



Sam
Adams
Commissioner

November 4, 2005

Susan D.
Keil
Interim
Director

**CITY ENGINEER'S REPORT TO CITY COUNCIL ON THE PROPOSED VACATION
OF A PORTION OF SE LONG STREET WEST OF SE 40th AVENUE**

Eileen
Argentina
System
Management

Background

Bryant
Engel
Finance

- 1. Proposed Street Vacation Area.** A portion of SE Long Street west of SE 40th Avenue, said portion being approximately 114 feet long by 50 feet wide (approximately 5,700 square feet in area). The area is currently unimproved and terminates at the east line of the previously vacated portion of SE Long Street east of SE 39th Avenue (as vacated by Ordinance No. 151680, passed by City Council on June 3, 1981). The area is more specifically depicted on Exhibit 1 attached hereto.
- 2. Petitioners.** Peter Fraser, Joanne Mehl and Jackie Langlois are the owners of abutting property to the north and south of the proposed street vacation area.
- 3. Purpose.** The street vacation is proposed in order to consolidate property.
- 4. Compliance with Minimum Requirements.** The petitioner has secured necessary signatures of property owners in the area, as required under ORS 271.080 (Vacation in incorporated cities; petition; consent of property owners). The Office of the City Auditor approved the required petition on February 1, 2005.
- 5. Due Diligence Review.** Comments were solicited from City Bureaus, government agencies, public utilities and affected neighborhood associations. A summary of this due diligence effort is attached as Exhibit 2 hereto. Of particular significance were comments by the Development Review and Permit Engineering Sections of the Portland Office of Transportation, Bureau of Environmental Services and Urban Forestry, all of which requested that certain conditions be satisfied prior to the street being vacated. Additionally, Portland General Electric has requested that the street vacation ordinance reserve an easement for existing facilities.
- 6. Planning Commission Review.** The Planning Commission reviewed and approved the proposed street vacation on September 27, 2005, with its Report and Recommendation attached as Exhibit 3 hereto.
- 7. Costs.** The petitioner has paid \$3,300 to date to reimburse the City for costs incurred processing the street vacation request. The amount paid appears sufficient to complete the process.

Don
Gardner
Engineering &
Development

Sam M.
Irving, Jr.
Maintenance

Laurel
Wentworth
Planning

An Equal
Opportunity
Employer

Office of Transportation Recommendation

The Office of Transportation hereby finds the proposed street vacation application to be acceptable, and in the event that no substantive objections are made known to City Council at the upcoming public hearing, recommends approval of the street vacation, subject to the conditions and reservations specified below. The area to be vacated is more specifically described as:

R/W #6473

That portion of SE Long Street, in the City of Portland, County of Multnomah, State of Oregon, lying between the west line of SE 40th Avenue and the east line of the previously vacated portion of SE Long Street east of SE 39th Avenue (as vacated by Ordinance No. 151680, passed by City Council on June 3, 1981), containing 5,700 square feet, more or less.

Conditions, Reservations and Releases

1. **Conditions.** The following conditions must be satisfied by the Petitioner prior to the street vacation Ordinance being recorded by the City and thereby considered effective:
 - A. **Office of Transportation, Permit Engineering.** The Petitioner will permanently close SE Long Street where it intersects with SE 40th Avenue, and pay all costs for constructing a curb, sidewalk and driveway, in accordance with the requirements of the City Engineer.
 - i) To ensure the completion of the required street improvements, the Petitioner shall provide to the City Engineer, Street Systems Management Section, a performance guarantee in the form of a surety bond, letter of credit, set-aside account, cash, or other form of surety, subject to approval by the City Attorney. The Petitioner acknowledges that the performance guarantee indicated is a preliminary estimate subject to change, and agrees to provide additional guarantee and/or fees as required by the City Engineer.
 - ii) The Petitioner will authorize the City to complete the required street improvements at the Petitioner's cost, in the event that the City Engineer, at his sole discretion, determines that the improvements are not being made as required in a reasonable time.
 - iii) Upon completion of the required improvements by the Petitioner, and acceptance by the City Engineer, the Petitioner shall guarantee maintenance of the improvements for two (2) years following the date of project acceptance. The maintenance guarantee may be satisfied by the performance guarantee, or by substitution of other surety acceptable to the City Attorney and equal to 20% of the performance guarantee. Upon acceptance by the City of a 20% maintenance guarantee, the street improvements performance guarantee will be released.
 - iv) Prior to the issuance of a Certificate of Completion by the City Engineer, fees collected by the City in association with street closure work will be reconciled with actual City costs, with Petitioner to receive from or pay to the City the net difference.

In the event of non-payment by the Petitioner, the street improvement performance bond will be used to reimburse City costs. Use of the performance bond by the City will not preclude the City from billing to and collecting from the Petitioner those costs incurred by the City that were in excess of the performance bond.

B. Office of Transportation, Development Review and Permit Engineering. Petitioners shall acquire a reciprocal access easement from adjacent property for shared use of the existing driveway.

2. Reservations and Release

A. Office of Transportation, Development Review. A 12 foot wide public walkway easement is hereby reserved centered over an existing public combination sewer line.

B. Urban Forestry Division. An Eastern Red Cedar in the right-of-way shall be retained and protected.

C. Bureau of Environmental Services. The Bureau of Environmental Services (BES) owns and maintains certain improvements within the street area to be vacated. As a condition of street vacation approval, the Petitioner will agree to the reservation of a 20 foot wide public sewer easement for an existing 24" combination sewer line. The 20 foot wide easement shall be centered on the existing combination sewer, along the entire length of the vacated street area.

