

ORDINANCE ACCEPTANCE

RECEIVED
1958 OCT 21 AM 8 54

Portland, Oregon, October 16 19 58
CITY OF PORTLAND, ORE.
BY *[Signature]*

WILL GIBSON,
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 108894, passed by the City Council October 15, 1958 vacating certain portions of S. W. 17th Avenue and S. W. Caldew Street near S. W. 17th Road, under certain terms and conditions, in lieu of property heretofore deeded to the City for street purposes,

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,

Olive Gnecco
Olive Gnecco
* 228 N. W. 22nd Ave

[CORPORATE
SEAL]

228 N. W. 22nd Avenue
Address

Approved as to form:

[Signature]
CITY DEPUTY 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.

RECEIVED
ORDINANCE ACCEPTANCE

1958 DEC 2 AM 10:08

WILL GIBSON, AUDITOR
CITY OF PORTLAND, ORE.
BY *[Signature]*

Portland, Oregon, October 16 1958

WILL GIBSON,
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

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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,

Lester H. Teschner
Lester H. Teschner

* *Lorraine D. Teschner*
Lorraine D. Teschner

[CORPORATE
SEAL]

7244 S. W. 17th Drive

Address

Approved as to form:

[Signature]
City Attorney

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RECEIVED
ORDINANCE ACCEPTANCE

1958 NOV 3 AM 9:24

WILL GIBSON, Auditor
CITY OF PORTLAND, ORE.
BY *[Signature]* October 16 1958

WILL GIBSON,
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 108894, passed by the City Council October 15, 1958 vacating certain portions of S. W. 17th Avenue and S. W. Caldw Street near S. W. 17th Road, under certain terms and conditions, in lieu of property heretofore deeded to the City for street purposes

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]

Charles C. Dawell

*

Agnes J. Dawell
Agnes Dawell

~~6915 S. W. 69th Avenue~~

Address

10141 SW 55th

Approved as to form:

[Signature]

CHIEF DEPUTY City Attorney

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Portland 19 Oregon
108894

RECEIVED Oct 31, 1958

1958 NOV 3 AM 9:23

WILL GIBSON, AUDITOR
CITY OF PORTLAND, ORE.
BY

Agnes J Dawell

10141 SW 55th.

Mr Will Gibson
Auditor of the city of Portland
Room 202 City Hall
Portland 4 Oregon

Dear Sirs

Let me inform you that
you sent this to the wrong Dawell our address
is Chas C or Agnes J Dawell - 10141 SW 55th
Portland 19 Oregon. Do not send any mail
to 6915 SW 68 which is incorrect. Also
I am deeply sorry to inform you Mr Chas Dawell
passed away and it is necessary for me
to sign this ordinance alone that is if
this with your approval

Respectfully

Agnes J Dawell
10141 SW 55th
Portland 19 Oregon

RECEIVED
ORDINANCE ACCEPTANCE

1958 OCT 24 AM 9:13

Portland, Oregon, October 16, 1958
WILL GIBSON, AUDITOR
CITY OF PORTLAND, ORE.
BY

CAP-5241
June 16, 1958 216

WILL GIBSON,
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

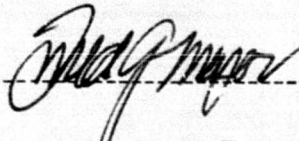
This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 108894, passed by the City Council October 15, 1958 vacating certain portions of S. W. 17th Avenue and S. W. Caldw Street near S. W. 17th Road, under certain terms and conditions, in lieu of property heretofore deeded to the City for street purposes

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,

SIXTH AVENUE CORPORATION

*



720 S. W. Fourth Avenue

Address

[CORPORATE
SEAL]

Approved as to form:



CHIEF DEPUTY 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.

County Clerk's Office, Multnomah County, Oregon

CIRCUIT COURT DEPARTMENT
LITIGATION ACCOUNT

No 3877

Reg. No. *Miss*

Portland, Oregon, *12-10* 195 *8*

RECEIVED OF *Will Gibson*
Two and 50
100

DOLLARS

Plaintiff \$

Defendant \$

Bail \$

Ord # 108894 \$ *2 50*

Total . . . \$ *2 50*

City vs *Surveyors fees*
In the above entitled case.

