

ORDINANCE No. 101747

An Ordinance adopting the City Engineer's report made pursuant to Resolution No. 26415 for the proposed opening and widening of S. E. Waverleigh Boulevard between S. E. 28th Avenue and S. E. 31st Avenue, in the City of Portland, Oregon, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The City Engineer's report filed with the City Auditor February 3, 1955, pursuant to Resolution No. 26415 for the proposed opening and widening of S. E. Waverleigh Boulevard between S. E. 28th Avenue and S. E. 31st Avenue, in the City of Portland, Oregon, is hereby adopted, approved and confirmed, which report with map attached is in words and figures as follows:

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R E P O R T
OF
THE CITY ENGINEER
ON
PROPERTY TO BE ACQUIRED IN CONNECTION WITH
THE
OPENING AND WIDENING OF S. E. WAVERLEIGH BLVD.
FROM S. E. 28th AVENUE AND S. E. 31st AVENUE.

Portland, Oregon
January 28, 1955

To the Council of
The City of Portland, Oregon

Gentlemen:

Pursuant to Resolution No. 26415, adopted by the Council January 26, 1955, directing me to make a survey and plat of the opening and widening, altering and changing of that certain segment of S. E. Waverleigh Blvd., lying between S. E. 28th Avenue and S. E. 31st Avenue, and a written report thereon as provided by the City Charter; I have made a survey and plat, which plat is filed herewith and for identification is marked "Map Showing Property to be Acquired in Connection with the Opening and Widening of S. E. Waverleigh Blvd.", and make this my written report as follows:

DESCRIPTION OF PROPERTY REQUIRED

A full description of Proposed Opening and Widening of S. E. Waverleigh Blvd. lying between S. E. 28th Avenue and S. E. 31st Avenue, is as follows:

All of those certain twenty (20) foot strips of land lying within the boundaries of S. E. Waverleigh Blvd. from S. E. 28th Avenue to S. E. 31st Avenue, and designated as Park in the duly recorded Plat of Waverleigh Heights, in the corporate limits of the City of Portland, County of Multnomah, and State of Oregon.

DESCRIPTION OF PARCELS REQUIRED

A complete description of Parcels Required for the Opening, Widening, altering, and changing of S. E. Waverleigh Blvd. lying between S. E. 28th Avenue and S. E. 31st Avenue, is as follows:

A complete description of each lot, tract, or parcel of land, or portion thereof, to be appropriated for said opening and widening of that portion of S. E. Waverleigh Blvd. lying between S. E. 28th Avenue and S. E. 31st Avenue, is as follows:

Tract No. 1, Parcel "A"

All of that certain twenty (20) foot strip of land designated as Park in the duly recorded plat of Waverleigh Heights and lying within boundaries of S. E. Waverleigh Blvd. between S. E. 28th Avenue and S. E. 29th Avenue,

The foregoing parcel is all of the tract of land herein designated as Tract No. 1.

Tract No. 2 Parcel "A"

All of that certain twenty (20) foot strip of land designated as Park in the duly recorded plat of Waverleigh Heights and lying within the boundaries of S. E. Waverleigh Blvd. between S. E. 29th Avenue and S. E. 31st Avenue, in the corporate limits of the City of Portland, County of Multnomah and State of Oregon.

The foregoing parcel is all of the tract of land herein designated as Tract No. 2.

