

SUPPLEMENTAL AGREEMENT

THIS SUPPLEMENTAL AGREEMENT, made and entered into this _____ day of _____, 19____, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State," and the CITY OF PORTLAND, a municipal corporation, acting by and through its Mayor and Commissioner of Public Works, hereinafter called "City";

W I T N E S S E T H:

RECITALS:

1. State and City entered into a throughway agreement dated April 13, 1962 and supplemented November 24, 1964. Said agreement of April 13, 1962, as supplemented and amended herewith, concerned the construction of the Stadium Freeway, State Primary Highway No. 61, hereinafter called the "throughway," and the closing, handling, maintaining, routing and rerouting of certain streets and roads.

2. State and City have determined that said agreement of April 13, 1962, although remaining in full force and effect, should be supplemented to provide for the establishment, construction, maintenance, and additional street closures of various city streets and interchange ramps to provide for the safe and expeditious flow of traffic through the Sunset and Burnside Street Interchanges within the limits of City, as hereinafter set forth and as shown on the maps attached hereto, marked Exhibit A and Exhibit B respectively, and by this reference made a part hereof.

NOW, THEREFORE, the premises being in general as stated in the foregoing RECITALS, it is agreed by and between the parties hereto as follows:

THINGS TO BE DONE BY STATE:

1. State approves the RECITALS herein, Exhibit A and Exhibit B, THINGS TO BE DONE BY CITY and all other provisions of this agreement.

2. State shall, at its sole expense, acquire all necessary right of way by purchase or otherwise, prepare all plans and specifications, let and award all contracts, and supervise the construction and improvement of the throughway.

3. State shall construct and thereafter maintain the throughway including the Sunset and Burnside Street Interchanges, separation structures, and connecting service ramps permitting ingress and egress to and from the throughway, and approximately as shown colored purple, green, and brown respectively, on the attached Exhibit A and Exhibit B.

4. State shall locate and construct or reconstruct the following streets or portions of streets to provide a free and convenient flow of traffic without interference with the throughway, approximately as shown colored in orange on the attached Exhibit A and Exhibit B:

DNEH sb, as approved by L. P. Shaw & D. J. Barbee
3/4/65

- a. N.W. 16th Avenue, that portion lying between N.W. Johnson Street and N.W. Glisan Street, and that portion lying between N.W. Everett Street and N.W. Couch Street.
- b. N.W. 15th Avenue, that portion lying between N.W. Hoyt Street and N.W. Glisan Street, and a connection to N.W. Davis Street.
- c. N.W. 14th Avenue, that portion lying between N.W. Everett Street and West Burnside Street, and that portion lying between West Burnside Street and the N.W. 14th Avenue overcrossing structure including the north and south approaches to said structure; also that portion of S.W. 14th Avenue lying between S.W. Taylor Street and S.W. Market Street including the frontage street to be constructed between S.W. Columbia Street and S.W. Market Street, and the intersection of S.W. 14th Avenue and S.W. Montgomery Street.
- d. S.W. 13th Avenue, that portion lying between S.W. Morrison Street and S.W. Montgomery Street including a portion of S.W. Montgomery Street.
- e. S.W. 12th Avenue, that portion lying between S.W. Montgomery Street and S.W. 12th Avenue overcrossing structure.
- f. N.W. Davis Street, a connection from N.W. 15th Avenue along with a cul-de-sac near the west property line of the N.W. 14th Avenue off-ramp.
- g. N.W. Couch Street, that portion between N.W. 14th Avenue and N.W. 16th Avenue (excluding the N.W. Couch Street overcrossing structure).
- h. S.W. Alder Street approaches to S.W. Alder Street overcrossing structure.
- i. S.W. Harrison Street to a cul-de-sac near the east property line of the S.W. 12th Avenue off-ramp.

5. State shall, upon completion of project, deed to City all State's right, title, and interest in those portions of right of way acquired to construct the connecting streets and cul-de-sacs or reconstructed streets, as referred to and described in paragraph 4 above.

