

MAY--6-64 265062

-- VII A

6.50

118015

RECEIPT

No 18429

OFFICE OF  
SI COHN, COUNTY CLERK  
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

*City Auditor*

FILE NO.

DOCUMENT	PARTIES	6	50
<i>Deed</i>	<i>Ord # 118015 Public</i>		
	<i>Book 36</i>		
	<i>Page 84</i>		
	<i>May 6, 1964</i>		

# County Clerk's Office, Multnomah County, Oregon

CIRCUIT COURT DEPARTMENT

LITIGATION ACCOUNT

No 2190

Reg. No. *None*

Portland, Oregon, *May 6* 196*4*

RECEIVED OF *Surveyor Fee City of Portland*

*Two & 50/100* DOLLARS

CLERK'S OFFICE  
MAY 10 1964

Plaintiff \$

Defendant \$

Bail \$

*Surveyor Fee* \$ *2 50*

Total . . . \$ *2 50*

*Ord. 118015*  
vs.

In the above entitled case.

SI COHN,  
County Clerk,

By *[Signature]* Deputy

# ACCEPTANCE

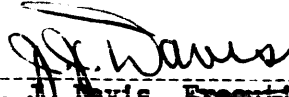
Portland, Oregon, February 6 1964

RAY SMITH  
Auditor of the City of Portland,  
Room 202, City Hall  
Portland 4, Oregon  
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 118015 vacating a certain portion of N.W. 25th Avenue, between the north line of N.W. Wilson Street and the north line of the plat of North Portland, subject to 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,



J. J. Davis, Executive Vice President

[CORPORATE  
SEAL]

ESCO Corporation

2141 N.W. 25th Avenue, Portland, Ore. 97210

Approved as to form:

  
City Attorney

RECEIVED  
FEB 17 9 43 AM '64  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

\*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. 118015

An Ordinance vacating a certain portion of N.W. 25th Avenue, between the north line of N.W. Wilson Street and the north line of the plat of North Portland, subject to conditions.

WHEREAS the Council finds that under date of December 2, 1963 ESCO Corporation, by J.J. Davis, Executive Vice President, 2141 N.W. 25th Avenue, Portland 10, petitioned the Council for the vacation of a certain portion of N.W. 25th Avenue between the north line of N.W. Wilson Street and the north line of the plat of North Portland, in the City of Portland, County of Multnomah, State of Oregon, pursuant to the applicable provisions of ORS 271.010, et seq., and also filed with the Auditor the consents in writing of all owners of property abutting upon the portion of said streets to be vacated, and thereupon the City Auditor gave notice by posting and by publication of a notice once each week for five successive weeks that said petition had been filed for the vacation of said street area; that the matter of said vacation together with any objections, remonstrances or claims for damage which might be made in writing and filed with the City Auditor prior to the time for hearing would be heard and considered by the Council at a meeting to be held at 9:30 A.M., January 15, 1964, in the Council Chambers of the City Hall, in the City of Portland, Oregon; that said notice was first published in the City's official newspaper to wit: The Daily Journal of Commerce, December 13, 1963, and said Auditor within five days after the first publication further published said matter by posting three notices headed "Notice of Street Vacation" in three (3) conspicuous places in the area proposed to be vacated, in the following described locations:

Location	Object to Which Attached
At the approximate intersection of the north line of N.W. Wilson Street and the east line of N.W. 25th Avenue	On a stake
At the approximate intersection of the north line of N.W. 25th Avenue and the center line of N.W. 25th Avenue	On a post
On the approximate east line of N.W. 25th Avenue approximately 65 feet south of the north terminus of N.W. 25th Avenue	On a post

**AND WHEREAS** said matter came on regularly for hearing on January 15, 1964, and no one appeared to object thereto and no objections, remonstrances nor claims for damage were made or filed against the same, and

**WHEREAS** the abutting property owners have consented to said proposed vacation and said consents have been filed with the City Auditor, and more than two-thirds of the area inside the district has been found to be represented as consenting thereto, and

**WHEREAS** the Council further finds that the proposed vacation has been investigated by the City Planning Commission, and by the City Engineer, the latter recommending under date of November 15, 1963, that the vacation be granted upon certain conditions hereinafter set forth, and

**WHEREAS** the purpose of this vacation is for general business and industrial purposes, the same as the adjacent ground and particularly for industrial expansion purposes and to consolidate industrial property for future development; and

