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Ordinance No. 4937

An Ordinance adopting the Report of the Viewers in the matter of the proposed extension of Kelly street from its present southern terminus over and across the "Old Cemetery" to the northern end of Douglas street in the City of Portland, assessing the same and directing an Entry of such assessment in the Docket of City Liens.

The City of Portland does ordain as follows:

Section 1. That the Common Council of the City of Portland deeming expedient to open, lay out and establish Kelly street from its present southern terminus over and across the "Old Cemetery" to the northern end of Douglas street in the City of Portland, Multnomah County, State of Oregon did on the 19th day of May 1886 direct the City Surveyor to survey the same, mark the boundaries thereof and make a report together with a plat showing each particular tract or parcel of land to be appropriated to public use for such street and the City Surveyor having made such survey and report and plat which being satisfactory to the Common Council was adopted by Ordinance No. 4892 entitled "An Ordinance adopting the Report of the City Surveyor in the matter of the proposed extension of Kelly street southerly from its present terminus over and across the "Old Cemetery" to the northern end of Douglas street, and afterwards, to wit on the 4th day of August 1886 did appoint C. P. Hogue, J. Opitz and R. L. Durham, Viewers to view such proposed laying out and establishing of Kelly street and to meet at the office of the Auditor and Clerk on Saturday the 14th day of August 1886 for the purpose of making an assessment of benefits and damages occasioned by such proposed laying out and establishing of Kelly street of which due notice was given by publication of notice in the "Daily News" a newspaper of general and daily circulation in the manner provided by Law and the Charter of said City and said Viewers having met for the purpose of making such view and such assessment of benefits and damages at the time and place appointed thereunto made their view and their assessment of such benefits and damages which being satisfactory to the Common Council is now therefore adopted and of which said report the following is a copy, namely:

To the Hon. the Common Council of the City of Portland:

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To the Hon. the Common Council of the City of Portland:

Gentlemen: The undersigned appointed Viewers of the proposed extension of Kelly street from its present southern terminus over and across the "Old Cemetery" to the northern end of Douglas street in said City of Portland, by a resolution adopted by your Honorable Body on the 14th day of August 1886, would respectfully submit the following Report:

We met at the office of the Auditor and Clerk on the 14th day of August 1886, and after being sworn and furnished with the City Surveyor's Report and Plat of the proposed extension of Kelly street adopted by Ordinance No. 4892, after examining said Report and Plat we adjourned to meet August 19th 1886.

We met pursuant to adjournment and proceeded to view said proposed extension of Kelly street by going over the ground to be appropriated to public use and noting the condition of the same and have assessed the benefits accruing to and the damages sustained by the owners of the tracts of land hereinafter described as follows:-

We find by extending said Kelly street, that certain tract of land, will have to be appropriated to public use, bounded and described as follows: Beginning on the south line of the Elizabeth Thomas Donation Land Claim in Sec. No. Ten in Township No. 1, South Range No. 1, East of the Willamette Meridian, at the point where said line is intersected by the west line of said Kelly street, and running thence southerly along a line conforming to a southerly extension of the west line of said Kelly street, to a line which is thirty feet right measurement westerly from and parallel with a straight line drawn from the point where the center line of "Kelly street" intersects the south line of the said Thomas Donation Land Claim, to the point where the center line of Douglas street intersects the south line of the "Old Cemetery" tract of land in James Terwilligers Donation Claim, in the section and township aforesaid; thence southerly along a line thirty feet in right measurement westerly from and parallel with a straight line drawn from the point where the center line of Kelly street intersects the south line of the said Thomas Donation Land Claim, to the point where the center line of Douglas Street intersects the south line of the said "Old Cemetery" tract; thence east along the south line of the

said "Old Cemetery" tract to a line thirty feet in right measurement easterly from and parallel with a straight line passing through the point where the center line of Kelly street intersects the south line of the said Thomas Donation Land Claim and the point where the center line of Douglas street intersects the south line of the said "Old Cemetery" tract; thence northerly along a line thirty feet in right measurement, easterly from and parallel with a straight line passing through the point where the center line of Kelly street intersects the south line of the said Thomas Donation Land Claim and the point where the center line of Douglas street intersects the south line of the said "Old Cemetery" tract; to the south line of the said Thomas Donation Land Claim to the place of beginning containing twenty thousand eight hundred and eighty (20,880) square feet, the owner of said tract of land which is unknown will sustain damage and we declare said damage to be the value of \$ 900.00

We find benefits will accrue to a unknown owner of a tract of land, said tract is lying between the south line of First Avenue and the north line of Block No. 1 in the Portland Homestead Association tract to the City of Portland and between the west line of the proposed extension of Kelly street and a line parallel with and one hundred feet west of the west line of the proposed extension of Kelly Street said benefits we assess at \$ 475.00

We also find benefits will accrue to a unknown owner of a tract of land, lying between the south line of First Avenue and the north line of Block "A" in the Portland Homestead Association tract to the City of Portland and between the east line of the proposed extension of Kelly street and a line parallel with and one hundred feet east of the east line of the proposed extension of Kelly street; we assess said benefits to said unknown owner at \$ 425.00

All of which is Respectfully Submitted

Signed G. P. Nogue

J. Opitz

R. L. Durham

Viewers

Portland, August 31st 1886

"Original endorsed"

Filed Aug. 31st 1886

B. L. Norden

Auditor & Clerk

Section 2. The Auditor and Clerk is hereby authorized and directed to enter a statement of the assessment hereby made, in the Docket of City Liens and cause notice thereof to be published in the manner provided by law.

Passed the Common Council, October, 6th 1886.

B. L. Norden

Auditor & Clerk

Approved, October 7th 1886.

John Gates

Mayer