

ORDINANCE NO. 149230

An Ordinance vacating the westerly 5.0 feet of that portion of SW 2nd Avenue lying between the northerly line of SW Madison Street and the southerly line of SW Main Street, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. By Resolution No. 32590 adopted by the Council January 9, 1980, proceedings were initiated for the vacation of the westerly 5.0 feet of that portion of SW 2nd Avenue lying between the northerly line of SW Madison Street and the southerly line of SW Main Street, at the request of the Office of General Services.
2. The purpose of the vacation is to restore Block 25, Portland, to its original 200 x 200 foot size to provide additional flexibility in the design of the proposed Justice Building (replacement for Rocky Butte Jail).
3. The vacation is recommended by the Commissioner of Public Works under certain conditions set forth in the directive action below.
4. In accordance with O.R.S. 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 O.R.S. 271 have been complied with and the Council having held a public hearing, and all objections brought against said vacation were considered by the Council and by this Ordinance are specifically overruled and it is in the public interest that said street be vacated.

NOW, THEREFORE, the Council directs:

- a. The westerly 5.0 feet of that portion of SW 2nd Avenue lying between the northerly line of SW Madison Street and the southerly line of SW Main Street is hereby vacated.
- b. The vacation of the above described street area is granted subject to the following conditions and restrictions:
 - (1) Nothing contained herein shall cause or require the removal or abandonment of any sewer 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; that no building or structure of any kind shall be built or erected within a distance of ten feet from the centerline of

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any such utility, except with the prior written consent of the City Engineer and the owner of the utility and that any and all contemplated 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 hereinafter reconstructed, renewed, replaced and/or enlarged.

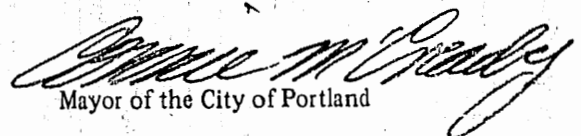
- (2) That a sidewalk area having a minimum width of 12 feet along the west side of SW 2nd Avenue shall be provided.
- (3) That street reconstruction and water service adjustments in accordance with requirements of the City Engineer and Water Engineer shall be included as a part of the construction of the proposed City-County Justice Center on Block 25, Portland.

Section 2. The City Auditor shall file with the recorder, the assessor, the surveyor of the county in which said property is located, a certified copy of this ordinance and any map, plat or other record which may be required by law.

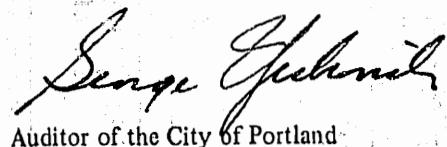
Section 3. The Council declares that an emergency exists because delay in the enactment and effectiveness of this ordinance will cause delay in the design and construction of the proposed Justice Building; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAR 5 1980**

ORDER OF COUNCIL
Stu Keebaugh/sg
February 19, 1980


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

756

Calendar No. 7/15

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(0-9278)

FEB 28 1980

CONTINUED TO MAR 5 1980

FEB 28 1980

Filed _____

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon Crull*
Deputy

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works ML/mgt

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: SK Date: 2/19/80
Carl Short/sg
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: David J. Vargas reg David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer APPROVED: John M. Lang, Acting City Engr.
BY: David J. Vargas reg