

Ordinance No. 20621

An Ordinance adopting the report of the Viewers in the matter of the proposed opening, laying out and establishing of Rural Avenue from the west line of East Fourteenth Street, to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company

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

The City of Portland does ordain as follows:

SECTION 1.

WHEREAS, The Council, deeming it expedient to open, lay out and establish Rural Avenue from the west line of East Fourteenth Street, to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company

did, on the 15th day of May 1909, 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 proposed 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 27th day of May 1909 and the same being satisfactory to the Council, was adopted, by Ordinance No. 19568 entitled: "An Ordinance adopting the report of the City Engineer in

the matter of the proposed opening, laying out and establishing of Rural Avenue from the west line of East Fourteenth Street to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company

and afterwards on the 14th day of July 1909 by resolution, appointed J F Kerichem, W W Terry and P J Kelly viewers of the said proposed opening, laying out and establishing of Rural Avenue

to meet at the office of the Auditor of the City of Portland, on the 4th day of August 1909 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 opening, laying out and establishing of Rural Avenue 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 J F Kerichem, W W Terry and P J Kelly viewers of the proposed opening, laying out and establishing of Rural Avenue is hereby adopted, of which report the following is a copy, to-wit:

August, 1909, at 10 o'clock P. M., at which time we proceeded to Portland, Oregon, Dec. 8th, 1909. view the proposed opening, laying out and establishing of Rural Avenue 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, having made such view and assessment of benefits and damages, and the same being satisfactory to the Council, we the undersigned, J F Kerichem, W W Terry and P J Kelly, do hereby report to the Honorable Mayor and Council, Of the City of Portland, Oregon.

Gentlemen:-

We, the undersigned, having been appointed viewers by a resolution adopted at a regular meeting of the Council of the City of Portland on the 14th day of July, 1909, in the matter of the proposed opening, laying out and establishing of Rural Avenue from the west line of East Fourteenth Street to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company, in accordance with the report of the City Engineer, adopted by Ordinance numbered 19568, do, as such viewers, respectfully report that in pursuance of individual notices to ourselves by the Auditor of the City of Portland, of our appointment, we met on Wednesday, the 4th day of August, 1909, 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 or parcels of land proposed to be appropriated to public use by the opening, laying out and establishing of said Rural Avenue.

We also received a claim from the following party for damages that will be sustained by him by reason of the opening, laying out and establishing of said street in the manner proposed.

T. V. Walker

the matter of the proposed opening, laying out and establishing of Rural Avenue from the west line of East Fourteenth Street to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company

and afterwards on the 14th day of July 1909 by resolution, appointed J. F. Hertchem, W. W. Terry and P. J. Kelly viewers of the said proposed opening, laying out and establishing of Rural Avenue

to meet at the office of the Auditor of the City of Portland, on the 4th day of August 1909 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 opening, laying out and establishing of Rural Avenue 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 J. F. Hertchem, W. W. Terry and P. J. Kelly viewers of the proposed opening, laying out and establishing of Rural Avenue ~~Street~~, is hereby adopted, of which report the following is a copy, to-wit:

August, 1909, at 10 o'clock P. M. at which time we proceeded to Portland, Oregon, Dec. 8th, 1909. view the proposed opening, laying out and establishing of Rural Avenue through the whole length thereof, and the grounds and improvements on, along and adjacent to said proposed Avenue, 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 the party hereinbefore mentioned, we presented to the Honorable Mayor and Council, the claim of the City of Portland, Oregon. Of the City of Portland, Oregon. Gentlemen:-

We, the undersigned, having been appointed viewers by a resolution adopted at a regular meeting of the Council of the City of Portland on the 14th day of July, 1909, in the matter of the proposed opening, laying out and establishing of Rural Avenue from the west line of East Fourteenth Street to a line that is 30 feet easterly from and parallel with a line that is midway between the tracks of the Oregon Water Power and Railway Company, in accordance with the report of the City Engineer, adopted by Ordinance numbered 19568, do, as such viewers, respectfully report that in pursuance of individual notices to ourselves by the Auditor of the City of Portland, of our appointment, we met on Wednesday, the 4th day of August, 1909, 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 or parcels of land proposed to be appropriated to public use by the opening, laying out and establishing of said Rural Avenue.

We also received a claim from the following party for damages that will be sustained by him by reason of the opening, laying out and establishing of said street in the manner proposed.

