

Ordinance No. 42226

An Ordinance vacating that portion of 60th Street Southeast which lies between 42nd Avenue Southeast and Foster Road.

WHEREAS, due notice has been given by advertisement thereof for four weeks, towit, from August 22, 1921 to September 19, 1921, both dates inclusive, in the Daily Record-Abstract, the City Official Newspaper, published in the City of Portland, Multnomah County, ~~Oregon~~ State of Oregon, that at a regular meeting of the Council of said City to be held on the 28th day of September, 1921, a petition would be presented to said Council praying for the vacation of all that portion of 60th Street Southeast in the City of Portland, Oregon, which is described as follows: Beginning at the southwest corner of lot 9, block 2, Stewart Park; thence northwesterly along the northeasterly line of Foster Road a distance of 29.3 feet; thence northeasterly a distance of 39.5 feet to a point in the west line of said lot 9, block 2, which point is 14 feet south of the northwest corner of said lot 9, block 2; thence south along the west line of lot 9, 49.2 feet to place of beginning, which said notice together with due proof of publication was filed in the office of the Auditor of said City of Portland on September 23, 1921, prior to the presentation of said petition to the Council, and

WHEREAS, the petition hereinbefore referred to was duly presented to said Council on said date, towit, September 28, 1921, which said petition duly set forth a description of said portion of said street sought to be vacated and the reasons for such vacation and the purpose for which the ground is proposed to be used and said petition was duly signed by Alex. L. Blanc, A.M. Howell and others, and

WHEREAS, there was appended to said petition as a part thereof and as a basis for such vacation and as a basis for the granting of the prayer of said petition, the consent of the owners in fee simple of at least two-thirds of the real estate fronting upon both sides of the portion of said street proposed to be vacated, estimated upon the frontage of said portion of said street, such frontage commencing at a line drawn equidistant from the termini of said portion of said street proposed to be vacated and extending along such proposed vacation the entire length thereof and two hundred feet in each direction from the termini thereof, except to the south, said 60th Street Southeast being not continuous south of the northeasterly line of Foster Road, which consent is in writing and duly acknowledged before an officer authorized to take acknowledgements and is attached to said petition and filed therewith with the Auditor of ~~said~~ said City, and

WHEREAS, the Council upon the presentation of said petition and the filing of proof of publication of the notice thereof, did fix a meeting of said Council to be held on the 19th day of October, 1921, at 10 o'clock A.M. as the time for hearing said petition and any objections that might be filed thereto, and

WHEREAS, at said time so fixed by the Council for such hearing, said petition was duly presented, heard and considered by the Council, there was no objection or objections presented thereto and the Council did find, ascertain and determine and does now hereby find, ascertain and determine that all the foregoing recited facts are true and that all the acts and things above recited have been duly done and performed as required by the charter and ordinances of said City of Portland and that the consent of the owners in fee simple has been given of at least two-thirds of the real property fronting on both sides of said portion of said street proposed to be vacated, estimated upon the frontage of said street, such frontage being as hereinbefore particularly set out, which consent is in writing duly acknowledged before an officer authorized to take acknowledgements and was and is attached to and filed with said petition; that no objections or objection to the vacation of said portion of said street has been made or filed and that the public interest will not be prejudiced by the vacation of said portion of said street, and

WHEREAS, the Council did on said date, to-wit, October 19, 1921, adopt the report of the Commissioner of Public Works and grant the prayer of said petition in its entirety, and

WHEREAS, the owner of lot 9, in block 2 of Stewart Park, in the City of Portland, Multnomah County, State of Oregon, has executed and placed in the hands of the City Engineer a deed dedicating to the public for street purposes the portion shown in the northwest corner of said lot as property to be deeded, and

WHEREAS, the City of Portland is the owner of the remaining portion which is shown upon said map to be deeded, which remaining portion is particularly described as follows: Beginning at the northeast corner of a triangular tract of land bounded by 42nd Avenue Southeast, 60th Street Southeast and Foster Road, thence west 25 feet to a point where a southerly extension of the west line of 60th Street Southeast intersects the north line of the triangular tract of land above described, thence southerly on a curve to the right of a radius of 40 feet and a central angle of $37^{\circ} 57'$, a distance of 26.5 feet to a point of tangency, thence southwesterly a distance of 19.2 feet to a point in the northeasterly line of Foster Road which point is 64.7 feet southeasterly from the northwest corner of the triangular tract of land above described, thence southeasterly along the northeasterly line of Foster Road a distance of 57.6 feet, thence north 75.20 feet to place of beginning, now, therefore,

The City of Portland does Ordain as follows:

Section 1. The findings and action hereinbefore recited are hereby made a matter of record and the Council of the City

of Portland does hereby find and determine that all of the facts, matters and things hereinbefore recited are true and that all of the acts and things above recited have been done and performed as hereinbefore set forth and as required by the charter and ordinances of said City of Portland. The Council further finds and determines that the owners of at least two-thirds of the real property fronting on both sides of said portion of said 60th Street Southeast proposed to be vacated, estimated upon the frontage of said street, such frontage commencing at a line drawn equidistant from the termini of said portion of said street proposed to be vacated and extending along such proposed vacation the entire length thereof and two hundred feet in each direction from the termini thereof, except to the south, said 60th Street Southeast being not continuous south of the northeasterly line of Foster Road, has been obtained, which consent of owners is in writing and duly acknowledged before an officer authorized to take acknowledgements and is and was attached to said petition and filed therewith with the Auditor of said City of Portland. The Council further finds and determines that no objection to the vacation of said portion of said street has been made or filed and that the public interest will not be prejudiced by the vacation of said portion of said street.

Section 2. That all of that portion of said 60th Street Southeast which is described as follows: Beginning at the southwest corner of lot 9, block 2, Stewart Park; thence northwesterly along the northeasterly line of Foster Road a distance of 29.3 feet, thence northeasterly a distance of 39.5 feet to a point in the west line of said lot 9, block 2, which point is 14 feet south of the northwest corner of said lot 9, block 2; thence south along the west line of lot 9, 49.2 feet to place of beginning, in the corporate limits of the City of Portland, Multnomah County, State of Oregon, be and the same is hereby vacated and said vacation of said portion of said street is hereby made a matter of record and said deed above referred to is hereby accepted and the same is directed to be placed of record with the County Clerk and the property owned by the City particularly described above is hereby dedicated to the public for street purposes.

Passed by the Council DEC 20 1922

Geo. R. Baker
Auditor of the City of Portland.

Approved:

GEO. L. BAKER

Mayor of the City of Portland

Ordinance No. 15539