

Ordinance No. 20197

An Ordinance adopting the report of the Viewers in the matter of the proposed changing, widening and extension of Stark

Street,
from west line of Thirteenth Street to intersection with
the southerly line of Burnside Street

making an assessment of the benefits and damages set forth in said report.

The City of Portland does ordain as follows:

SECTION I. WHEREAS, The Council, deeming it expedient to

change, widen and extend Stark

Street,
from the west line of Thirteenth Street to intersection
with the southerly line of Burnside Street,

did, on the 6th day of May 1908, direct the City

Engineer to survey the same, and to mark the boundaries thereof, and to make a plat of

such survey, and a written report containing a full and perfect description of such pro-

posed Street and the boundaries thereof and of the portion of each lot, tract,

or part of either to be appropriated for such street, and the City Engineer having made

such survey, plat and report and filed such plat and report in the office of the Auditor

of the City of Portland on the 26th day of May 1908

and the same being satisfactory to the Council, was adopted, by Ordinance No.

17938

entitled: "An Ordinance adopting the report of the City Engineer in

the matter of the proposed

changing, widening and extension of Stark Street
from west line of Thirteenth Street to intersection with
the southerly line of Burnside Street

and afterwards on the 24th day of June 1908 by resolution,
appointed Wilbur G Kern, T Dinneen

and E S Ferguson viewers of the said proposed
changing, widening and extension

of Stark Street,

to meet at the office of the Auditor of the City of Portland, on the 15th

day of July 1908 at 10 o'clock in the forenoon of said day for the

purpose of viewing said proposed street and making an assessment of the benefits and

damages occasioned by such proposed changing, widening and extension

of Stark Street of which

due notice was given in the manner provided by law by publication of notice in the

"Portland Daily Abstract" a newspaper of general circulation

published in the City of Portland, as will more fully appear by the proof thereof duly

presented and filed in the office of the Auditor of the City of Portland, and said Viewers

having met for the purpose of making said view and assessment at the time and place

appointed and on that and subsequent days to which they adjourned, not exceeding one

week, having made such view and assessment of benefits and damages, and the same

being satisfactory to the Council;

Now, therefore, The report of Wilbur G Kern, T Dinneen

and E S Ferguson viewers of the proposed changing, widening

and extension

of Stark Street, is hereby adopted, of which report

the following is a copy, to-wit:

We, the undersigned, having been appointed viewers by a resolution adopted at a regular meeting of the Council on the 24th day of June, 1908, in the matter of the proposed opening, laying out and extension of Stark Street, from the west line of 13th Street to the southerly line of Burnside Street in accordance with the report of the City Engineer, adopted by Ordinance Numbered 17938, do, as such viewers, respectfully report that in pursuance of individual notices to ourselves by the Auditor of the City of Portland, we met on Wednesday, July 15, 1908, at 10 o'clock A M of said day at the office of the Auditor of the City of Portland, where, after having been duly sworn to faithfully discharge the duties assigned us, we were furnished with a copy of the City Engineer's report of said survey, and with a plat and description of such lots or parts thereof proposed to be appropriated to public use by the extension, widening laying out and establishing of said Street in the manner proposed.

We then adjourned to meet on Thursday, July 16, 1908, at 10 o'clock A M, at which time we proceeded to view the proposed opening, laying out and establishing of said street through the whole length thereof, and the grounds and improvements, on along and adjacent to said proposed street, and on that and subsequent days to which we adjourned, not exceeding one week at any one time, and after taking into consideration the claim of Elizabeth Von Fridagh for damages that will be sustained by reason of the opening, laying out and establishing of said street in the manner proposed, we determined, found and assessed the damages that would be sustained by the taking of property, and the benefits that would be derived by the parties respectively by reason of the opening, laying out and

establishing of Stark Street, as aforesaid. The said report was then submitted to the Auditor of the City of Portland.