SI COHN,
County Clerk,

By *E. K. Kell* Deputy

ORDINANCE No. 108894

An Ordinance vacating certain portions of S. W. 17th Avenue and S. W. Caldew Street near S. W. 17th Road, under certain terms and conditions, in lieu of property heretofore deeded to the City for street purposes.

WHEREAS, it appears to the Council that on July 31, 1958, there was filed in the office of the City Auditor a petition signed by Lester H. and Lorraine D. Teschner, Olive Gnecco, and Charles C. and Agnes Dawell, for the vacation of certain portions of S. W. 17th Avenue and S. W. Caldew Street near S. W. 17th Road, in the city of Portland, county of Multnomah, state of Oregon, under the applicable provisions of ORS 271.010 to and including 271.230, and also filed with the Auditor the consents in writing of all owners of property abutting upon the portions of said streets to be vacated, and of more than two-thirds in area of all the real property affected by such vacation; that thereupon the City Auditor gave notice by posting and publication for a period of four successive weeks that said petition, together with any objections, remonstrances or claims for damage which may be made in writing and filed with the Auditor of the city of Portland, Oregon, prior to the time for hearing would be heard and considered by the City Council of the city of Portland, Oregon, at a regular meeting to be held at 9:30 a.m., Wednesday, September 10, 1958, in the Council Chambers of the City Hall of said City; that said notice included as a petitioner the Sixth Avenue Corporation, owner of certain property within the affected area, which handled the street vacation petition for the petitioners; that said notice was first published in the City's official newspaper, to-wit: the Daily Journal of Commerce, on August 8, 1958, and said Auditor within five days after said first publication further published said matter by posting three (3) notices headed "Notice of Street Vacation" in three (3) conspicuous places in the area of said streets proposed to be vacated in the places therein described and designated as follows:

<u>Location</u>	<u>Object to which attached</u>
At the approximate intersection of the easterly line of S. W. 17th Drive and the southerly line of Lot 9, Block 7, Capitol Hill.	On a stake
At the approximate intersection of the east line of S. W. 17th Avenue and the easterly extension of the north line of S. W. Caldew Street.	On a stake
On the approximate east line of S. W. 17th Avenue approximately 70.17 feet south of the northwest corner of Lot 1, Block 6, Capitol Hill.	On a stake

ORDINANCE No. 108894

AND WHEREAS, said matter came on regularly for hearing on September 10, 1958, and no one appeared to object thereto and no objection or remonstrance, nor any claim for damage was filed or made against the same, and

WHEREAS, the Council finds that the petition for said vacation has been investigated by the City Engineer, who recommends that the vacation be granted in lieu of property heretofore deeded to the City by the Sixth Avenue Corporation for street purposes, subject to certain conditions as set forth in his report dated July 22, 1958, and

WHEREAS, the Council finds that the reason for this vacation is for general residential purposes, the same as the adjacent ground, and particularly for building purposes and the reasons for such vacation and the particular circumstances for the vacation are to make use of unused street area brought about by dedication of S. W. Custer Drive, and

WHEREAS, the Council finds that the vacation of the public street area herein described will not injuriously affect the market value of the property abutting or affected by such vacation, but such vacation is in the public interest, and said vacation in all respects will be for the public welfare, and it further appearing that all things have been done as provided by law for the vacation of said street area and that final action should now be taken thereon and such vacation be made a matter of record; now, therefore,

The City of Portland does ordain as follows:

Section 1. It hereby is ascertained and determined that said vacation will not injuriously affect the market value of any of the property abutting upon said street area to be vacated but will be beneficial thereto; that the consent of the owners of all of the property adjacent or abutting the area to be vacated has been obtained in writing, duly acknowledged and filed as hereinabove stated; that notice has been duly and regularly given of such vacation and a hearing thereon duly and regularly had at which time the Council found and does now find that no objections or remonstrances or claims for damages were made or filed against said vacation and that the public interest will not be prejudiced by said vacation, but that said vacation will enhance the public interest and welfare, all of which determinations hereby are made a matter of record.

