

ORDINANCE NO. 150309

An Ordinance vacating certain portions of N. Minerva Avenue, N. Syracuse Street, Gilbert Street and the alley in Block 16, Northern Hill Addition, repealing Ordinance No. 148679, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Resolution No. 32493 adopted by the Council August 22, 1979, initiated the vacation of certain portions of N. Minerva Avenue, N. Syracuse Street, Gilbert Street and the alley in Block 16, Northern Hill Addition.
2. The vacation was initiated at the request of the Portland Bureau of Water Works to provide a site for the N. Carey Boulevard Reservoir.
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 thereto and it is in the public interest that said street areas be vacated.
6. Ordinance No. 148679 sought to vacate these street areas subject to conditions; however, to correct certain errors in the description of the street areas intended to be vacated, Ordinance No. 148679 should now be repealed, the street areas to be vacated should be redescribed and the conditions restated.

NOW, THEREFORE, the Council directs:

- a. All that portion of N. Minerva Avenue lying between the northerly line of N. Syracuse Street and the westerly extension of the north line of Lot 29, Block 15, Northern Hill Addition, and also,

All that portion of N. Syracuse Street lying between a line drawn 60 feet easterly of and parallel with the westerly line of N. Carey Boulevard, and a line drawn 25 feet west

of and parallel with the northerly extension of the east line of Lot 6, Block 1, Willamette Boulevard Acres, and also,

All that portion of the alley in Block 16, Northern Hill Addition lying between a line drawn 60 feet easterly of and parallel with the westerly line of N. Carey Boulevard and the northerly line of N. Syracuse Street, and also,

All that portion of Gilbert Street lying adjacent to Block 16 in the plat of Northern Hill Addition as recorded March 4, 1893, and lying between a line drawn 60 feet easterly of and parallel with the westerly line of N. Carey Boulevard and the northerly line of N. Syracuse Street, are hereby vacated.

- b. The vacation of the above described street areas is granted, subject to the following conditions and restrictions:

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.

Section 2. Ordinance No. 148679, entitled "An Ordinance vacating certain portions of N. Minerva Avenue, N. Syracuse Street, Gilbert Street and the alley in Block 6, Northern Hill Addition, under certain conditions." is hereby repealed.

Section 3. 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.

ORDINANCE No.

Section 4. The Council declares an emergency exists because a delay in the passage of this Ordinance could cause confusion in the public records and unnecessary delays to the N. Carey Boulevard Reservoir Project; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 150309

Calendar No. 2105

Title

to amend Ord. (C-6872) and Ord. (C-6873) to provide for the construction of a reservoir on the N. Carey Boulevard Reservoir Project; and to provide for the construction of a reservoir on the N. Carey Boulevard Reservoir Project; and to provide for the construction of a reservoir on the N. Carey Boulevard Reservoir Project.

GEORGE J. BROWN

CITY CLERK

Passed by the Council,

SEP 3 1980

Commissioner Mike Lindberg
Stu Keebaugh:jmh
August 6, 1980

Attest:

Charles Spear
Chief Deputy Auditor of the City of Portland

Calendar No. 31677

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Title

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

FOUR FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed AUG 22 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon Caspell
Deputy

INTRODUCED BY	COMMISSIONER MIKE LINDBERG
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works	ML/ms
BUREAU APPROVAL	
Bureau	Street & Structural Engineering
Prepared By	Date
Stu Keelbaugh: joh	8/6/80
Budget Impact Review:	
<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Not required
Bureau Head:	David J. Vargay
	David J. Vargay, Acting Chief
CALENDAR	
Consent	Regular
NOTED BY	
City Attorney	
City Auditor	
City Engineer	Approved:
	John M. Lang, P.E.
By:	David J. Vargay