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 **Changing of S. E. Waverleigh Blvd.** 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)	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 over damages	Others than owners having interest	Reputed Owner
Tract No. 1	Parcel "A"	None	\$1.00	\$1.00	None	None		City of Portland
<u>OTHERS THAN OWNERS HAVING INTEREST</u>								
EnRichetta Giacchero and Olga Noli; Thomas J. Bogard and Katherine N. Bogard, husband and wife; Anna J. Steele; Mortgage to Edilio Stefani and Amelia Stefani, husband and wife, recorded February 28, 1950, in Book 1233 Page 151, Mortgage Records; Curtis C. Payton and Dorothy A. Payton, husband and wife; Mortgage to Emma Godfrey recorded May 1, 1945 in Book 825, Page 234, Mortgage Records, an Incompetent Guardianship was filed for an Emma Godfrey on July 12, 1946, as No. 56328 in the Probate Department of the State Circuit Court for Multnomah County; Ray Gallucci and Lois D. Gallucci, husband and wife; Andrew V. Kuljis and Antice A. Kuljis, husband and wife; Mortgage to Investors Syndicate, a Minnesota Corporation, recorded November 9, 1943 in Book 743, Page 192, Mortgage Records, said Mortgage was assigned to Investors Syndicate of America, Inc., recorded December 19, 1944 in Book 806, Page 406, Mortgage Records; Robert A. Bitar and Mabel Bitar, husband and wife, and Frank A. Bitar and Margaret Bitar, husband and wife.								
Tract No. 2	Parcel "A"	None	\$1.00	\$1.00	None	None		City of Portland
<u>OTHERS THAN OWNERS HAVING INTEREST</u>								
Gerwin Building Co., an Oregon Corporation; Mortgage to Brice Mortgage Company, an Oregon Corporation, recorded July 30, 1954 in Book 1643, Page 216, Mortgage Records; Antonio Mantia and Dolores Mantia, husband and wife; Mortgage to Caterina Mantia, recorded February 20, 1953 in Book 1518, Page 305, Mortgage Records; Fred Michel Jr. and Bertha Michel, husband and wife; Walter H. Pickett and Naomi E. Pickett, husband and wife, Estate No. 71071 of Naomi Esther Pickett, deceased, filed October 29, 1953 in the State Circuit Court for Multnomah County.								

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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 are ready for payment, such additional taxes, liens or other claims shall be deducted from the amount of damages awarded or otherwise discharged.

ASSESSMENT DISTRICT

Insofar as sundry property owners are concerned no assessment of benefits is contemplated and no assessment of benefits is made herein, inasmuch as the cost of this opening, widening, altering and changing of segments of S. E. Waverleigh Blvd. is to be defrayed by the City of Portland.

SUMMARY OF PARCELS TO BE ACQUIRED

A summary showing withal the excess of damages and the excess of benefits relative to lots, tracts, and parcels of land, a part of which is embraced within the proposed opening, widening, altering, and changing of said portion of S. E. Waverleigh Blvd., which damages and benefits are offset pro tanto, is as follows:

Tract No.	Parcel No.	Damages	Benefits	Excess Damages	Excess Benefits
1	"A"	\$1.00	\$1.00	None	None
2	"A"	\$1.00	\$1.00	None	None
City of Portland		None	None	None	None
TOTALS		\$2.00	\$2.00	None	None

Respectfully submitted,

L. G. Apperson
L. G. APPERSON

City Engineer

S.E. KELLY

S.E. FRANKLIN

SCHOOL DIST.
NO. 1

High School
of Commerce

S.E. POWELL

S.E. KELTON ST

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S.E. 28TH PLACE

S.E. 29TH

— from Curb Lines 18' from 1st and 24538 —
\$6.30 T.H. AVE.

S.E. 31ST

MAP
SHOWING PROPERTY TO BE ACQUIRED
IN CONNECTION WITH THE
OPENING AND WIDENING OF
S.E. WAVERLEIGH BLVD.

PORTLAND, OREGON SCALE: 1" = 100'

APPROVED *R. G. Apperson* 1-5-55

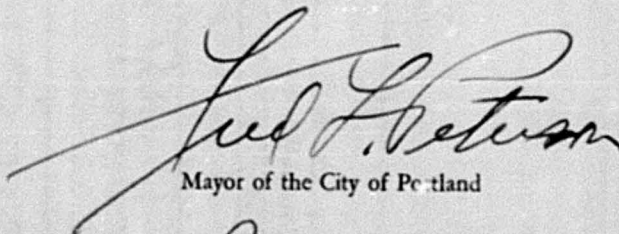
DATE

FIG. 102-100000-100, Nov. 2, 1950

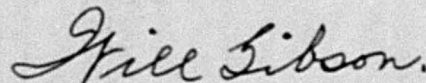
ORDINANCE No.

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 said opening and widening proceedings be carried to completion as soon as reasonably possible, 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 2 - 1955**


Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. 902

ORDINANCE No. 101747

Title

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THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR

Bean	
Boody	
Bowes	
Earl	
Peterson	

Filed FEB 24 1955

Phil Siborn
Auditor of the CITY OF PORTLAND

By *[Signature]* Deputy

INTRODUCED BY

Order of the Council

DRAWN BY

RLM:fd

Date February 24, 1955

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED

Date

By

City Engineer

Date

By