D. Utilities. In accordance with ORS 271.120 and City of Portland policy, the street vacation ordinance shall not cause or require the removal or abandonment of any sewer, water or gas main, conduit of any kind, wire, pole or thing used, or intended to be used, for any public service, including, but not limited to those identified by Portland General Electric. The ordinance will reserve for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild, and/or enlarge any and all such thing; that no building or structure of any kind shall be built or erected within a distance of ten (10) 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 Development Services, to the end that such construction may be so adjusted with reference to all public utilities in said areas 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. Removal or relocation of existing utilities in the street vacation area will require written agreements between the Petitioner and owner(s) of the utilities.

E. City Release. Notwithstanding 2.D. above and except for 2.C. above, the Ordinance will serve as a full release of City interests in the street vacation area and will provide City Bureaus with the authority necessary to take all other legal actions as may be reasonably necessary (including the issuance of quitclaim deeds acknowledging the release of any interests) to achieve this intent.

3. **Repeal.** In the event the Petitioner fails to fully comply with Conditions 1.A and 1.B within one year of Council adopting the Ordinance, City Council may repeal the Ordinance at its sole discretion.
4. **Effective Date.** The street vacation will not be effective until a certified copy of the vacating Ordinance has been recorded by the City in Multnomah County Deed Records, which will not be done until after all conditions required by the City have been fully satisfied.

City Engineer

TO THE COUNCIL:

The Commissioner-in-Charge concurs with the recommendation of the City Engineer and Planning Commission and

RECOMMENDS:

That the City Council accept the City Engineer and Planning Commission Reports, which recommend that the proposed street area be vacated, subject to conditions and reservations provided herein.

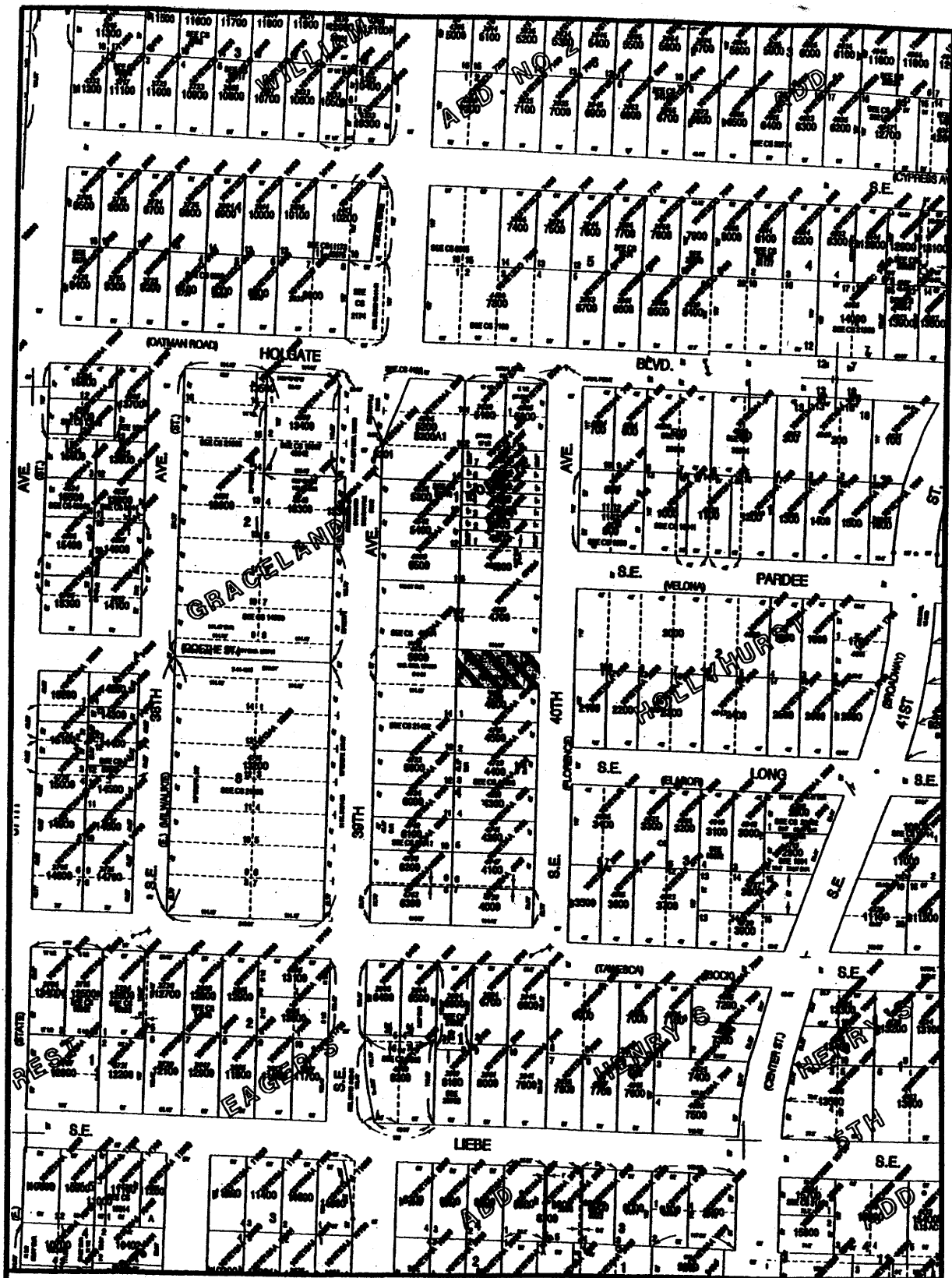
Respectfully submitted,

Commissioner Sam Adams
Commissioner of Public Utilities

Attachments:

