

ORDINANCE No. 189757

*Amend Ordinance to revise the legal description for SE Washington St (Ordinance; amend Ordinance No. 181698; VAC -10037)

The City of Portland ordains:

Section 1. The Council finds:

1. On February 24, 1988, City Council passed Ordinance No. 160500 which vacated a portion of SE Washington Street west of SE 32nd Avenue as recorded in Book 2092, Page 501 on April 4, 1988, Multnomah County Deed Records.
2. On March 26, 2008, City Council passed Ordinance No. 181698 vacating SE Washington Street east of SE 30th Avenue as recorded in Document No. 2008-065623 on April 30, 2008, Multnomah County Deed Records.
3. The intent of said 2008 ordinance was to vacate all of the remaining portion of SE Washington Street between SE 30th and SE 32nd Avenues.
4. Due to a land use development application for adjacent property (19-169079 LU), the Portland Bureau of Transportation ("PBOT") became aware of a five-foot gap between the two vacation projects due to an error in the legal description.
5. PBOT supports amending said 2008 vacation ordinance to include the five-foot gap thereby vacating all of SE Washington Street east of SE 30th Avenue and west of said 1998 Ordinance.

NOW, THEREFORE, the Council directs:

- a. Section 1.a of Ordinance No. 181698 is deleted in its entirety and replaced with the following new Section 1.a:
That portion of SE Washington Street from the east right-of-way line of SE 30th Avenue (being 60.00 feet wide) extending east, a distance of 238.31 feet to the west boundary of said Ordinance No. 160500 as depicted on the attached **Revised Exhibit 1** and incorporated by reference. Said vacation area contains 4,766 square feet, more or less.
- b. All other terms and provisions of Ordinance No. 181698 shall remain unchanged and all conditions thereof shall remain in full force and effect.

Section 2. The Auditor will return a certified copy of this ordinance to the Right-of-Way Acquisition Section ("RWA"), PBOT, which will file with the recorder, the assessor, and the surveyor of the county in which said property is located, the certified copy of this ordinance and any map, plat, or other record which may be required by law. RWA will return a copy of the recorded ordinance to the Auditor and retain the original recorded ordinance in RWA File No. 8952.

Section 3. The Council declares that an emergency exists because a delay in the recording of this ordinance will delay meeting the requirements of the land use application and thereby delay the start of construction of the abutting project and have a negative impact on its construction schedule; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

NOV 06 2019

Passed by the Council,

Commissioner Chloe Eudaly
Prepared by: Dee A. Walker: cb
Date Prepared: 10/17/2019


Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Chloe Eudaly</p>	<p>CLERK USE: DATE FILED <u>OCT 29 2019</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration – Wheeler</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p>	<p>Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: PBOT Group: Development Permitting & Transit Group Manager: Christine Leon Director: Chris Warner</p> <p>Prepared by: Dee A. Walker; CB Supervisor: Dave McEldowney Date Prepared: October 17, 2019</p>	<p>ACTION TAKEN:</p>
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date: <u>October 30, 2019</u></p>	<p><u>Nov. 6, 2019</u></p>

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 15 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Hardesty	✓	
4. Eudaly	✓	
Wheeler	_____	