In accordance with instructions contained in your letter of April 4, 1909, a revised report was submitted covering the opening, laying out and establishing of said Stark Street. This latter report was returned for revision with your letter of July 2, 1909, and in accordance with your instructions we herewith submit our re-revised report of the opening, laying out and establishing of said Stark Street.

The proposed opening, laying out and establishing of said street will include and necessitate the appropriation to public use the following described parcels or tracts of land.

Commencing at a point in the west line of 13th St., where the same is intersected by the south line of Stark Street, extended westerly and running thence westerly along said extension to the south line of Burnside Street; thence easterly along the south line of Burnside Street, to the west line of 13th Street; thence south along the west line of 13th Street, as laid out north of Burnside Street, 11.46 feet; thence southerly along the west line of 13th Street, as laid out along the east line of North $\frac{1}{2}$ Block J City of Portland, and a northerly extension thereof, 6.98 feet to the place of beginning.

The proposed change, widening and extension of Stark St. as above described, will include and necessitate the appropriation to public use all that part of Block 108, Couch's Addition lying within the boundaries of the proposed opening, laying out and establishing of Stark Street, as above described, containing 432.5 square feet.

We find and determine that Elizabeth Von Fridagh, as owner of Block 108, Couch Addition to the City of Portland, 432.5 square feet of which will be appropriated to public use by the opening, laying out and establishing of Stark Street, will be damaged and said land will be rendered less valuable by the opening, laying out and establishing of said street, and we estimate and assess said damages in the sum of \$4,734.00

We find and determine that Elizabeth Von Fridagh, as owner of a certain house situated on that part of Block 108, Couch Addition to the City of Portland, lying within the boundaries of the proposed opening, laying out and establishing of Stark Street, will be damaged by reason of the necessity of removing said house, repairing sidewalk and street, and we estimate and assess said damages in the sum of \$1,265.00

We find and determine that Elizabeth Von Fridagh, as owner of all that part of Block 108, Couch Addition to the City of Portland, lying south of the south line of the proposed opening, laying out and establishing of Stark Street, will be specially benefited and said land will be rendered more valuable by reason of the opening, laying out and establishing of said street, and we estimate and assess said benefits and advantages in the sum of \$300.00

And we find that the excess of damages over benefits which the said Elizabeth Von Fridagh will sustain by reason of the opening, laying out and establishing of said street will be the sum of \$5,699.00

We find and determine that the persons named in the Table next following, as the owners of Lots and Parcels of land set opposite their names respectively, no part of which will be required or taken for the opening, laying out and establishing of said proposed street, will sustain no damages whatever, but said persons will be specially benefited thereby, and we find and assess the value of the benefits that will accrue to said persons as the owners of tracts of land aforesaid, to be the sum set opposite their names respectively, which sums are also the excess of benefits over damages accruing to said persons by the opening, laying out and establishing of said street as aforesaid.