- Exhibit 1, Proposed Map
- Exhibit 2, Contacts Summary
- Exhibit 3, Planning Commission Recommendation

6473/LONG ENG REPORT



SE Long Street west of SE 40th Avenue

Petitioner: Peter Fraser, Joanne Mehl, Jackie Langlois  Area Proposed for Vacation

1/4 Section: 3534 Section: 1S1E13AA

R/W # 6473



R/W # 6473
SE Long Street Vacation
Contacts Summary

EXHIBIT 2

Commenting Party	Response Date	Comments
PDOT Development Review Kurt Krueger	5/2/05	No objection subject to: 12 foot public walkway easement and reciprocal access easement for shared driveway
PDOT Permit Engineering Christopher Wier	5/12/05	No objection subject to: permanently close street intersection with curb, sidewalk and driveway and reciprocal access easement for shared driveway
PDOT Trans Systems Mgmt Carl Snyder	4/27/05	No objection
PDOT Street Lighting Steve Spitulski	4/29/05	No objection
PDOT Project Management Jean Senechal Biggs	4/26/05	No objection
PDOT Planning/Planning Com Gabe Onyeador	4/27/05	Approval subject to other Bureaus' conditions
Development Services Joan Frederiksen	7/18/05	No objection; supports pedestrian connection required by PDOT Development Review
Environmental Services Colleen Harold	7/26/05	No objection subject to: 20 foot public sewer easement over existing combination sewer
Water Bureau Mari Moore	4/28/05	No objection
Fire Bureau Bob Ferrington	5/2/05	No objection
Park Bureau David Yamashita	5/4/05	No objection
Urban Forestry Division Brian McNerney	5/2/05	No objection subject to: retain and protect existing Eastern Red Cedar
Woodstock Neigh. Assoc. Terry Griffiths	3/18/04	No objection subject to: pedestrian access easement
SEUL Neigh. Program Paula Manly		No response
ODOT Region 1 Harry Whitney		No response
Port of Portland Brian Sheldon		No response

R/W # 6473
SE Long Street Vacation
Contacts Summary

Tri-Met John Baker		No response
PGE John Nelson		Have facilities in street area; reserve easement
PP&L Tom Kikes		No response
Qwest Florence Mott		No objection
Northwest Natural Computing & Drafting Tech		No objection
Comcast Cable Coax & Fiber Design		No response



Sam
Adams
Commissioner

Susan D.
Keil
Director

Eileen
Argentina
System
Management

Bryant
Enge
Business
Services

Don
Gardner
Engineering &
Development

Sam M.
Irving, Jr.
Maintenance

John Gillam &
Steve Iwata
Planning

**PLANNING COMMISSION REPORT AND RECOMMENDATION
TO THE CITY COUNCIL**

FILE NUMBER: R/W #6473

COMMISSION MEETING HELD SEPTEMBER 27TH, 2005 AT 7:00 PM

1900 SW 4TH BUILDING, 2ND FLOOR, ROOM 2500 A

I. GENERAL INFORMATION

Street Vacation Request: SE Long Street, west of SE 40th.

Petitioners: Peter Fraser, Joanne Mehl and Jackie Langlois

Represented By: Peter Fraser, contact, 503-235-3459

Purpose: To consolidate property

Neighborhood: Woodstock, Terry Griffiths, at 503-246-2088

Quarter Section: 3534

Designation/Zone: R2, Multi Dwelling Residential

II. FACTS

A. History and Background: The proposed vacation area is approximately 6,300 square feet containing a portion of SE Long Street west of SE 40th Avenue. The proposed vacation area lies within the R2, Multi Dwelling Residential to the north and R5, Single Dwelling residential to the south. City records indicate that there has been no land use review activity on adjacent properties since prior zone change approvals in the 1960's and 70's. The proposed vacation area lies within the boundaries of the Woodstock Neighborhood Association. Please refer to Exhibit A for a map and aerial photo of the right-of-way proposed to be vacated.

The purpose of this street vacation is to consolidate property.

- B. Concurrent land use actions:** There is no concurrent land use review related to this street vacation.
- C. The Transportation Element:** The Transportation Element of the Comprehensive Plan designates all streets within the proposed vacation area as Local Service Streets for all modes.

- D. The Portland Office of Transportation:** Development Review responded with no objections to the street vacation request, but subject to conditions that a 12-foot public walkway easement and reciprocal access easement for shared driveway be provided. See Exhibit B for summary of all responses and conditions of approval received.

The **Permit Engineering** responded with no objections to the street vacation request, but subject to conditions that the applicant permanently close street intersection with curb, sidewalk and driveway. See Exhibit C for conditions of approval.

- E. The Neighborhood Association:** The Woodstock Neighborhood Association responded with no objections subject to condition that pedestrian access easement is provided, see Exhibit D.

III. FINDINGS

- A. Comprehensive Plan Goals and Policies Considerations:** The relevant policies of the Transportation Element are:

Policy 6.20 Connectivity States:

Support development of an interconnected, multimodal transportation system to serve mixed-use areas, residential neighborhoods, and other activity centers.

Policy 6.21 Right-of-Way Opportunities States:

Preserve existing rights-of-way unless there is no existing or future need for them, established street patterns will not be significantly interrupted, and the functional purposes of nearby streets will be maintained.