**WHEREAS** the consents of the Portland Public Docks, dated January 14, 1964, and the Port of Portland by resolution dated January 14, 1964, recommended approval of the vacation of N.W. 25th Avenue between the north line of N.W. Wilson Street and the north line of the plat of N. Portland, and

**WHEREAS** the Council finds that the vacation of said area will not injuriously affect the market value of the property abutting or affected by such vacation, but that such vacation is in the public interest and said vacation in all respects will be for the public welfare, and the Council further finds that all things have been done as provided by law for the vacation of said street area and that final action should now be taken thereon, and such vacation be made a matter of record; now, therefore, :

The City of Portland ordains:

Section 1. It hereby is ascertained and determined that said vacation will not injuriously affect the market value of any of the property abutting upon said street area to be vacated but will be beneficial thereto; that the owners of property abutting upon said area to be vacated will not be damaged by said vacation; that notice has been duly and regularly had; that the consents of the owners of all the property abutting such area to be vacated has been obtained in writing, duly acknowledged and filed as hereinabove stated; that no claims for damage were made or filed against said vacation and that the public interest will not be prejudiced thereby but that said vacation will enhance the public interest and welfare, all of which determinations are made a matter of record.

Section 2. There hereby is vacated

All of that portion of N.W. 25th Avenue, lying between the north line of N.W. Wilson Street and the north line of the plat of North Portland, in the City of Portland, County of Multnomah, State of Oregon.

Section 3. This vacation is granted subject to the following conditions:

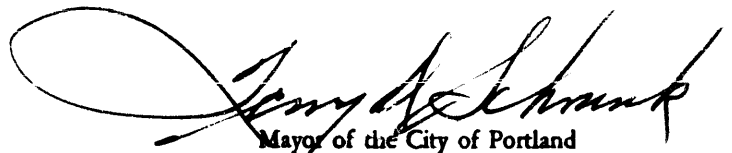
1. That the petitioner pay all costs incidental to the vacation.
2. That the petitioner pay all costs for and incidental to the relocation or re-arrangement of water facilities, as required by the Water Engineer.
3. That the petitioner reconstruct the intersection at the southerly end of the street herein vacated, said reconstruction to be done at the sole expense of the petitioner and in accordance with the plans and specifications to be furnished by the City Engineer.
4. Nothing herein contained shall 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, 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 and all such things, EXCEPT that an existing 8" sewer and an existing 6" water main hereby are abandoned and will not be maintained by the City; that no building or structure of any kind shall be built or erected within a distance of ten feet from the center line of any such utility, except with the written consent of the City Engineer, and the owner of the utility first had, 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 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 hereafter reconstructed, renewed, replaced and/or enlarged.

Section 4. Petitioner ESCO Corporation, by J.J. Davis, shall file with the Auditor of the City of Portland an acceptance of

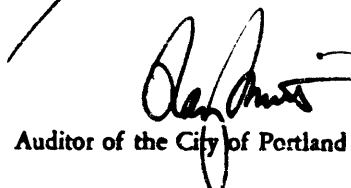
## ORDINANCE No.

the vacation, approved by the City Attorney as to form, and the Auditor shall file for record with the County Clerk, who is ex-officio recorder in and for Multnomah County, a certified copy of this ordinance and a certified copy of said acceptance, as provided by law, and shall file copies with the County Assessor and the County Surveyor.

Passed by the Council, FEB 5 - 1964

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. ~~224~~ 411

**ORDINANCE No. 118015**

Title

An Ordinance vacating a certain portion of N.W. 25th Avenue, between the north line of N.W. Wilson Street and the north line of the plat of North Portland, subject to conditions

JAN 29 1964

Read 1 & 2

READ IN PUBLIC HEARING FEB 5 - 1964

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	1	
Bowes	1	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

INTRODUCED BY  
Order of Council

DRAWN BY  
AGB:gm  
Date 1/22/64

NOTED BY THE COMMISSIONER

Affairs  
Finance  
Safety  
Utilities  
Works

City Attorney *DAF*

NOTED FOR CITY AUDITOR  
*RAA*  
*MC*

APPROVED

Date  
By  
City Engineer

Filed JAN 23 1964

**RAY SMITH**

Auditor of the CITY OF PORTLAND

By *Robert E. Miller* Deputy