T A B L E

Block	Lot	Owner	Benefits and excess of Benefits
CITY OF PORTLAND			
80	3	Henrietta Failing, Mary F Failing, and Emily F Cable, Und $\frac{1}{2}$	\$ 4.00
"	3	Amanda Reed Estate, und $\frac{1}{2}$	4.00
"	4	Henrietta E Failing, Mary F Failing, and Emily F Cable, Und $\frac{1}{2}$	4.00
"	4	Amanda Reed Estate Und $\frac{1}{2}$	4.00
79	1	H L Pittock	7.00
"	W 50x100 2	American Trust Investment Co	4.00
"	E 50x110 2	Banfield Veysey Fuel Co	4.00
40	4	Richard Williams	7.00
"	5	"	10.25
"	S $\frac{1}{2}$ 3	Samuel Bruce Huston	4.50
"	S $\frac{1}{2}$ 6	"	5.00
"	N $\frac{1}{2}$ 3	Tyler Woodward	3.50
"	N $\frac{1}{2}$ 6	"	3.00
39	N $\frac{1}{2}$ 1	Stephen Meade Estate	4.50
39	S $\frac{1}{2}$ 1	E B Savage	3.50
39	N $\frac{1}{2}$ 2	Thomas H Bennett	3.50
39	S $\frac{1}{2}$ 2	Ellen E Ray Heirs	4.50
39	S $\frac{1}{2}$ 7	"	4.50
39	N $\frac{1}{2}$ 7	P Cordono and A Garbarino	3.50
39	8	Maude H Nerton	10.25
38	1	Ladd Estate Co	10.25
38	2	Huldah G Holmes	7.00
38	7	T Scott Brooke & Andrew Giesy	8.50
38	8	"	12.00
41	3	H W Corbett, Heirs	7.00
41	4	Henrietta E Failing, Mary F Failing and Emily F Cable	10.25
41	5	Henrietta E Failing, Mary F Failing and Emily F Cable	12.00
41	S $\frac{1}{2}$ 6	Henrietta E Failing, Mary F Failing and Emily F Cable	5.25
41	N $\frac{1}{2}$ 6	H W Corbett Heirs	4.25
17	3	Bacon Heirs	8.50
17	4	Isam White, et al	12.00
17	5	Security Savings & Trust Co	14.75

CITY OF PORTLAND

Block	Lot	Owner	Benefits and excess of Benefits
17	6	Security Savings & Trust Co	9.00
18	1	Ladd Estate Co	12.00
18	2	Amanda Reed, Heirs	8.50
18	3	"	9.00
18	6	W R McKay, Mary McKay, John W McKay	14.75
46	3	Seattle Dock Co	9.00
46	4	"	14.75
46	5	"	17.00
46	6	"	10.00
47	1	R Mallory	14.75
47	2	Maria Smith	9.00
47	7	G W Bates	10.00
47	8	R Mallory	17.00
64	1	M Rosenblatt Heirs	17.00
64	2	"	10.00
64	7	King Estate	11.00
64	8	"	19.25
66	3	Rosetta Sherlock	10.00
66	4	Elizabeth Clark	17.00
66	5	Eliza Iqeb	19.25
66	6	Warren P and Lalla D Thomas, Und $\frac{1}{4}$	3.00
66	6	Lewis Russell and Percy Blythe Und $\frac{1}{4}$	9.00
82	3	M Brady, Heirs	11.00
82	4	"	19.25
82	E	J D Coleman	10.00
82	W	Lewis Russell and Percy Blythe	11.75
82	E	J D Coleman	6.25
82	W	Lewis Russell and Percy Blythe	7.50
175	1	H W Corbett, Heirs	19.25
175	2	"	11.00
175	7	Rector Realty Co.	12.75
175	8	Phil K Gordon	20.75
83	3	J Wagner	12.75
83	4	H and M Wolf	20.75
83	5	Portland No 142 B P O E	22.75
83	6	"	13.00
176	1	M M Gearin	20.75
176	2	S Merton Cohn Real Estate & Inv Co	12.75
176	7	T B Wilcox	14.00
176	8	"	22.75
\$ 1/2 85	1	Western American Co	22.75
\$ 1/2 85	2	"	14.00
\$ 1/2 85	16	Margaret Ainsworth et al	18.00
\$ 1/2 85	17	A J Giesy	25.00
214	1	Portland Library Association	22.75
214	2	"	14.00
214	7	"	18.00
214	8	"	25.00
86 E 100 feet 6	6	F Breske	12.00
86	7	S A & A Murhead	30.00
86 S 25 ft		"	
W of E 100 ft 6		"	5.00
86 N 25 ft W of			
E 100 ft 6		John Cordano	4.00
Hark Block 1	1	Honora Farrell	25.00
Hark Block 1	4	Everding and Farrell	25.00
86 1/2	4	Anna Campion	11.00
86 1/2	5	R T Platt, John K Collock and R A Leiter, Trustees	30.00
86 1/2	6	R T Platt, John K Collock and R A Leiter, Trustees	25.00
86 1/2	7	First Evangelical Church	31.00
86 1/2	8	"	39.00
86 1/2	9	William Fleidner	11.00
215	1	H L Pittock	25.00

