

OCT 13 10 45 AM 1976

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.BY *[Signature]*

ACCEPTANCE

Portland, Oregon, _____ October 7, _____ 1976

GEORGE YERKOVICH
Auditor of the City of Portland,
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 142610, passed by the Council October 6, 1976, vacating a portion of S. E. Henry Street between S. E. Foster Road and S. E. 99th Avenue, under certain conditions.

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

Roland F. Neuman

Roland Neuman

Elsie A. Neuman[CORPORATE
SEAL]

10335 S. W. 70th Avenue, Portland (23)

Address

Approved as to form: *TO FORM**[Signature]*

City Attorney
ATTORNEY

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

142610

RECEIVED

Nov 5 10 53 AM 1976

GEORGE YERKOVICH
CITY AUDITOR

ACCEPTANCE

Portland, Oregon, _____ October 7, _____ 1976

GEORGE YERKOVICH
Auditor of the City of Portland.
Room 202, City Hall
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and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

[CORPORATE
SEAL]

Robert E. Poole

George D. Teeny

Thomas E. Wortendyke

9915 S.E. Foster Road, Portland (66)

APPROVED AS TO FORM

Approved as to form:

John W. Auburn
City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE NO. 142610

An Ordinance vacating a portion of SE Henry Street between SE Foster Road and SE 99th Avenue, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds:

1. By Resolution No. 31726 adopted by the Council August 4, 1976, proceedings were initiated for the vacation of a portion of SE Henry Street.
2. The purpose of the vacation is to enlarge residential yard area.
3. The vacation is recommended by the Commissioner of Public Works with certain conditions set forth in the directive action below.
4. In accordance with ORS 271.100 the Council fixed a time and place for public hearing before the Council; the Auditor published notice thereof; and posted notice in the area proposed to be vacated.
5. Other procedural requirements of ORS 271 have been complied with and the Council having held a public hearing finds no objections were made or filed thereto and it is in the public interest that said street be vacated.

NOW, THEREFORE, the Council directs:

The northwesterly 25 feet and the southeasterly 25 feet of SE Henry Street lying between the westerly extension of a line drawn 21 feet northerly of and parallel with the southerly line of Lot 1, Block 4, McKinley Park, a recorded plat, and a line drawn 50 feet southwesterly of and parallel with the northeasterly line of SE 99th Avenue is vacated subject to the following conditions and reservations:

- (1) Nothing herein contained shall cause or require the removal or abandonment of any sewer, water or gas main, conduit of any kind, wire, pole or thing used or intended to be used, for any public service, and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things; and no building or structure of any kind shall be built or erected within a distance of ten feet from the center line of any utility, except with the prior written consent of the City Engineer and the owner of the utility and that any and all building plans in said vacated area shall be submitted for approval to the City Engineer and to the Director of the Bureau of Buildings to the end that such construction may be so adjusted with reference to all public utilities in said area as to cause a minimum of danger or inconvenience to the public and to the owner of such utility and to protect and preserve the same as presently constructed, or hereafter reconstructed, renewed, replaced and/or enlarged, with the special condition that an easement 15 feet in width is reserved

ORDINANCE No.

for future construction and maintenance of sanitary sewers, said easement to be located adjacent to the northwesterly side of that portion of SE Henry Street herein retained for public walkway.

Section 2.

- a. Roland Neuman, 10335 SW 70th Avenue, Portland, Oregon 97223, and Robert E. Poole, George D. Teeny and Thomas E. Wortendyke, 9915 SE Foster Road, Portland, Oregon 97266, shall file with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof.
- b. The City Auditor shall file with the recorder, the assessor, and the surveyor of the County in which said property is located, a certified copy of this ordinance and the acceptance thereof, and any map, plat or other record which may be required by law.

ORDINANCE NO. 142610

Title

SEP 29 1976

TO THIRD READING OCT 6 1976

SEP 24 1976

GEORGE A. KROVICH

Recorder of the City of Portland

Passed by the Council,

OCT - 6 1976

ORDER OF COUNCIL
9-20-76

Robert J. Harper:bd

[Signature]
PRESIDENT OF THE COUNCIL AND ACTING
Mayor of the City of Portland

Attest:

[Signature]
Auditor of the City of Portland

3053
Calendar No. 2967

ORDINANCE No. 142610

Title

An Ordinance vacating a portion of SE Henry Street between SE Foster Road and SE 99th Avenue, under certain conditions. (C-8957)

SEP 29 1976

PASSED TO THIRD READING OCT 6 1976

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Ivancie	1	
Jordan	1	
McCreedy	1	
Schwab	1	
Goldschmidt	1	

FOUR-FIFTHS CALENDAR

Ivancie	
Jordan	
McCreedy	
Schwab	
Goldschmidt	

Filed **SEP 24 1976**

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

Deputy

INTRODUCED BY
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Street & Structural Engineering
Prepared By: Date:

Carl Short 9-20-76

Budget Impact Review:

☐ Completed ☒ Not required

Bureau Head:

John M. Lang, Chief

NOTED BY

City Attorney

City Auditor

City Engineer

Cowles Mallory