Current and Future need:

In order to determine the current and future needs of the proposed vacation area, request for response was sent to all City bureaus, affected neighborhood associations, governmental agencies and utilities as identified in Exhibit B attached. Responses were received as noted on Exhibit B from all the agencies and city bureaus indicating no objections or no objections with conditions of approval.

Based on the above findings, Portland Office of Transportation supports this vacation request on the basis that the right-of-way has limited potential for connectivity and is not needed to provide future street connection. Additionally, given the development patterns within the surrounding area, future extension of SE Long to the west is highly unlikely. The vacation of this right-of-way will not affect the functional purpose of the street network in the area because the existing street network provides adequate interconnected streets and pedestrian movement in the area will be enhanced by the required public walkway easement.

- B. Neighborhood Plan Considerations:** The proposed vacation site lies within the boundaries of Woodstock Neighborhood Association. The Neighborhood Association created a plan, which was adopted by the City Council in December of 1995. The proposed street vacation does not conflict with any of the goals and policies of the adopted plan. The Neighborhood Association voted unanimously to support the vacation request as shown in their letter, Exhibit D, provided a pedestrian access easement is required as part of the conditions of approval.

- C. Zoning Code considerations:** Bureau of Development Services (BDS) has no objections to the proposed street vacation but supports the required pedestrian public walkway easement.
- D. Subdivision code considerations:** Approval of the proposed vacation will not create land locked parcels.
- E. Improvement Considerations:** The proposed vacation will have no impact on future street improvements of adjacent public rights-of way.
- F. Urban Forestry Division:** Responded with no objections provided the Eastern Red Cedar is retained and protected, see, Exhibit E.
- G. Bureau of Environmental Services:** Responded with no objections subject to easement conditions shown on Exhibit F.
- H. PGE:** Responded with no objection subject to easement conditions shown on Exhibit G.
- I. Other Responses: Bureau of Water Works, Fire, Parks, Qwest and NW Natural** responded with no objections.

IV. CONCLUSIONS

Based on the above analysis, Portland Office of Transportation states that the right-of-way has limited potential for connectivity and is not needed to provide future street connection. Additionally, given the development patterns within the surrounding area, future extension of SE Long to the west is highly unlikely. Approval of the street vacation will not affect the functional purpose of the street system in the area and pedestrian movement in the area will be enhanced by the required public walkway easement.

V. PLANNING COMMISSION RECOMMENDATION

Approval of the vacation of the area as shown on Exhibit A, subject to conditions specified in Exhibits B through G.

