

ORDINANCE No. 80265

26/1 C-5388

An Ordinance adopting the City Engineer's report made pursuant to Resolution No. 22385 for the proposed laying out and establishing of N.W. 26th Avenue, 60 feet in width, between N.W. Yeon Avenue and N.W. Front Avenue, in the City of Portland, Oregon.

The City of Portland does ordain as follows:

Section 1. The City Engineer's report filed with the City Auditor July 17, 1944, pursuant to Resolution No. 22385 for the proposed laying out and establishing of N.W. 26th Avenue, 60 feet in width, between N.W. Yeon Avenue and N.W. Front Avenue, in the City of Portland, Oregon, is hereby adopted, approved and confirmed, which report, omitting map attached, is in words and figures as follows:

Portland, Oregon

July 13, 1944

TO THE COUNCIL OF THE
CITY OF PORTLAND, OREGON.

Gentlemen:

Pursuant to Resolution No. 22385, adopted by the Council June 15, 1944, directing me to make a survey and plat of the opening of N.W. 26th Avenue, 60 feet in width, between N.W. Yeon Avenue and N.W. Front Avenue, and a written report thereon as provided by the City Charter; I have made such 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 of N.W. 26th Ave.," and I make this my written report as follows:

DESCRIPTION OF PROPERTY REQUIRED

A full description of such proposed opening is as follows:

Beginning at a point in Sec. 29, T.1N., R.1E., W.M.; at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 683 at Page 104 of Photostatic Deed Records of Multnomah County, Oregon, which point is in the northeasterly line of N.W. Yeon Avenue; thence North 29 degrees 48 minutes 30 seconds East along the westerly line of said tract and its northeasterly projection a distance of 876.37 feet to a point on the southwesterly line of N.W. Front Avenue; thence North 48 degrees 44 minutes 20 seconds West along the southwesterly line of N.W. Front Avenue a distance of 61.22 feet to a point which is 60 feet distant from first mentioned course when measured at right angles thereto; thence South 29 degrees 48 minutes 30 seconds West 894.78 feet to an intersection with the northeasterly line of N.W. Yeon Avenue; thence South 66 degrees 08 minutes East along the northeasterly line of N.W. Yeon Avenue 60.33 feet to the place of beginning.

(11111)

DESCRIPTION OF PARCELS REQUIRED

TRACT NO. 1, PARCEL "A":

Beginning at a point in Sec. 29, T.1N., R.1E., W.M.; at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 683 at Page 104 of Photostatic Deed Records of Multnomah County, Oregon, which point is in the northeasterly line of N.W. Yeon Avenue; thence North 29 degrees 48 minutes 30 seconds east along the westerly line of said tract, 601.01 feet to the southerly right of way line of the Northern Pacific Railway; thence North 48 degrees 44 minutes 20 seconds west along said right of way line 61.22 feet; thence South 29 degrees 48 minutes 30 seconds West, 619.42 feet to the northeasterly line of N.W. Yeon Avenue; thence South 66 degrees 08 minutes East along said northeasterly line 60.32 feet to the place of beginning; containing 0.64 acres.

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

TRACT NO. 2, PARCEL "A":

Commencing at a point in Sec. 29, T.1N., R.1E., W.M.; at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 683 at Page 104 of Photostatic Deed Records

of Multnomah County, Oregon, which point is in the north-easterly line of N.W. Yeon Avenue; thence North 29 degrees 48 minutes 30 seconds East along the westerly line of said tract, 601.01 feet to the southwesterly line of the Northern Pacific Railway Co. Right of Way, said point being the true point of beginning of this description; thence North 48 degrees 44 minutes 20 seconds west along the southwesterly line of said Right of Way 61.22 feet; thence North 29 degrees 48 minutes 30 seconds East, 71.42 feet to the northeasterly line of the Northern Pacific Railway Co. Right of Way; thence South 48 degrees 44 minutes 20 seconds East along the northeasterly line of said Right of Way 61.22 feet; thence South 29 degrees 48 minutes 30 seconds West 71.42 feet to point of beginning; containing 0.13 acres.

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

TRACT NO. 3, PARCEL "A":

Commencing at a point in Sec. 29, T.1N., R.1E., W.M., at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 685 at Page 104 of Photostatic Deed Records of Multnomah County, Oregon, which point is in the northeasterly line of N.W. Yeon Avenue; thence North 29

degrees 48 minutes 30 seconds East, 672.43 feet to the northeasterly line of the Northern Pacific Railway Right of Way, said point being the true point of beginning of this description; thence North 48 degrees 44 minutes 20 seconds East along the northeasterly line of said Right of Way 61.22 feet; thence North 29 degrees 48 minutes 30 seconds East, 203.94 feet to the southwesterly line of N.W. Front Avenue; thence South 48 degrees 44 minutes 20 seconds East along the southwesterly line of N.W. Front Avenue, 20.99 feet to the westerly line of the Oregon Terminals, Inc. 20-foot spur track right of way; thence South 29 degrees 45 minutes West along said right of way 23.50 feet to a point of tangency with a curve to the left, having a radius of 250.5 feet; thence southerly on such curve a distance of 142.18 feet to an intersection with the easterly line of the new street herein proposed; thence South 29 degrees 48 minutes 30 seconds west, 53.33 feet to point of beginning; containing 0.181 acres.