ORDINANCE No. 108894

Section 2. There hereby is vacated in lieu of property heretofore deeded to the City by the Sixth Avenue Corporation for street purposes, all of the following described property, all in the City of Portland, County of Multnomah, State of Oregon, to-wit:

All that portion of S. W. Caldew Street lying between the west line of S. W. 17th Avenue and a line described as follows:

Beginning at a point in the south line of S. W. Caldew Street, said point lying 48.32 feet westerly from the northeast corner of Lot 7, Block 8, Capitol Hill; thence northwesterly to the intersection of the easterly line of S. W. 17th Drive with the southerly line of Lot 9, Block 7, Capitol Hill; also that portion of S. W. 17th Avenue lying between the easterly extension of the north line of S. W. Caldew Street and a line described as follows: Beginning at a point in the west line of S. W. 17th Avenue, said point lying 34.49 feet south of the northeast corner of Lot 7, Block 8, Capitol Hill; thence southeasterly to a point in the west line of Lot 1, Block 6, Capitol Hill, said point lying south 70.17 feet from the northwest corner of said Lot 1, Block 6, Capitol Hill.

Section 3. This vacation is made contingent and dependent upon the following conditions:

(a) This vacation is made upon the condition and with the reservation that nothing herein contained shall cause or require the removal of or abandonment of any sewer, water main, 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; that no building or structure of any kind shall be built or erected within a distance of ten feet from the center line of any such utility, except by written consent of the City Engineer and the owner of any such utility first had; that any and all contemplated building plans in said vacated area shall be submitted for approval to the City Engineer and to the Director, Bureau of Building Inspections, to the end that such construction may be so adjusted with reference to all public utilities in said area as to cause a minimum amount 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.

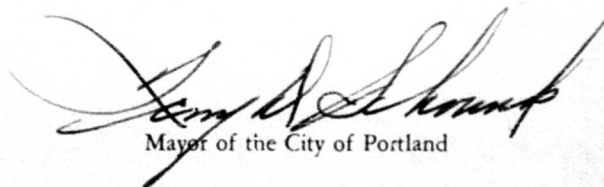
ORDINANCE No. 108894

(b) That the Sixth Avenue Corporation, by Fred Meyer, President, pay all costs incidental to the vacation proceedings herein.

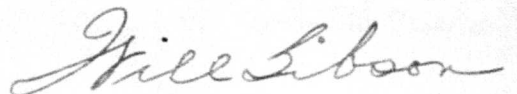
Section 4. That the petitioners and the Sixth Avenue Corporation, by Fred Meyer, President, shall file with the Auditor of the City of Portland an acceptance of this vacation, signed and acknowledged by the petitioners and by said officer, and approved by the City Attorney as to form, and the Auditor shall file for record with the County Clerk of Multnomah County, State of Oregon, a certified copy of this ordinance and said acceptances thereof, as provided by law, and likewise file copies with the County Assessor and the County Surveyor of said County. The filings herein provided shall be at the expense of and shall be paid by the Sixth Avenue Corporation.

Passed by the Council,

OCT 15 1958


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

6-7413

INTRODUCED BY
Order of Council

DRAWN BY
MCR:dh
Date September 23, 1958

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED
Date
By City Engineer
Date
By

Calendar No. 4561
1777

ORDINANCE NO. 108804

Title

An Ordinance vacating certain portions of S. W. 17th Avenue and S. W. Caldw Street near S. W. 17th Road, under certain terms and conditions, in lieu of property heretofore deeded to the City for street purposes.

OCT 1 - 1958

Read 1 & 2

PASSED TO THIRD READING OCT 15 1958

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR

Bean	
Boody	
Bowes	
Earl	
Schrunk	

Filed SEP 24 1958

Will Sibson.
Auditor of the CITY OF PORTLAND

By J. J. Shroy Deputy