The Planning Commission voted unanimously in support of this vacation request

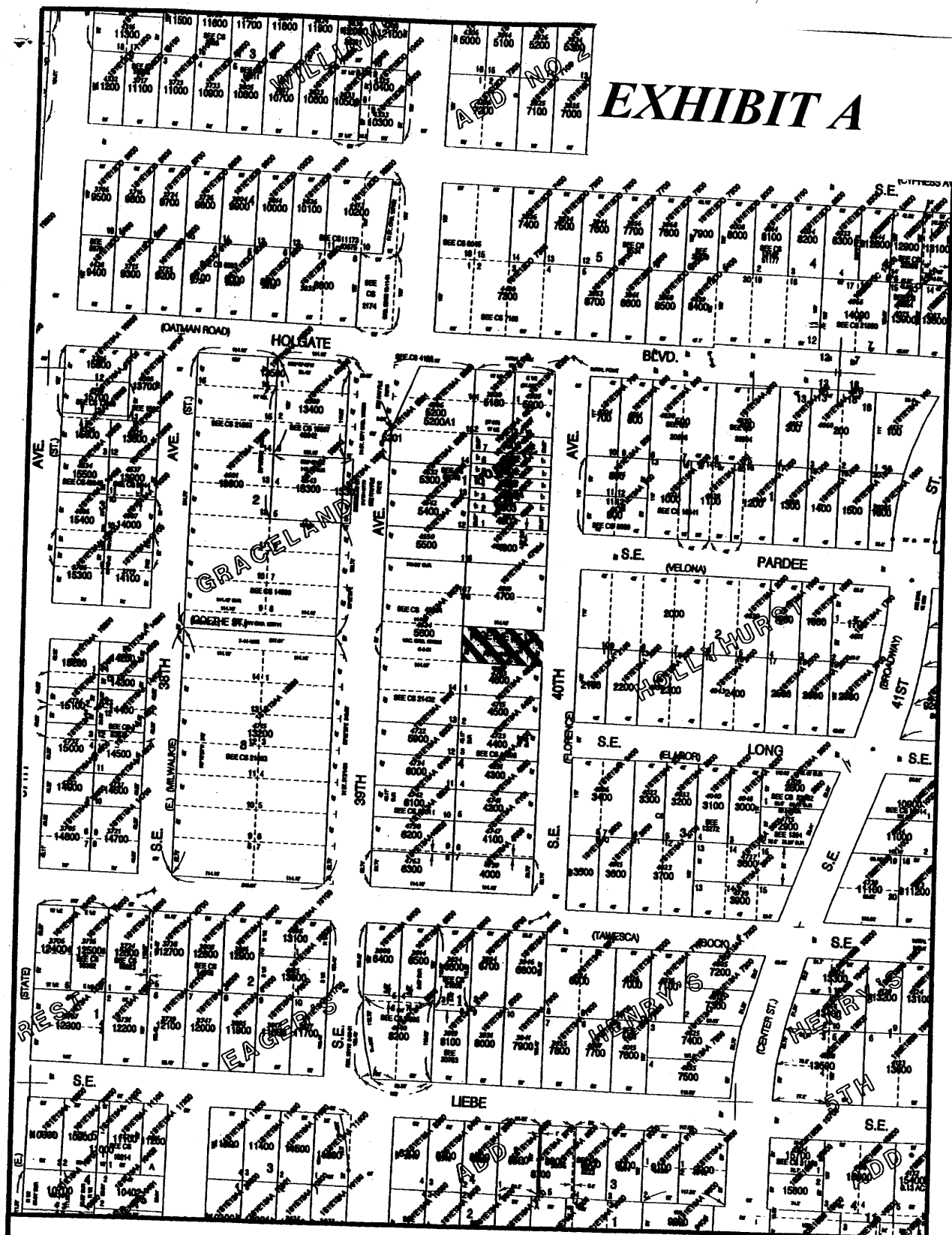
VI. EXHIBITS

- A. Map and Aerial Photo of the Proposed Vacation
- B. Summary of Application Comments
- C. PDOT Permit Engineering Conditions
- D. Neighborhood Association's Letter
- E. Urban Forest Division Conditions
- F. Bureau of Environmental Services Conditions
- G. PGE Conditions

Staff Planner – Gabe Onyeador, Phone: 503-823-7794

cc: Linda Birth, Right-of-Way Case Manager

EXHIBIT A



SE Long Street west of SE 40th Avenue

Petitioner: Peter Fraser, Joanne Mehl, Jackie Langlois  Area Proposed for Vacation

1/4 Section: 3534 Section: 1S1E13AA



Scale: 1" to 200'

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SE 40TH AVE & SE LONG ST - WOODSTOCK - PORTLAND

[Explorer](#) | [Property](#) | **Maps** | [Crime](#) | [Census](#) | [Transportation](#)

[Summary](#) | [Elevation](#) | [Garbage](#) | [Hazard](#) | [Photo](#) | [Property](#) | [Water](#) | [Sewer](#) | [Tax Map](#) | [Zip Code](#) | [Zoning](#)

Aerial Photo

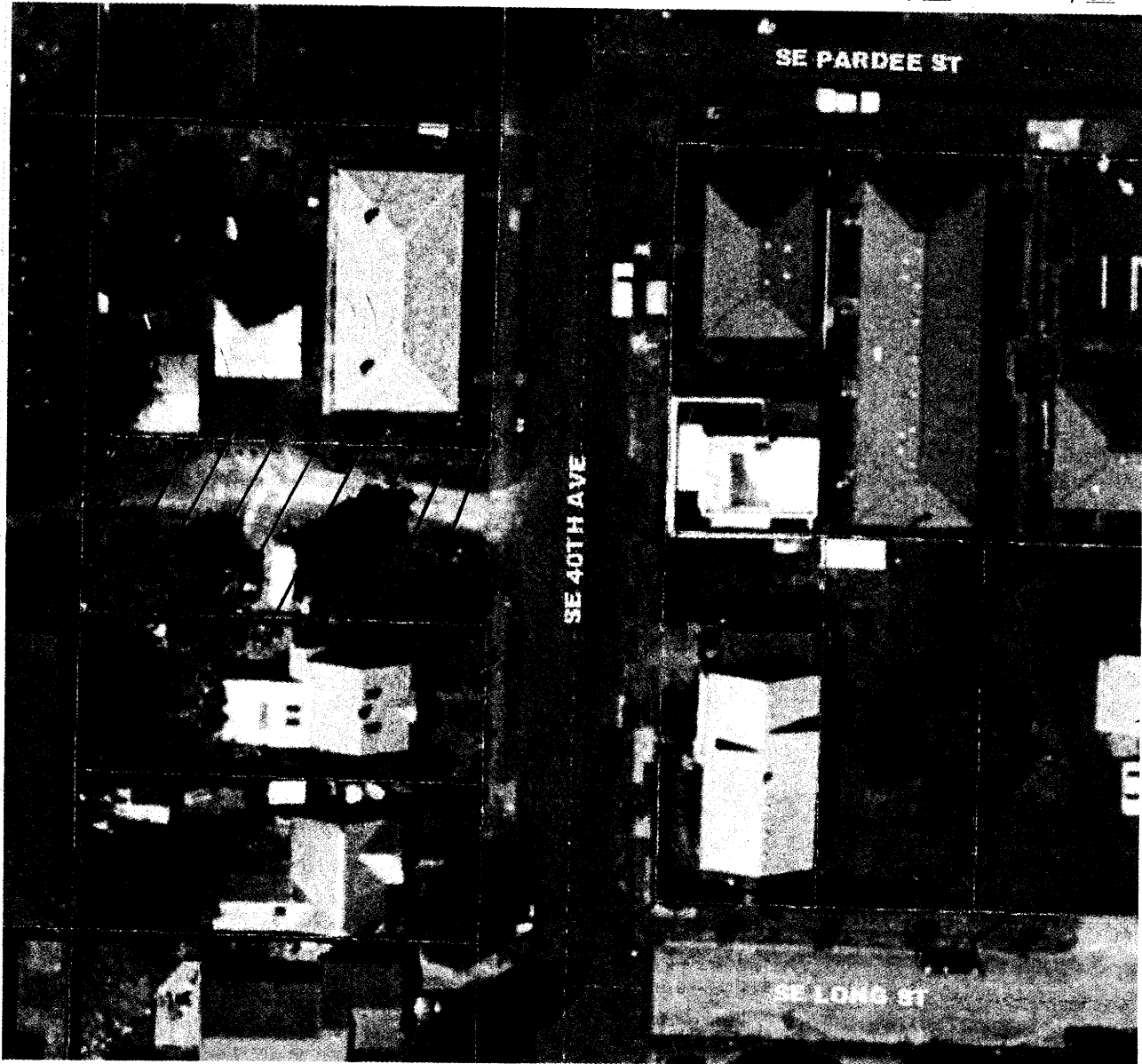
2004 / '03 / '02 / '01 / '00

6" / 2' / 4' / 10' / 20'

