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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY [Signature]

Portland, Oregon, March 7 1980

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. 149256, passed by the Council March 5, 1980, vacating all that portion of the north 2.0 feet of SW Sherman Street lying between the southerly extension of the east line of Block C, Caruther's Addition to Caruthers, a duly recorded plat, and a line drawn 118.03 feet west of and parallel with said east line, 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,

[Signature]
William Wright

[Signature]
Karen S. Wright

(CORPORATE SEAL)

4530 SW Kelly, Portland, OR 97201
Address

APPROVED AS TO FORM
Approved as to form:

[Signature]
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. 149256

An ordinance vacating all that portion of the north 2.0 feet of S.W. Sherman Street lying between the southerly extension of the east line of Block C, Caruther's Addition to Caruthers, a duly recorded plat, and a line drawn 118.03 feet west of and parallel with said east line, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds:

1. William and Karin S. Wright on September 11, 1979 filed a petition to vacate all that portion of the north 2.0 feet of S.W. Sherman Street as described above.
2. The petition states the reason for the vacation is to eliminate the encroachment of an existing building into the street right of way presently being allowed by revocable permit.
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 finds no objections were made or filed hereto and it is in the public interest that said street be vacated.

NOW, THEREFORE, the Council directs:

- a. All that portion of the north 2.0 feet of S.W. Sherman Street lying between the southerly extension of the east line of Block C, Caruther's Addition to Caruthers, a duly recorded plat, and a line drawn 118.03 feet west of and parallel with said east line, is hereby vacated.
- b. The vacation of the above described street area is granted subject to the following conditions and restrictions:
 - (1) That the petitioners pay to the City the sum of \$185.00, this being the cost of the vacation proceedings in excess of the minimum filing fee of \$200.00 already paid.

ORDINANCE No.

- (2) 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 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.
- (3) That the petitioners agree to provide and install a barrier, or other suitable method meeting the Traffic Engineer's approval, to prevent direct vehicular access from the petitioner's property to SW Front Avenue.
- (4) That in the event the petitioners fail to fully comply with the above conditions within 6 months after the effective date of this ordinance, said ordinance will then be subject to repeal by the Council.

Section 2.

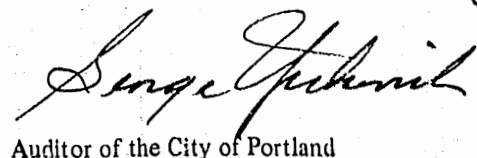
- a. The petitioners shall file with the Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof.
- b. The City Auditor shall, at the expense of the petitioners, file with the recorder, the assessor, the surveyor of the county in which said property 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.

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

ORDER OF COUNCIL
Stu Keebaugh/jmh
February 8, 1980

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

801
7/6

Calendar No. 7

ORDINANCE No. 149256

Title

An Ordinance vacating all that portion of the north 2.0 feet of S.W. Sherman Street lying between the southerly extension of the east line of Block C, Caruther's Addition to Caruthers, a duly recorded plat, and a line drawn 118.03 feet west of and parallel with said east line, under certain conditions. (C-9244)

FEB 28 1980

PASSED TO THIRD READING MAR 5 1980

Filed FEB 22 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: Gordon [Signature]
Deputy

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works MLI mgy

BUREAU APPROVAL
Bureau: Street and Structural Engineering
Prepared By: SK [Signature] Date: 2/8/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: David J. Vargas [Signature] David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang, Acting City Eng.
By: David J. Vargas [Signature]