

An ordinance re-assessing the following described real property to the L. B. Menefee Lumber Company, a corporation, to-wit: "A tract of land beginning at a point north 31 degrees 30' west 2.79 chains from the quarter corner between sections 35 and 36 Township 1 South, Range 1 East, Willamette River: thence with the meanders of the said river down to the north 20 degrees 30' east to a point 100 feet measured along the east bank of said east bank of said river southerly from the southwest corner of the Hagenbeger Tract, or what is known as the Kellogg Block; thence easterly in a straight line 300 feet more or less to a stake on the east bank of the mill pond at the northeast corner of what is known as the Ryan Tract; thence south 31 degrees 30' east 4.51 chains to the point of beginning; save and excepting that portion of the above described tract now occupied by Front Street and the portion occupied by the P. R. Co. as a right of way", in three distinct and separate parcels, and a portion of the cost of the improvement of Front Street, in Milwaukie,

WHEREAS, on the 28th day of May, 1914, the Mayor and the City Council of the Town of Milwaukie, duly enacted and approved Ordinance No. 113, in said Town, the same being an Ordinance declaring an assessment for the improvement of Front Street in the Town of Milwaukie, Oregon, from the north limits of said town to the south limits thereof; and declaring an emergency; by which Ordinance there was levied upon the real property hereinafter describea, the sum of Sixteen Hundred and Ninety-four and nineteen one-hundredths (\$1694.19) Dollars, as an assessment chargeable to said real property, for benefits accruing thereto by reason of the improvement of said Front Street in said Town of Milwaukie, said assessment being levied upon said real property as one tract or parcel of land and

WHEREAS, thereafter L. B. Menefee Lumber Company, a corporation, the owner of said real property, brought a suit in the Circuit Court of the State of Oregon, for Clackamas County, against said Town of Milwaukie,

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O R D I N A N C E N O. 134.
(Cont'd)

necessary to have said assessment declared invalid, and to have the same cancelled
 e Bull Run Road; and the entry thereof vacated upon the Lien Docket of said
 laying out of water in said suit, such proceedings were had, that the Court on the
 inance sheet of October, 1915, duly rendered and entered an interlocutory
 he Mayor of said cause, whereby the Court adjudged that said assessment was
 in that, the same was levied against the said real property here-
 G. C. Peck described, as one tract or parcel of land; whereas, the same con-
 the Court found, of three separate and distinct tracts or parcels
 and adjudged that the said assessment should be apportioned to the
 rate and several tracts of land hereinafter described; and
 l property on motion of counsel for the said town of Milwaukie in said suit,
 o-wit: "A" was acquiesced in by the said L. B. Menefee Lumber Company,
 79 chains of said real property, the Court by its interlocutory decree,
 South, Ran- that the said Town of Milwaukie might proceed to correct such ir-
 east bank of assessment by re-assessing the aforesaid real property, as three
 id river, and distinct tracts or parcels of land, in accordance with the
 d along the of the Charter of said Town of Milwaukie, by an assessment not
 uthwest of the sum of \$973.83 upon tract No. 1, hereinafter described; by
 Block; that assessment not to exceed the sum of \$630.36 upon tract No. 2, herein-
 a stake of and by an assessment not to exceed the sum of \$90.00 upon
 is known tract No. 3, hereinafter described: provided, that the amount of such re-
 ins to the assessment against said three separate and distinct tracts or parcels of
 ve descri- land in the aggregate, the aforesaid sum of Sixteen
 by the P- and ninety-four and nineteen one-hundredths (\$1694.19) Dollars; and
 rate par- the Court further adjudged and decreed that the entry of the
 eet, in M- assessment against said real property on the Lien Docket of said
 the City of Milwaukie, be vacated and cancelled,
 nance No. 134, and the same are hereby levied
 assessment against the following described tracts or parcels of land be-
 Oregon, and the L. B. Menefee Lumber Company, to pay a portion of the Cost
 ; and dec- improvement of Front Street:
 he real p- That the following amounts be and the same are hereby levied
 a Ninety-fo- against the following described tracts or parcels of land be-
 assessment ch- the L. B. Menefee Lumber Company, to pay a portion of the Cost
 by reason of improvement of Front Street:
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ORDINANCE NO. 134.
(Cont'd)

Tract No. 1.

Beginning at a point on the westerly line of a tract of land by the Portland Railway Light & Power Company which point is south 31 degrees 30' West 171 feet distant from a point North 31 degrees 30' West 2.79 chains distant from the quarter section corner between sections 35 and 36, Township 1 South, Range 1 East of the Willamette Meridian; thence south 79 degrees 30' west 5.27 chains to the east bank of the Willamette River; thence with the meanders of said river down stream north 28 degrees 30' east to a point 100 feet measured along the meanders of the east bank of said river southerly from the southeast corner of the Kelllogg Tract, or what is known as Kellogg Block; thence northeasterly a straight line 242 feet more or less, to an intersection with the line of Front Street, said intersection being in a line between the named point and the northeast corner of what is known as the Ryan Tract; thence southerly along the westerly line of Front Street and the line of a tract of land owned by the Portland Railway Light & Power Company and heretofore referred to, a distance of 268 feet more or less to the place of beginning.

Tract No. 2.

Beginning at a point in the easterly line of Front Street, said point being north 31 degrees 39' west 201 feet more or less from the quarter section corner between sections 35 and 36, Township 1 South, Range 1 East of Willamette Meridian; thence north 31 degrees 30' east 198 feet more or less, to an intersection with the southerly line of Madison Street; thence westerly with the southerly line of said Madison Street 25 feet more or less, to a point in the easterly line of Front Street; thence southerly with the easterly line of said Front Street, 215 feet more or less to the place of beginning.

Tract No. 3.

Beginning at a point where the westerly line of Front Street intersects the southerly line of the Ryan Tract, said point being south 31 degrees 30' west 70 feet distant from a point north 31 degrees 30' West 2.79 chains from the quarter section corner between section 35 and 36, Township 1 South, Range 1 east, Willamette Meridian; thence South 79 degrees 30' west 40 feet more or less to a tract of land owned by the Portland Railway Light & Power Company; thence northerly along the line of said tract a distance of 55 feet more or less, to the southerly line of said tract a distance of 55 feet more or less, to the southerly line of Front Street; thence southeasterly along the southerly line of said Front Street a distance of 70 feet more or less to the place of beginning.

Section 2. That the Recorder be and he is hereby instructed to assess said assessment in the City Lien Docket as required by the Town Code.

Passed the Council this 9th day of November, 1915.

Approved by the Mayor this 9th day of November, 1915. G. C. Fell

ATTEST: D. P. Mathews, Recorder.