Streets: **On** / Off

Lots: **On** / Off

Dot: **On** / Off



0 |-----| 50 FT

City of Portland, Corporate GIS

9/15/2005

THE GIS APPLICATIONS ACCESSED THROUGH THIS WEB SITE PROVIDE A VISUAL DISPLAY OF DATA FOR YOUR CONVENIENCE. EVERY REASONABLE EFFORT HAS BEEN MADE TO ASSURE THE ACCURACY OF THE MAPS AND ASSOCIATED DATA. THE CITY OF PORTLAND MAKES NO WARRANTY, REPRESENTATION OR GUARANTY AS TO THE CONTENT, SEQUENCE, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE USER OF THESE APPLICATIONS SHOULD NOT RELY ON THE DATA PROVIDED HEREIN FOR ANY REASON. THE CITY OF PORTLAND EXPLICITLY DISCLAIMS ANY REPRESENTATIONS AND WARRANTIES, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THE CITY OF PORTLAND SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED. THE CITY OF PORTLAND SHALL ASSUME NO LIABILITY FOR ANY DECISIONS MADE OR ACTIONS TAKEN OR NOT TAKEN BY THE USER OF THE APPLICATIONS IN RELIANCE UPON ANY INFORMATION OR DATA FURNISHED HEREUNDER. TO BE SURE OF COMPLETE ACCURACY, PLEASE CHECK WITH CITY STAFF FOR UPDATED INFORMATION.

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PortlandMaps © 2005 City of Portland

R/W # 6473
SE Long Street Vacation
Application Comments

EXHIBIT B

Commenting Party	Response Date	Comments	Follow-up work
PDOT Development Review Kurt Krueger	5/2/05	No objection subject to: 12 foot public walkway easement and reciprocal access easement for shared driveway	Include condition in Engineer's Report
PDOT Permit Engineering Christopher Wier	5/12/05	No objection subject to: permanently close street intersection with curb, sidewalk and driveway	Include condition in Engineer's Report
PDOT Trans Systems Mgmt Carl Snyder	4/27/05	No objection	
PDOT Street Lighting Steve Spitulski	4/29/05	No objection	
PDOT Project Management Jean Senechal Biggs	4/26/05	No objection	
PDOT Planning/Planning Com Gabe Onyeador			
Development Services Joan Frederiksen	7/18/05	No objection; supports pedestrian connection required by PDOT Development Review	
Environmental Services Colleen Harold	7/26/05	No objection subject to: 20 foot public sewer easement over existing combination sewer	Include condition in Engineer's Report
Water Bureau Mari Moore	4/28/05	No objection	
Fire Bureau Bob Ferrington	5/2/05	No objection	
Park Bureau David Yamashita	5/4/05	No objection	
Urban Forestry Division Brian McNerney	5/2/05	No objection subject to: retain and protect existing Eastern Red Cedar	Include condition in Engineer's Report
Woodstock Neigh. Assoc. Terry Griffiths	3/18/04	No objection subject to: pedestrian access easement	
SEUL Neigh. Program Paula Manly		No response	

R/W # 6473
SE Long Street Vacation
Application Comments


ODOT Region 1 Harry Whitney		No response	
Port of Portland Brian Sheldon		No response	
Tri-Met John Baker		No response	
PGE John Nelson		Have facilities in street area; reserve easement	Include condition in Engineer's Report
PP&L Tom Kikes		No response	
Qwest Florence Mott		No objection	
Northwest Natural Computing & Drafting Tech		No objection	
Comcast Cable Coax & Fiber Design		No response	

INTEROFFICE MEMORANDUM

Portland Office of Transportation

August 8, 2005

TO: Linda Birth
Right of Way Acquisition

FROM: Christopher Wier 
Permit Engineering

SUBJECT: Revised Street Vacation Proposal, SE Long St, west of SE 40th Ave (R/W #6473)

Permit Engineering has no objection to the street vacation of SE Long Street, from SE 40th Avenue to 114.10' west, provided that the following conditions are met:

1. SE Long Street must be permanently closed by construction of curb, driveway and sidewalk where this street intersects with SE 40th Avenue.
2. Construction of the street closure must be done under a permit from the Bureau of Transportation Engineering and Development. The petitioner shall deposit the amount needed to cover the cost of construction as part of the street vacation. This amount is estimated to be \$5,000.
3. Reciprocal driveway access easements must be obtained by both adjoining property owners.
4. If the property is to be redeveloped, other improvements may be required at the time of development.

The construction of the curb, driveway and sidewalk at the SE Long Street/SE 40th Avenue intersection may be done under a sidewalk permit from the Bureau of Transportation Engineering, Street Systems Management.