Block	Lot	Owner	Benefits and Excess of Benefits
215	2	H. E. Pittock	
215	7	"	25.00
215	8	"	32.00
87	1	Percy Lythe	45.00
87	2	"	29.00
87	3	"	41.00
87 W 53 feet	4	Wilhelmina Meyer	11.00
87 W 53 feet	5	"	18.00
87 W 53 feet	7	"	27.00
87 E 47 feet	6	Anna Cahalin	34.00
87 E 47 feet	6	"	13.00
87 E 47 feet	7	"	20.00
			31.00

A tract of land bounded and described as follows:
 Beginning at a point in the west line of north 10th St., 124 feet northerly from the northwest corner of the intersection north 10th Street and Stark Street, thence westerly on a line parallel with the division line between the land claim of Benjamin Stark and J. H. Couch, 100 feet to a point; thence northerly to the division line between the land claims of said Benjamin Stark and J. H. Couch; thence easterly along said division line 100 feet to the west line of North 10th Street; thence southerly along the west line of North 10th St., to the place of beginning, the same being a part of Block 87, in Raleigh's Addition in the City of Portland, Oregon

254	1	Caroline A. Trimble	16.00
254	8	Clara Friendly	46.00
254	2	"	81.00
254 S 1/2	7	Morris Kahn	32.00
254 N 1/2	7	T. B. Holsman	23.00
88	1	Elizabeth and James Lee	36.00
88	2	R. P. Effinger and Lewis Russel	36.00
88	3	"	36.00
88	4	F. G. Wheeler	36.00
255 W 1/2	1	"	56.00
255 W 1/2	2	R. B. Lamson	37.00
255 E 1/2	1	M. L. Holbrook	21.00
255 E 1/2	2	R. B. Lamson	44.00
255	7	R. W. Montague	38.00
255	8	L. G. Clarke	52.00
N 1/2 Block I	1	"	104.00
"	2	Hibernia Savings Bank	106.00
N 1/2 I E 20 ft	7	Title Guarantee & Trust Co	41.00
N 1/2 I E 20 ft	8	Hibernia Savings Bank	12.00
		"	21.00

A tract of land bounded and described as follows:
 Beginning at a point on the east line of 13th Street, in the City of Portland, State of Oregon, 100 feet north of the intersection of the north line of Washington Street with the east line of 13th Street; thence north 20°52' East, tracing the east line of said 13th St., 70.22 feet to a point, said point being the intersection of the east line of 13th Street with a southerly extension of the north 13th St., in said Couch Addition, thence north 1°27' west, tracing the east line of said north 13th Street 28.02 feet to a point on the south line of the Couch D. L. C., thence south 86°28' east tracing the south line of said Couch D. L. C. 13.01 feet, more or less, to a point in the westerly extension of the south line of Stark Street; thence south 69°8' east, tracing said westerly extension of the south line of Stark Street 78.20 feet, more or less to a point; thence south 20°52' west on a line parallel with the east line of 13th Street and 80 feet distant therefrom 100 feet to a point; thence north 69°8' west on a line parallel with the north line of Washington Street

Block	Lot	Owner	Benefits and Excess of Benefits
-------	-----	-------	------------------------------------

and 100 feet distant therefrom 80 feet to the place of beginning, except that portion lying westerly of the west line of Lot 8 Block North $\frac{1}{2}$ I,

