

ORDINANCE NO. 158728

An Ordinance accepting 5 Warranty Deeds in connection with the North Going Street Noise Mitigation Project, granted by William H. Coleman and Aline B. Coleman; Norman W. Chapman and Betty L. Chapman; Anna Christ; David E. Mazzocco and Carmen P. Mazzocco; and Murray Beckhuson, designating and assigning property therein conveyed as public street area, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Right-of-way was required for the North Going Street Noise Mitigation Project.
2. The Portland Development Commission acquired the necessary property from William H. Coleman and Aline B. Coleman; Norman W. Chapman and Betty L. Chapman; Anna Christ; David E. Mazzocco and Carmen P. Mazzocco; and Murray Beckhuson, for the City of Portland; the grantors have been compensated and the Warranty Deeds have been recorded in the Multnomah County Deed Records as follows:.

<u>Name</u>	<u>Book</u>	<u>Page</u>	<u>Recording Date</u>
Coleman	1471	1759	September 25, 1980
Chapman	1481	2405	November 5, 1980
Christ	1492	56	December 22, 1980
Mazzocco	1533	2061	June 26, 1981
Beckhuson	1476	726	October 14, 1980

3. The Warranty Deeds, which have been approved as to form by the City Attorney, should now be accepted for the purpose hereinafter described.

NOW, THEREFORE, the Council directs:

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

R/W #4032-1

Parcel I

Lots 13, 14, 15, 16, and 17, and the South 20 feet of Lot 12, Block 2, together with that portion of the vacated North Denver Avenue which inured to Lot 13 and the South 20 feet of Lot 12, Block 2, and Lots 11, 12, 13, and 14, Block 3,

BLANDENA HEIGHTS, in the City of Portland, County of Multnomah and State of Oregon: ALSO that part of Tenas Way, vacated by Ordinance No. 59643, lying between a line running from the Southwest corner of Lot 17 in said Block 2, to the Northwest corner of Lot 11 in said Block 3, and the Southerly line of said Block 2, running to the Southeast corner of said Block 3, in the City of Portland, County of Multnomah and State of Oregon, SUBJECT to the rights of the public in and to that portion of the above property lying within the limits of N Going Street.

PARCEL II

Lots 4, 7, 8 and 9, Block 3 BLANDENA HEIGHTS: also those portions of Lot 1, Block 2, BLANDENA HEIGHTS and of vacated Tenas Way, included in the following description:

Beginning at a point on the East line of said Lot 1, which is 100 feet South of the North line of said Lot 1 measured on the East line of said Lot 1 and being the Southeast corner of the tract of land conveyed to Alice G. Aplanalph by deed recorded November 20, 1943, in PS Deed Book 795, Page 230; thence West parallel with the North line of said Lot 1, 50 feet to the Southwest corner of said Aplanalph tract, thence South to the Northwest corner of Lot 4 in said Block 3, thence Southeasterly on the Southerly line of vacated Tenas Way to the Northeast corner of Lot 9 in said Block 3, thence North to the Southeast corner of Lot 3 in said Block 2, thence Northwesterly on the Northerly line of vacated Tenas Way to the Southeast corner of Lot 1 in said Block 2, thence North to the point of beginning, in the City of Portland, County of Multnomah and State of Oregon, SUBJECT to the right of the public in and to that portion of the above property lying within the limits of N Going Street.

Also Lot 10, EXCEPTING the portion thereof within N Going Street, and further specifically EXCEPTING the portion of vacated Tenas Way which inured to said Lot 10, Block 3, BLANDENA HEIGHTS, in the City of Portland, County of Multnomah and State of Oregon. (Granted by William H. Coleman and Aline B. Coleman.

R/W #4032-2

Lots 2, 3, 5 and 6, Block 3, BLANDENA HEIGHTS, in the City of Portland, County of Multnomah and State of Oregon, together with that part of vacated Tenas Way described as follows:

Beginning at a point on the North line of said Lot 3 at the intersection of said North line with the Southwesterly line of Tenas Way vacated; thence continuing East on the North line of Lot 3 extended Easterly to the point of intersection of said line so extended with the East line of said Lot 3 projected Northerly; thence South along the East line of Lot 3, so extended, to the Southwesterly line of Tenas Way (vacated); thence Northwesterly along said vacated street line 33.39 feet to the point of beginning.

EXCEPTING THEREFROM that part of said lots 5 and 6 taken for the widening of North Going Street. AND ALSO EXCEPTING THEREFROM that portion of vacated North Gay Avenue adjoining said Lots 2 and 5. (Granted by Norman W. Chapman and Betty L. Chapman)

R/W #4032-3

Lots 7 and 8, Block 1, ERWIN and WATSON'S ADDITION TO ALBINA, SUBJECT to the rights of the public in those portions thereof in N Interstate Avenue and N Going Street, in the City of Portland, County of Multnomah and State of Oregon. (Granted by Anna Christ.)

R/W #4032-35

Lots 18, 19, 20, 21, 22, 23 and 24, Block 2, ETHEL LYNN ADDITION TO THE CITY OF PORTLAND, EXCEPT that portion of said lots lying in N Going Street; TOGETHER WITH a portion of N Denver Avenue adjoining part of said Lot 24 on the West vacated by Ordinance No. 115764 of the City of Portland, described as follows:

BEGINNING at the intersection of the West line of Ethel Lynn Addition and the North line of N Going Street as now located; thence Northerly along the West line of the above addition, a distance of 88.83 feet; thence Westerly at right angles to said West line, a distance of 12.33 feet; thence Southerly 88.83 feet to a point in the north line of N Going Street that is Westerly 11.97 feet from the point of beginning; then Easterly along the North line of N Going Street, a distance of 11.97 feet to the point of beginning, all in the City of Portland, Multnomah County, Oregon. (Granted by David E. Mazzocco and Carmen P. Mazzocco.)

R/W #4032-36

Lots 4, 5, and 6, Block 9, GAY TRACT, in the City of Portland, County of Multnomah and State of Oregon, including the portion of Penn Street which inured to said lots by reason of the vacation thereof; EXCEPTING that portion of said Lot 6 heretofore appropriated for street purposes. (Granted by Murray Beckhuson.)

**ORDINANCE No.**

- b. The Auditor shall record a certified copy of this Ordinance and return one copy of the recorded Ordinance to the Right-of-Way Acquisition Section, Bureau of Transportation Engineering.

Section 2. The Council declares an emergency exists because a delay in accepting the Warranty Deeds might cause confusion as to the City's rights; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUL 10 1986**

Commissioner Margaret Strachan  
Phyllis I. Redman:mwp.1  
June 26, 1986

**Jewel Lansing**  
Auditor of the City of Portland  
By *Doris E. Oakes*  
Deputy

Calendar No. 1371

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Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE	<del>✓</del>	
LINDBERG	✓	
SCHWAB	✓	
STRACHAN	✓	
CLARK	✓	

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Filed JUL 2 1986

JEWEL LANSING  
Auditor of the CITY OF PORTLAND

By *Elena Lewisa*  
Deputy

INTRODUCED BY

Commissioner Margaret Strachan

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

*MDS/jjp*

BUREAU APPROVAL

Bureau:

Transportation Engineering

Prepared By:

Date:

Phyllis Redman:mwp

6-26-86

Budget Impact Review:

Completed

Not required

Bureau Head:

Richard O. Schmidt, Chief

CALENDAR

Consent

✓

Regular

NOTED BY

City Attorney

City Auditor

City Engineer

Approved:

Richard O. Schmidt, P.E.

By:

*R. O. Schmidt*