OFFICE OF TRANSPORTATION
BUREAU OF TRANSPORTATION ENGINEERING & DEVELOPMENT

STREET CONSTRUCTION COST ESTIMATE
PRELIMINARY

Job #: n/a **Project:** STREET VACATION

Year: 2005

R/W #6473, SE Long Street, west of SE 40th Avenue

ITEM	TYPE OF WORK & MATERIAL	QUANTITY	UNIT PRICE	TOTAL
1	Mobilization & Temp. Traffic Control	1 LS	\$216.74	\$216.74
2	Excavation, Common	10 CY	\$21.75 *	\$217.50
3	Excavation, Concrete	5 CY	\$45.00	\$225.00
4	Concrete Sidewalk, 4" Thick	25 SY	\$32.25	\$806.25
5	Concrete Driveway, 6" Thick	20 SY	\$60.99	\$1,219.80
6	Curb, Concrete	60 LF	\$20.37	\$1,222.20
7	Erosion Control Measures	1 LS	\$250.00	\$250.00

PRELIMINARY CONSTRUCTION COST ESTIMATE - STREET WORK

\$4,157.49

PERFORMANCE GUARANTEE AMOUNT (110%)

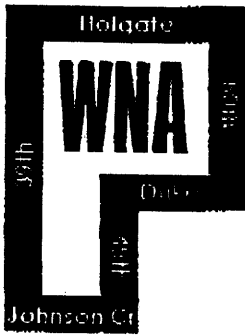
\$5,000.00

Design Engineer: n/a

Prepared by: Christopher Wier

Date: 8/8/2005

EXHIBIT D



WOODSTOCK NEIGHBORHOOD ASSOCIATION

March 18, 2004

From: The Woodstock Neighborhood Association
To: City bureaus, and other interested parties
Re: Proposed street vacation at SE Long west of SE 40th

The proposal of Peter Fraser and Jackie Langlois to vacate the dead-end section of SE Long west of SE 40th was discussed at the January 7, 2004 general meeting of the Woodstock Neighborhood Association and again at the general meeting on February 4. There was unanimous agreement at both meetings that the neighborhood association would be supportive of this request PROVIDED the street vacation included a pedestrian access easement. Such an easement would allow residents to the east and north to Holgate to continue to have a direct route to and from the bus stop at SE 39th and vacated SE Long and to Trader Joe's.

The association realizes that the usefulness of this pedestrian access is contingent on people continuing to be allowed to walk across the parking lot and driveway of Tindall Apartments, which currently has no official pedestrian easement. This pedestrian connection is so beneficial however, that everything possible should be done to preserve the potential for its continued use.

Signed,

Scott D Stephens

Scott Stephens, Chairperson
The Woodstock Neighborhood Association



CITY OF
PORTLAND
OFFICE OF
TRANSPORTATION

EXHIBIT E

Mayor Tom Potter
1120 S.W. 5th Avenue, Suite 800
Portland, Oregon 97204-1914
503-823-5185
FAX 503-823-7576 or 823-7371
TDD 503-823-6868

Brant Williams
Director

NOTICE OF PROPOSED STREET VACATION

April 22, 2005

Eileen Argentina
System Management

Bryant Engle
Finance

Don Gardner
Engineering & Development

Sam M. Irving, Jr.
Maintenance

Laurel Wentworth
Planning

TO:	Development Review	Christopher Weir	106/800
	Permit Engineering	Linda Williams	106/800
	Transportation Systems Mgmt	Carl Snyder	106/800
	Street Lighting	Steve Spitulski	106/900
	Project Management	Greg Jones	106/900
	Transportation Planning/ Planning Commission	Gabe Onyeador	106/900
	Bureau of Dev. Services	Mercedes Nibler	299/4500
	Environmental Services	Colleen Harold	106/1000
	Water Bureau	Mari Moore	106/600
	Fire Bureau	Bob Ferrington	B139/Sta 41/C3 Ferrington
	Park Bureau	David Yamashita	106/1302
	Urban Forestry Division	Brian McNerney	370

FROM: Linda Birth, Right-of-Way Acquisition
503-823-7461, B106/R800 *Linda*

SUBJECT: **R/W #6473, SE Long Street west of SE 40th Avenue**

The proposed street vacation has been initiated by Peter Fraser, Joanne Mehl and Jackie Langlois. The petitioner's contact is Peter Fraser (503-235-3459 or pfraser@spiritone.com). The stated purpose for the vacation is to consolidate property.

Please determine if this proposal would adversely impact your department or bureau. Consider whether there is a current, or possible future, public need for the right-of-way. (The Bureau of Development Services may want to review this in light of Billington vs. Polk County, 299 Or. 471 (1985).) Your response is requested by **May 16, 2005**.

- No objection.
 No objection subject to conditions listed below. (Please be specific and confirm that the condition is enforceable.)
 Denial recommended for the reasons listed below.

EXISTING EASTERN RED CEDAR IN RIGHT OF WAY SHALL BE
RETAINED AND PROTECTED AS PER CITY FORESTER

Please note the cost of review, including employee salaries and any additional expenses:
 \$ 61.02. Thank you for your assistance.

[Signature] 5-2-05
 (Signature) (Date)



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204-1912

503-823-7740, FAX 503-823-7110

Dean Marriott, Director

MEMORANDUM EXHIBIT F

DATE: July 26, 2005
TO: Linda Birth, Right-of-Way Acquisition, 503-823-7461, B, 106/R.800
FROM: Colleen Harold, Development Engineering, 503-823-7064 *CHH*
SUBJECT: R/W # 6473

LOCATION: SE Long Street west of SE 40th Ave.

Environmental Services has investigated the above street vacation. The area to be vacated is approximately 6,300 sq. ft. containing a portion of SE Long St. between SE 39th Ave and SE 40th Ave.