Margaret Ainsworth Und $\frac{1}{3}$ 68.00

A tract of land bounded and described as follows: beginning at a point on the east line of 13th street in the City of Portland, State of Oregon, 100 feet north of the intersection of the north line of Washington St., with the east line of 13th Street; thence north $20^{\circ}52'$ east, tracing the east line of said 13th Street, 70.22 feet to a point, said point being the intersection of the east line of 13th street with a southerly extension of the north 13th Street in said Couch Addition; thence north $1^{\circ}27'$ west, tracing the east line of said north 13th Street 28.02 feet to a point on the south line of the Couch D L C; thence south $86^{\circ}28'$ east, tracing the south line of said Couch D L C 13.01 feet, more or less, to a point in the westerly extension of the south line of Stark Street; thence south $69^{\circ}8'$ east, tracing said westerly extension of the south line of Stark street 78.20 feet, more or less, to a point; thence south $20^{\circ}52'$ west on a line parallel with the east line of 13th Street and 80 feet distant therefrom 100 feet to a point; thence north $69^{\circ}8'$ west on a line parallel with the east line of 13th Street and 80 feet distant therefrom 100 feet to a point; thence north $69^{\circ}8'$ west on a line parallel with the north line of Washington Street and 100 feet distant therefrom, 80 feet to the place of beginning, except that portion lying westerly of the west line of Lot 8, Block North $\frac{1}{2}$ I

Lawrence Ainsworth und $\frac{1}{3}$ 68.00

A tract of land bounded and described as follows: beginning at a point in the east line of 13th Street in the City of Portland, State of Oregon, 100 feet north of the intersection of the north line of Washington Street with the east line of 13th Street; thence north $20^{\circ}52'$ east tracing the east line of said 13th Street 70.22 feet to a point, said point being the intersection of the east line of 13th Street with a southerly extension of the north 13th street in said Couch Addition; thence north $1^{\circ}27'$ west, tracing the east line of said north 13th Street 28.02 feet to a point on the south line of the Couch D L C; thence south $86^{\circ}28'$ east tracing the south line of said Couch D L C 13.01 feet, more or less to a point in the westerly extension of the south line of Stark street; thence south $69^{\circ}8'$ east, tracing said westerly extension of the south line of Stark Street 78.20 feet, more or less to a point, thence south $20^{\circ}52'$ west on a line parallel with the east line of 13th St and 80 feet distant therefrom 100 feet to a point; thence north $69^{\circ}8'$ west on a line parallel with the north line of Washington Street and 100 feet distant therefrom 80 feet to the place of beginning, except that portion lying westerly of the west line of Lot 8, Block North $\frac{1}{2}$ I

Mable A Mays Und $\frac{1}{3}$ 68.00

N $\frac{1}{2}$ J	1	Elizabeth VonFridagh	100.00
N $\frac{1}{2}$ J	3	"	50.00
N $\frac{1}{2}$ J E $\frac{1}{2}$	6	J C Ainsworth, Trustee	33.00
N $\frac{1}{2}$ J W $\frac{1}{2}$	6	Paul Von Fridagh	75.00
N $\frac{1}{2}$ J	7	"	100.00