6. State shall close the following streets in the following manner at the following locations: (all points of closure are shown by means of red lines on the attached Exhibit A and Exhibit B and said streets shall be closed between these points or within the access control area of the throughway:

- a. S.W. Washington Street at the easterly property line of S.W. 15th Avenue.

b. S.W. Clay Street at the easterly property line of the frontage street referred to in paragraph 4c above.

c. S.W. Market Street at the easterly property line of the frontage street referred to in paragraph 4c above and at the westerly property line of S.W. 13th Avenue as it now exists.

d. S.W. Mill Street at the westerly property line of S.W. 14th Avenue and at the easterly property line of S.W. 19th Avenue.

e. S.W. 16th Avenue at the southerly right of way boundary of the connecting ramp from the Sunset Highway, to include all that portion northerly thereof within the right of way.

f. S.W. 13th Avenue at the southerly property line of S.W. Montgomery Street.

g. S.W. Harrison Street at the easterly property line of the S.W. 12th Avenue off-ramp.

7. State shall remove or re-establish the closures as referred to in the agreement dated April 13, 1962, in order to comply with the provisions of paragraph 6 above; those closures referred to are as listed below:

a. N.W. Couch Street shall be open in its entirety, therefore, the closures as referred to on page 5, paragraph 14f, under THINGS TO BE DONE BY STATE in the agreement of April 13, 1962, shall be deleted.

b. S.W. Washington Street shall be closed at the easterly property line of S.W. 15th Avenue (paragraph 6a above) rather than at the westerly right of way boundary of the throughway as referred to on page 5, paragraph 14g, under THINGS TO BE DONE BY STATE in the agreement of April 13, 1962.

c. S.W. Clay Street shall be closed at the easterly property line of the frontage street (paragraph 6b above) rather than at the westerly right of way boundary line of the throughway as referred to on page 5, paragraph 1, under THINGS TO BE DONE BY STATE in the agreement of April 13, 1962.

d. S.W. 13th Avenue shall be closed at the southerly property line of S.W. Montgomery Street (paragraph 6f above) rather than at the northerly right of way boundary line of the throughway as referred to on page 6, paragraph 14k, under THINGS TO BE DONE BY STATE in the agreement of April 13, 1962.

8. State shall construct and thereafter maintain the connecting service ramps permitting ingress and egress to and from the throughway as follows and approximately as shown colored in green and purple on the attached Exhibit A and Exhibit B.

3/4/65

- a. A ramp from N.W. 15th Avenue and N.W. Glisan Street permitting northbound traffic only to enter the throughway.
 - b. A ramp from N.W. 16th Avenue and N.W. Everett Street, including a structure under N.W. Couch Street, N.W. 15th Street extension, and West Burnside Street, permitting southbound traffic only to enter the throughway.
 - c. A ramp from the throughway, including N.W. 15th Avenue Street Extension, permitting southbound traffic only to leave the throughway and enter N.W. Couch Street, N.W. 15th Avenue, and West Burnside Street.
 - d. A ramp from the throughway, including a structure under West Burnside Street and N.W. Couch Street, permitting northbound traffic only to leave the throughway and enter N.W. 14th Avenue.
 - e. A ramp from West Burnside Street and N.W. 14th Avenue, permitting northbound traffic only to enter the throughway, including the traffic from N.W. Couch Street.
 - f. A ramp from S.W. Clay Street and S.W. 13th Avenue permitting westbound traffic only to enter the Sunset Highway, said ramp overcrossing the throughway and its connections.
 - g. A ramp from the Sunset Highway to S.W. Market Street and S.W. 13th Avenue permitting eastbound traffic only to leave the Sunset Highway, said ramp overcrossing the throughway and connection.
 - h. A ramp from the throughway permitting northbound traffic only to leave the throughway and enter S.W. 14th Avenue.
 - i. A ramp from the throughway, undercrossing S.W. 12th Avenue, and overcrossing S.W. Montgomery Street and S.W. 13th Avenue as well as the throughway and its connections, permitting only northbound traffic of the throughway to enter the Sunset Highway (westbound).
 - j. A ramp from the throughway permitting northbound traffic only to enter S.W. 12th Avenue.
9. State shall locate, construct, and maintain a separation structure from S.W. 13th Avenue permitting southbound traffic only, to undercross the ramp as referred to above under paragraph 8i, overcross the throughway and connection, to enter S.W. Montgomery Street, S.W. 14th Avenue, or continue along a ramp and enter the southbound lanes of the throughway. Said ramp structure is shown colored in brown on the attached Exhibit B.

