

ACCEPTANCE

RECEIVED

Portland, Oregon, _____

January 31 AM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

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. 149002, passed by the Council January 3, 1980, granting to Northwest Natural Gas Company an additional extension of time to January 17, 1980 to comply with Section 1, Condition (h) of Ordinance No. 138348, which vacated portions of NW 2nd Avenue and NW Flanders Street, and declaring an emergency,

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]

NORTHWEST NATURAL GAS COMPANY
BY: J. R. Smith, Vice President

* *J. R. Smith*

123 NW Flanders, Portland, OR 97209

Address

Approved as to form:

[Signature]
CITY ATTORNEY
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. **149002**

An Ordinance granting to Northwest Natural Gas Company an additional extension of time to January 17, 1980 to comply with Section 1, Condition (h) of Ordinance No. 138348, which vacated portions of NW 2nd Avenue and NW Flanders Street, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. At the request of Northwest Natural Gas Company, the City by Ordinance No. 138348 passed by the Council June 6, 1974, vacated, subject to certain conditions, portions of NW 2nd Avenue and NW Flanders Street to provide a suitable site for a four block development of office and retail space.
2. Section 1, Condition (h), of said ordinance required that in the event construction of a four block development of offices and retail space is not commenced within two years from the effective date of the vacating ordinance, Northwest Natural Gas Company, its successors or assigns, shall dedicate for street purposes, in an improved condition acceptable to the City Engineer, all of the street areas received by it resulting from the passage of the vacating ordinance.
3. That due to a general economic slowdown and other complications following passage of the vacating ordinance, the petitioner requested and was granted by Ordinances No. 141708, 142954, 143202, 145010, and 147166, extensions of time to January 6, 1980 to comply with said Condition (h).
4. That while Northwest Natural Gas Company has not yet complied with said Condition (h), it now advises a letter of agreement with a developer has been recently signed which will likely lead to early development of the four block area, and has requested an additional one year extension to January 6, 1981 for compliance with Condition (h) of the vacating ordinance.
5. That the City Engineer has no objection to an additional extension of time to January 6, 1981 for compliance with said Condition (h) or Ordinance No. 138348.

NOW, THEREFORE, the Council directs:

- a. The time allowed to Northwest Natural Gas Company to comply with Section 1, Condition (h) of Ordinance No. 138348 is hereby extended to January 17, 1980.

ORDINANCE No.

149002

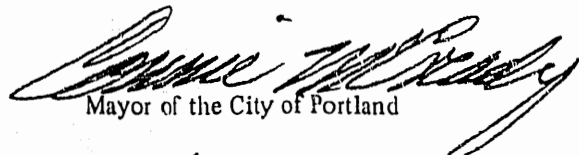
- b. All other conditions of said Ordinance No. 138348 shall remain in force and effect.

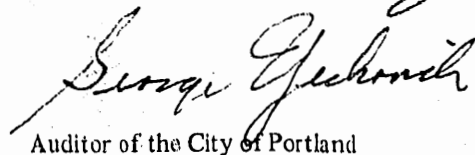
Section 2. The Council declares an emergency exists, because delay in the enactment of this ordinance could cause abandonment of plans to construct a desirable four block development of office and retail space in northwest Portland; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JAN 3 1980

Commissioner Mike Lindberg
Carl Short/sg
December 21, 1979

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

Calendar No. 33

as presented

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready	1	

4

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

ORDINANCE No. 149002

Title

An Ordinance granting to Northwest Natural Gas Company an additional extension of time to January 17, 1980 to comply with Section 1, Condition (h) of Ordinance No. 138348, which vacated portions of NW 2nd Avenue and NW Flanders Street, and declaring an emergency.

JAN 2 1980

CONTINUED TO JAN 3 1980

INTRODUCED BY
Commissioner Mike Lindberg

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>M.L. BHR</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: <i>CS</i> Date: 12/21/79
Carl Short/sg
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>D. Vargas</i> David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer: <i>John M. Lang</i> John M. Lang, Acting City Engr.

Filed DEC 27 1979

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Crall
Deputy