases and other incumbrances. In case any additional taxes, city liens or other claims come against the property before the damages awarded are collected and ready for payment, such additional taxes, liens or other claims shall be deducted from the amount of damages awarded or otherwise discharged.

ASSESSMENT DISTRICT

A description of the boundaries of the district

benefited and to be assessed for said widening is as follows:

Beginning at the northwest corner of lot 2, Springer Park; thence east to the northeast corner of lot 11, Springer Park; thence south along the west line of Klippel Acre Tracts to a point 100 feet north of the north line of 33rd Avenue Southeast, when measured at right angles thereto; thence east parallel with the north line of 33rd Avenue Southeast to the west line of 43rd Street Southeast; thence south along said west street line to the southeast corner of lot 2, block 7, Plainfield; thence west parallel with the south line of 33rd Avenue Southeast to a point on the west line of Klippel Acre Tracts; thence north along the west line of Klippel Acre Tracts to a point 100 feet south of the south line of East Franklin Street when measured at right angles thereto; thence west parallel with the south line of East Franklin Street, a distance of 290.34 feet, to a point; thence north parallel with the east line of East 39th Street, a distance of 28.2 feet to a point; thence west parallel with the south line of East Franklin Street to the east line of East 39th Street; thence north to the place of beginning; in the City of Portland, County of Multnomah, State of Oregon.

KLIPPEL ACRE TRACTS

	Lot	Owner	Amount
North 100 feet of	2	May I and E.J.Steele, Sr.	\$73.45
South 100 feet of	3	E. A. McGrath	73.45
North 100 feet of	9	H.C.and N.E.Clark	88.15

(\$235.05)

PLAINFIELD

BLOCK	LOT	OWNER	AMOUNT
6	8	Pioneer Educational Society	\$1.00
	9	"	5.00
7	1	"	5.00
	2	"	1.00

\$ 12.00

SPRINGER PARK

Lot	Owner	Amount
1	Julia J. Springer	\$ 5.00
2	" "	1.00
3	Carl and Verona L. McBreyer	8.65
4	Julia J. Springer	8.65
5	W.C. and Rosa H. Heinz	8.65
6	Chas F. and Lona K. McQuaid	10.80
7	George and Laura West	13.00
8	F.R. & Annie Smith	15.10
9	Julia J. Springer	17.25
10	" " "	19.45
11	Carl Falkenberg	22.10

(\$129.65)

SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 EAST
WILLAMETTE MERIDIAN

Tax Lot 2

Amount

Beginning at a point on the south line of East Franklin Street, 50 feet west of the west line of Klippel Acre Tracts, when measured along said south street line; thence south parallel with the west line of Klippel Acre Tracts, a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street, a distance of 50.34 feet to a point; thence north parallel with the west line of Klippel Acre Tracts, to the south line of East Franklin Street; thence east to the place of beginning.

Mike and Anna Devecka.....\$ 19.60

Tax Lot 3.

Beginning at a point on the south line of East Franklin Street 100.34 feet west of the west line of Klippel Acre Tracts, when measured along said south street line; thence south parallel with the west line of Klippel Acre Tracts a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street, a distance of 45 feet to a point; thence north parallel with the west line of Klippel Acre Tracts to the south line of East Franklin Street; thence east to the place of beginning.

H. J. & Rose M. Hochmuth

\$15.55

SECTION 12, TOWNSHIP 1 SOUTH, RANGE 1 EAST
WILLAMETTE MERIDIAN

Tax Lot 4.

Beginning at a point on the south line of East Franklin Street, 145.34 feet west of the west line of Klippel Acre Tracts, when measured along said south street line; thence south parallel with the west line of Klippel Acre Tracts, a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street, a distance of 50 feet to a point; thence north parallel with the west line of Klippel Acre Tracts to the south line of East Franklin Street; thence east to the place of beginning.

Carl J. and Marie B.Hansen.....\$15.10

Tax Lot 5.

Beginning at a point on the south line of East Franklin Street, 195.34 feet west of the west line of Klippel Acre Tracts when measured along said south street line; thence south parallel with the west line of Klippel Acre Tracts, a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street, a distance of 45 feet to a point; thence north parallel with the west line of Klippel Acre Tracts, to the south line of East Franklin Street; thence east to the place of beginning.

Wm. A. and Elsie L. Carlson\$11.70

Tax Lot 6.

Beginning at a point on the south line of East Franklin Street, 240.34 feet west of the west line of Klippel Acre Tracts, when measured along said south street line; thence south parallel with the west line of Klippel Acre Tracts, a distance of 100 feet to a point; thence west parallel with the south line of East Franklin Street a distance of 50 feet to a point; thence north parallel with the west line of Klippel Acre Tracts to the south line of East Franklin Street; thence east to the place of beginning.

Annie Bruce.....\$10.80

SECTION 12, TOWNSHIP 1 SOUTH, RANGE
1 EAST, WILLAMETTE MERIDIAN

Amount

Tax Lot 7.

Beginning at the intersection of the south line of East Franklin Street with the east line of East 39th Street; thence east along the south line of East Franklin Street a distance of 261 feet to a point; thence south parallel with the west line of Klippel Acre Tracts a distance of 71.8 feet to a point; thence west parallel with the south line of East Franklin Street, to the east line of East 39th Street; thence north to the place of beginning.

Chas. L. Tyres.....\$33.80

(\$106.55)

S U M M A R Y

A summary showing withal the total amount of damages and benefits, the excess of damages and the excess of benefits awarded for said widening of the intersection of East Franklin Street and 33rd Avenue Southeast, together with the amount assessed against a special assessment district is as follows:

TRACT NO.	DAMAGES	BENEFITS	EXCESS DAMAGES	EXCESS BENEFITS
1	\$309.00	\$ 21.60	\$287.40	None
2	284.00	88.15	195.85	None
Sundry Property Owners	None	483.25	None	\$483.25
Totals	\$593.00	\$593.00	\$483.25	\$483.25

Respectfully submitted

O. Langford

City Engineer

Passed by the Council NOV 4 1931

GEORGE L. BAKER

Mayor of the City of Portland



Attest:

Auditor of the City of Portland