THINGS TO BE DONE BY CITY:

1. City approves the RECITALS herein, Exhibit A and Exhibit B, THINGS TO BE DONE BY STATE and all other provisions of this agreement.

2. City shall, upon completion of the project, assume State's right, title, and interest in those portions and maintain at its sole expense, as city streets, the streets shown in orange on Exhibit A and Exhibit B which are to be constructed or reconstructed, all pursuant to paragraphs 4 and 5 under THINGS TO BE DONE BY STATE.

3. City shall enact an ordinance prohibiting parking, except for emergencies, within the boundary lines of the throughway on that portion of the project within the city limits. It is agreed, however, that this provision shall further apply to the streets as shown colored in orange on Exhibit A and Exhibit B, and specifically to those referred to as follows:

a. N.W. 16th Avenue, along the easterly and westerly sides, from 100 feet northerly of N.W. Irving Street to N.W. Glisan Street; along the easterly side only, from N.W. Glisan Street to N.W. Everett Street; along the easterly and westerly sides, from N.W. Everett Street to 100 feet southerly of N.W. Davis Street.

b. N.W. Glisan Street, along the northerly and southerly sides, from N.W. 14th Avenue to N.W. 16th Avenue.

c. N.W. Everett Street, along the northerly and southerly sides, from N.W. 14th Avenue to N.W. 16th Avenue.

d. N.W. 14th Avenue, along the easterly and westerly sides, from N.W. Everett Street to West Burnside Street.

e. N.W. Couch Street, along the northerly and southerly sides, from N.W. 14th Avenue to N.W. 16th Avenue.

f. West Burnside Street, along the northerly and southerly sides, from N.W. 14th Avenue to N.W. 16th Avenue.

g. S.W. 14th Avenue, along the easterly side, from S.W. Taylor Street to S.W. Columbia Street.

h. S.W. 13th Avenue, along the westerly side, from S.W. Morrison Street to S.W. Montgomery Street.

i. S.W. 12th Avenue, along the westerly and easterly sides, from S.W. Montgomery Street to S.W. College Street.

j. Frontage Street between S.W. Columbia Street and S.W. Market Street, along the westerly and easterly sides.

4. City consents to the closure of those streets as described in paragraphs 6 and 7 under THINGS TO BE DONE BY STATE.

GENERAL PROVISIONS:

1. State and City mutually agree and understand that this agreement as entered into this date, shall supplement the agreement of April 13, 1962, as supplemented on November 24, 1964, and the said agreements entered into by

and between the parties hereto, shall remain in full force and effect except as herein expressly modified.

2. State and City agree that this agreement shall be subject to concurrence of the Oregon Division Engineer of the Bureau of Public Roads, or his duly authorized representative, and prior approval shall be obtained regarding this agreement on any future changes.

IN WITNESS WHEREOF, the parties hereto have caused this supplemental agreement to be signed by their respective officials and have caused their respective seals to be affixed hereto. City's Mayor and Commissioner of Public Works have acted in this matter pursuant to Ordinance No. _____, passed by its City Council on the _____ day of _____, 19____.

This supplemental agreement was approved by the Oregon State Highway Commission on _____, 19____, at which time the Secretary for the Commission was authorized and directed to sign said agreement for and on behalf of the Commission. Said authority is set forth in Volume _____, page _____, Minute Book of the Oregon State Highway Commission.