Block	Lot	Owner	Benefits and excess of benefits
		Except that portion as described in Book 179, page 151, Records of Deeds of Multnomah County, Oregon, Elizabeth VonFridagh	150.00
		A tract of land being part of East fractional half of Lot numbered 2, in the north $\frac{1}{2}$ of Double Block J, in the City of Portland, said County and State, and more particularly bounded and described as follows: Commencing at a point in the west side of 11th Street, Old Style, 100 feet north of the north side of Washington Street; thence westerly and parallel with said Washington Street, 50 feet to a point; thence northerly and parallel with the said west line of 11th Street, Old Style, 31 feet and 6 inches, to a point; thence easterly 19 feet to a point which is 8 feet north of the new cottage now on said premises, thence continuing easterly 33 feet and 6 inches to a point in the west side line of said 11th Street, Old Style, thence southerly along said west side line of 11th Street, Old Style, 45 feet and 6 inches to the place of beginning	
		Paul Von Fridagh	70.00
CITY OF PORTLAND			
313	W 100 feet of Block	Espey Real Estate Co	95.00
313	E 100 feet of Block,	Associate Investment Co	133.00
313	1	Charles Schmid	105.00
313	2	"	47.00
315	7	F W Leadbetter	42.00
315	W $\frac{1}{2}$ 8	Jennie L Schwab	55.00
315	E $\frac{1}{2}$ 8	City of Portland	47.00
COUCH ADDITION TO THE CITY OF PORTLAND			
82	1	H Weinhard Estate	146.00
82	2	"	165.00
82	3	"	72.00
82	4	"	62.00
93	1	"	225.00
93	2	"	165.00
93	3	"	59.00
93	4	"	65.00
94	1	Mary L Sauve	150.00
94	2	"	130.00
94	3	"	45.00
94	4	"	55.00
105	1	Ukase Investment Co	110.00
105	2	"	50.00
105	E 1 2	James Snell	45.00
105	E 1 3	Ukase Investment Co	18.00
105	S 12 Ft W $\frac{1}{2}$ 3	Jennie Snell	14.00
105	N 38 Ft W $\frac{1}{2}$ 3	L J Snell	14.00
105	4	Ukase Investment Co.	55.00
COUCH ADDITION TO PORTLAND			
		A tract of land bounded and described as follows: Commencing on the west line of 11th Street, 50 feet south of Burnside Street, thence south 25.4 feet; thence westerly 112.2 feet; thence north 20 feet; thence east 112.2 feet to the place of beginning, being a part of Lots numbered 5 and 6, in Block 106, Couch Addition to the City of Portland	
		D C Felton	29.00

Block

Lot

Owner

Benefits and Excess
of Benefits

COUCH ADDITION TO PORTLAND

A tract of land bounded and described as being All of Lot 5, Block 106, south of the following described parcel of land: Commencing on the west line of 11th Street 50 feet south of Burnside Street; thence south 25.4 feet; thence westerly 112.2 feet; thence north 20 feet; thence east 112.2 feet to the place of beginning, being a part of lots numbered 5 and 6 in Block 106, Couch Addition to the City of Portland

R P Effinger and Lewis Russell 15.00

A tract of land bounded and described as follows: beginning at the northwest corner of Block 106, Couch Addition to Portland, thence east along the south line of East Burnside Street 88 feet; thence south 70.31 feet; thence east 12.02 feet to line running north and south through center of Block; thence south along said line to its intersection with the dividing line between Couch Addition to Portland and the City of Portland; thence along said dividing line westerly to the east line of 12th Street; thence north along the east line of 12th Street to beginning

F G Wheeler 67.00

All of the west 48.28 feet of Block 107, Couch Addition to the City of Portland lying between the north line of Stark Street and the south line of Burnside Street.

Merchanta Loan & Trust Co 55.00

107 Und 1/3 of E 100 ft of Antone Labbe 37.00

107 Und 1/3 of E 100 feet of John Labbe 37.00

107 Und 1/3 of E 100 ft of Blase Labbe 37.00

109 W 1/4 Espey Real Estate Co 75.00

109 E 1/4 Associate Investment Co 65.00

Total Sundry Property Owners \$5,747.00

SUMMARY

	Damages	Benefits	Excess Damages	Excess Benefits
Elizabeth Von Fridagh	\$5,999.00	\$ 300.00	\$5,699.00	
Sundry Property Owner		5,747.00		5,747.00
Expense of Engineers, viewers advertising, etc	48.00		48.00	
	<u>\$6,047.00</u>	<u>\$6,047.00</u>	<u>\$5,747.00</u>	<u>\$5,747.00</u>

W G Kerns

Viewers in the matter of the proposed opening, laying out and establishing of Stark Street from the west line of 13th Street to the southerly line of Burnside Street

E S Ferguson

T Dinnan

Passed the Council **OCT 27 1909** 190

[Handwritten Signature]

Auditor of the City of Portland

APPROVED **OCT 30 1909**

JOSEPH SIMON, Mayor

Submitted to the Mayor **OCT 28 1909**