There is one public 24" combination sewer located within the proposed street vacation area that will require protection through an easement. **BES requires a 20 foot easement over the 24" combination sewer located in this area of SE Long St. The required 20 foot wide easement shall be centered on the existing combination sewer. There shall be 10 feet on either side of the pipe for the entire length of the combination sewer located within the proposed vacation area.**

The City must maintain legal access to all sewers and systems within this right of way, through easements or retaining dedicated right of way until such time as all the systems are abandoned and / or relocated.

If the neighborhood association, Planning Commission, BDS or Transportation need any additional information regarding BES's response to this street vacation, please call me at 503-823-7064.

cc: 2005.6473 St. Vacation file



SE 39TH AVE

ACJ094

ACJ111

4550

4710

4722

14' 20' 16'

4551

4619

114.25'

114.25'

114.25'

114.25'

4703

4715

4723

15'

15'

SE 40TH AVE

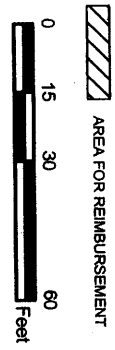
ACJ098

ACJ098

SE PARDEE ST

SE LONG ST

4007



2285.031501
114.25'
114.25'
114.25'

RECEIVED MAY 20 2005

MEMORANDUM

EXHIBIT G

To: John Nelson

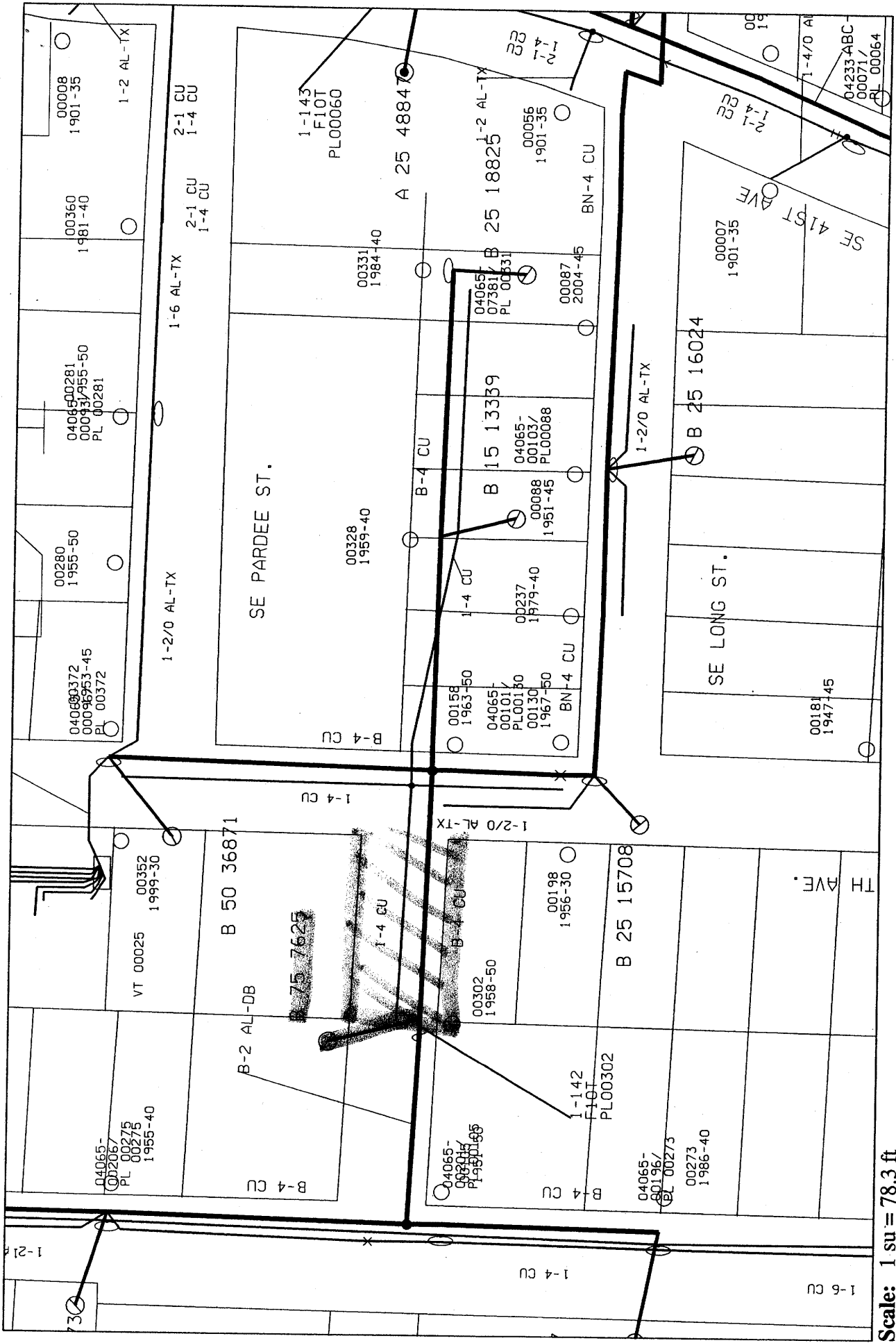
From: Steve Stocker

Date: May 20, 2005

Subject: City of Portland street vacation of SE Long, west of 40th Ave
(PGE WR# 392673)

I am returning the letter from the City of Portland in regards to this matter. I made a field check and found that within this right-of-way PGE has a pole, transformer and overhead conductors (map attached). We need to retain our rights or obtain an easement to protect these facilities. Thanks.

*Received from PGE
5/24/05*



Scale: 1 su = 78.3 ft
Field View