TRACT NO. 3, PARCEL "B":

Commencing at a point in Sec. 29, T.1N., R.1E., W.M., at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 685 at Page 104 c? Photostatic Deed Records of Multnomah County, Oregon, which point is in the

northeasterly line of N.W. Yeon Avenue; thence North 29 degrees 48 minutes 30 seconds East along the westerly line of said tract of land and its northeasterly extension, 876.37 feet to the southwesterly line of N.W. Front Avenue; thence North 48 degrees 44 minutes 20 seconds West along the southwesterly line of N.W. Front Avenue 19.38 feet to the easterly line of Oregon Terminals, Inc. spur track right of way; thence South 29 degrees 45 minutes West along the said easterly right of way line 19.44 feet to a tangent point of a curve to the left with a radius of 230.5 feet; thence southerly along said curve 95.05 feet to an intersection with the easterly line of the new street herein proposed; thence North 29 degrees 48 minutes 30 seconds East, 108.32 feet to point of beginning; containing .037 acres.

The foregoing parcels are all of a tract of land herein designated as Tract No. 3.

TRACT NO. 4, PARCEL "A":

Commencing at a point in Sec. 29, T.1N., R.1E., W.M. at the most westerly corner of that tract of land conveyed by the City of Portland, a municipal corporation, to the Eastern & Western Lumber Co., an Oregon corporation and recorded in Book 683 at Page 104 of Photostatic Deed Records of Multnomah County, Oregon, which point is in the northeasterly line of N.W. Yeon Avenue; thence North 29 degrees 48 minutes 30 seconds East along the west line of said tract of

land and its northeasterly extension 876.37 feet to the southwesterly line of N.W. Front Avenue; thence North 48 degrees 44 minutes 20 seconds West along the southwesterly line of N.W. Front Avenue 40.23 feet to the westerly line of the Oregon Terminals, Inc. spur track right of way, said point being the true place of beginning of this description; thence South 29 degrees 45 minutes West along said westerly right of way line, 23.50 feet to a point of tangency with a curve to the left, having a radius of 250.5 feet; thence Southerly along said curve a distance of 142.18 feet to an intersection with the easterly line of the new street herein proposed; thence North 29 degrees 48 minutes 30 seconds East, 42.29 feet to a point in the easterly right of way of said spur track and 20 feet distant from the westerly right of way line of said spur track, when measured on a radial line; thence northerly on a curve to the right with a radius of 230.5 feet and along the easterly right of way line of said spur track, a distance of 95.05 feet; thence North 29 degrees 45 minutes East along said easterly right of way line 19.44 feet to an intersection with the southwesterly line of N.W. Front Avenue; thence North 48 degrees 44 minutes 20 seconds West along the southwesterly line of N.W. Front Avenue, 20.40 feet to the place of beginning; containing 0.63 acres.

The foregoing parcel is all of a tract of land herein designated as Tract No. 4.

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 **Opening of N.W. 26th Avenue** 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	Reported Owner
Tract No. 1 0.511 Acres	Parcel "A" 0.511 Acres	None	\$1.00	None	\$1.00	None	City of Portland (Del. Tax) Easement over north 140.0 feet to Northern Pacific Terminal Co. for railroad purposes. P.S.D.S. 745 - P. 187.	Multnomah County
Tract No. 2 0.13 Acres	Parcel "A" 0.13 Acres	None	\$1.00	None	\$1.00	None		Northern Pacific Railway Company
Tract No. 3 0.218 Acres	Parcels "A" & "B" 0.218 Acres	None	\$1.00	None	\$1.00	None	City of Portland (Del. Tax)	Multnomah County
Tract No. 4 0.063 Acres	Parcel "A" 0.063 Acres	None	\$1.00	None	\$1.00	None	Franchise to be granted by City in lieu of appropriate lien upon request of Oregon Terminals, Inc.	Oregon Terminals, Inc.

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

No assessment of benefits to a local district is contemplated in this report, therefore no assessment district is herein described.

S U M M A R Y

A summary showing withal the excess of benefits and excess of damages relative to lots, tracts and parcels of land, a part of which is embraced within the proposed opening of N.W. 26th Avenue, which damages and benefits are off-set protanto.

TRACT NO.	DAMAGES	BENEFITS	EXCESS DAMAGES	EXCESS BENEFITS
1	\$ 1.00	None	\$1.00	None
2	1.00	None	1.00	None
3	1.00	None	1.00	None
4	1.00	None	1.00	None
Excess Benefits to be defrayed by City of Portland	None	\$4.00	None	\$4.00
TOTALS	\$ 4.00	\$4.00	\$4.00	\$4.00

Respectfully submitted,

Bruce M. ...
CITY ENGINEER

Passed by the Council, AUG 31 1944

W. H. Jones
PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

John J. McManus

Attest:

E. A. R.

Auditor pro tem of the City of Portland