J. E. Walker

We then adjourned to meet on Thursday, the 5th day of August, 1909, at 4 o'clock P. M. at which time we proceeded to view the proposed opening, laying out and establishing of said avenue through the whole length thereof, and the grounds and improvements on, along and adjacent to said proposed avenue, 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 the party hereinbefore mentioned, we determined, found and assessed the damages that will be sustained by the taking of property and the benefits that will be derived by the parties respectively by reason of the opening, laying out and establishing of said avenue as aforesaid.

The proposed opening, laying out and establishing of Rural Avenue is 60 feet in width and is more particularly bounded and described as follows, to-wit:

Commencing at a point in the west line of East Fourteenth Street where the same is intersected by a westerly extension of the south line of Rural Avenue as laid out in City View Park Addition to East Portland, and running thence westerly along said westerly extension of the south line of Rural Avenue 186.43 feet to a point 30 feet easterly from a line midway between the tracks of the Oregon Water Power and Railway Company; thence northerly 30 feet easterly from and parallel with a line midway between the tracks of the Oregon Water Power and Railway Company, 62.54 feet to a point; thence easterly 50 feet north of and parallel with the south line of the proposed opening, laying out and establishing of Rural Avenue as above described 162.51 feet to an intersection with the west line of East Fourteenth Street; thence south along the west line of East Fourteenth Street 60 feet to the place of beginning.

The proposed opening, laying out and establishing of

We find and determine that the persons named in the table next following, as the owners of lots or parcels of land situate on Rural Avenue as above described will include and necessitate the appropriation to public use of all that parcel or tract of land lying within the boundaries of the proposed opening, laying out and establishing of Rural Avenue as above described, containing 10679 square feet.

We find and determine that J. W. Walker, as owner of a tract of land bounded and described as follows: Beginning 30 feet west and 60 feet south of the northwest corner of Block 8, City View Park Addition; thence south 300 feet; thence west 100 feet; thence north 100 feet; thence west 180 feet to west line of tract described in Book "I", Page 82; thence northerly tracing said west line to a point due west of beginning; thence east 120 feet to beginning, 10679 square feet of which will be appropriated to public use by the opening, laying out and establishing of Rural Avenue, will be damaged, and said land will be rendered less valuable by reason of the opening, laying out and establishing of said avenue, and we estimate and assess said damages in the sum of \$1000.00.

We find and determine that J. W. Walker, as owner of a tract of land bounded and described as follows: Beginning 30 feet west and 60 feet south of the northwest corner of Block 8, City View Park Addition; thence south 300 feet; thence west 100 feet; thence north 100 feet; thence west 180 feet to west line of tract described in Book "I", Page 82; thence northerly tracing said west line to a point due west of beginning; thence east 120 feet to beginning, except that part appropriated to public use by the opening, laying out and establishing of said avenue, will be specially benefited, and said land will be rendered more valuable by reason of the opening, laying out and establishing of said avenue, and we estimate and assess said benefits and advantages in the sum of \$1000.00.

We find and determine that the persons named in the table next following, as the owners of lots or 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 avenue, 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 sums 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 avenue, as aforesaid.

BLOCK	LOT	OWNER	BENEFITS AND EXCESS OF BENEFITS.
CITY VIEW PARK ADDITION.			
8	5	Geo. Flavel Heirs	4.00
	6	B. T. Hulsda	5.00
	7	"	6.00
	8	Julia I. Cleveland	7.00
	9	J. B. Hibbard	10.00
Und. 1/2 -	10	Margaret A. J. Johnson	4.50
Und. 1/2 -	10	E. J. Johnson	4.50
	16	Willa E. Bybee	4.00
9	15	Geo. Flavel Heirs	5.00
	14	J. B. Hibbard	6.00
	13	Clara M. Franklin	7.00
	12	Inez De Lashmatt	10.00
	11	Albert W. Lambert	9.00
Total Sundry Property Owners			\$ 82.00

SUMMARY.

	DAMAGES	BENEFITS	EXCESS DAMAGES	EXCESS BENEFITS.
J. W. Walker	1000.00	1000.00		
Sundry Property Owners		82.00		82.00
Expense of Surveying and Advertising	46.00		46.00	
Expense of Viewing	36.00		36.00	
	\$ 1082.00	1082.00	82.00	82.00

Respectfully submitted,

J. P. Karkhan

W. W. Terry

P. J. Kelly

Viewers in the matter of the
opening, laying out and establish-
ing of Rural Avenue.

*Submitted
Portland*

OFFICE OF THE
AUDITOR OF THE CITY OF
PORTLAND
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Passed the Council JAN 12 1910 190

A. L. BARBUR
Auditor of the City of Portland.

APPROVED JAN 14 1910 190
JOSEPH SIMON Mayor

Submitted to the Mayor JAN 13 1910 190