APPROVED:

Floyd Query, Secretary

Assistant State Highway Engineer

CITY OF PORTLAND, by and through
its Mayor and Commissioner of
Public Works

Approved: J. E. Baughman
Asst. Traffic Engineer

Mayor

APPROVED:

Wm. A. Bower
Commissioner of Public Works

[Signature]
Highway Engineering Coordinator

APPROVED: [Signature]
City Engineer

APPROVED AS TO FORM:

City Attorney

120121

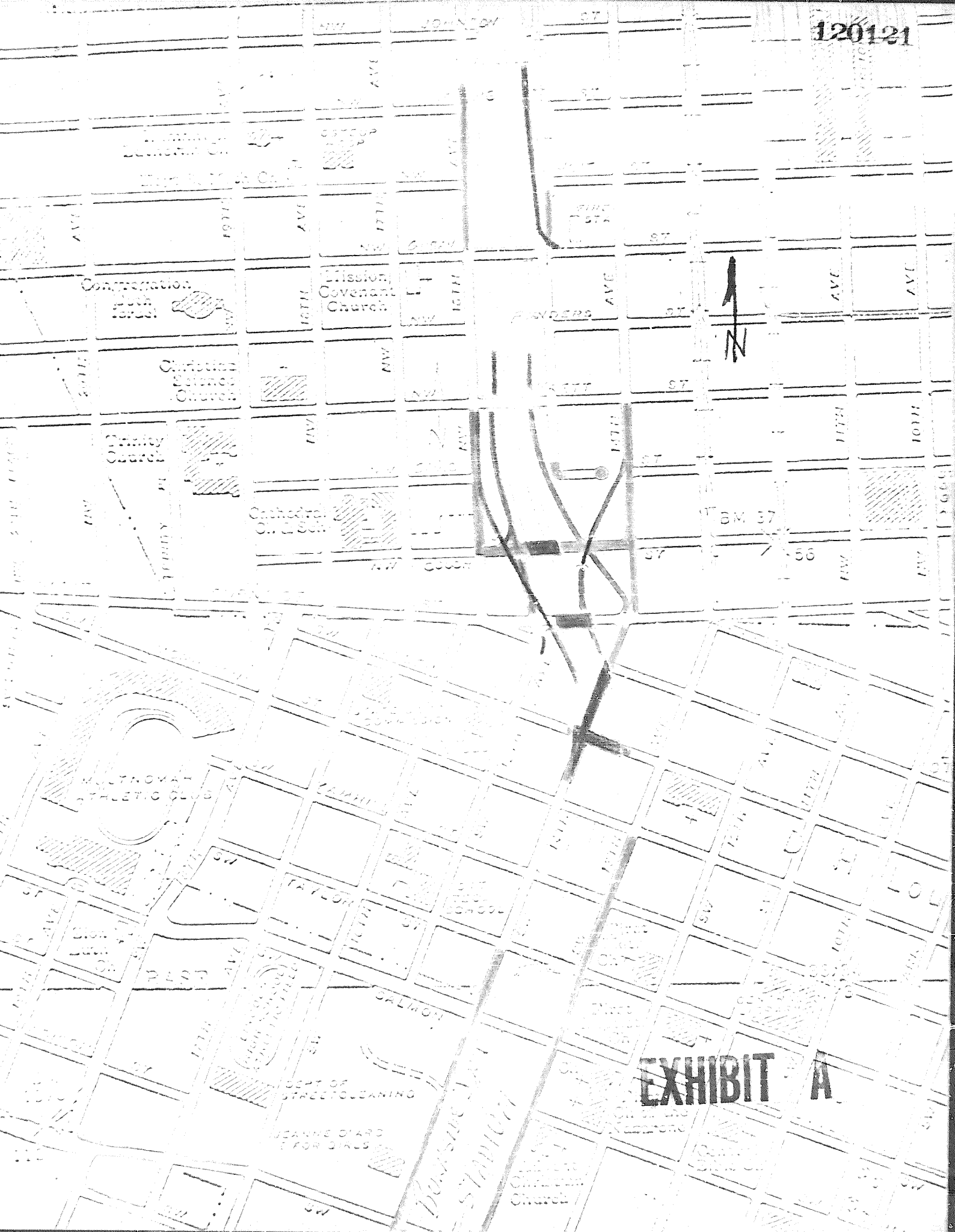
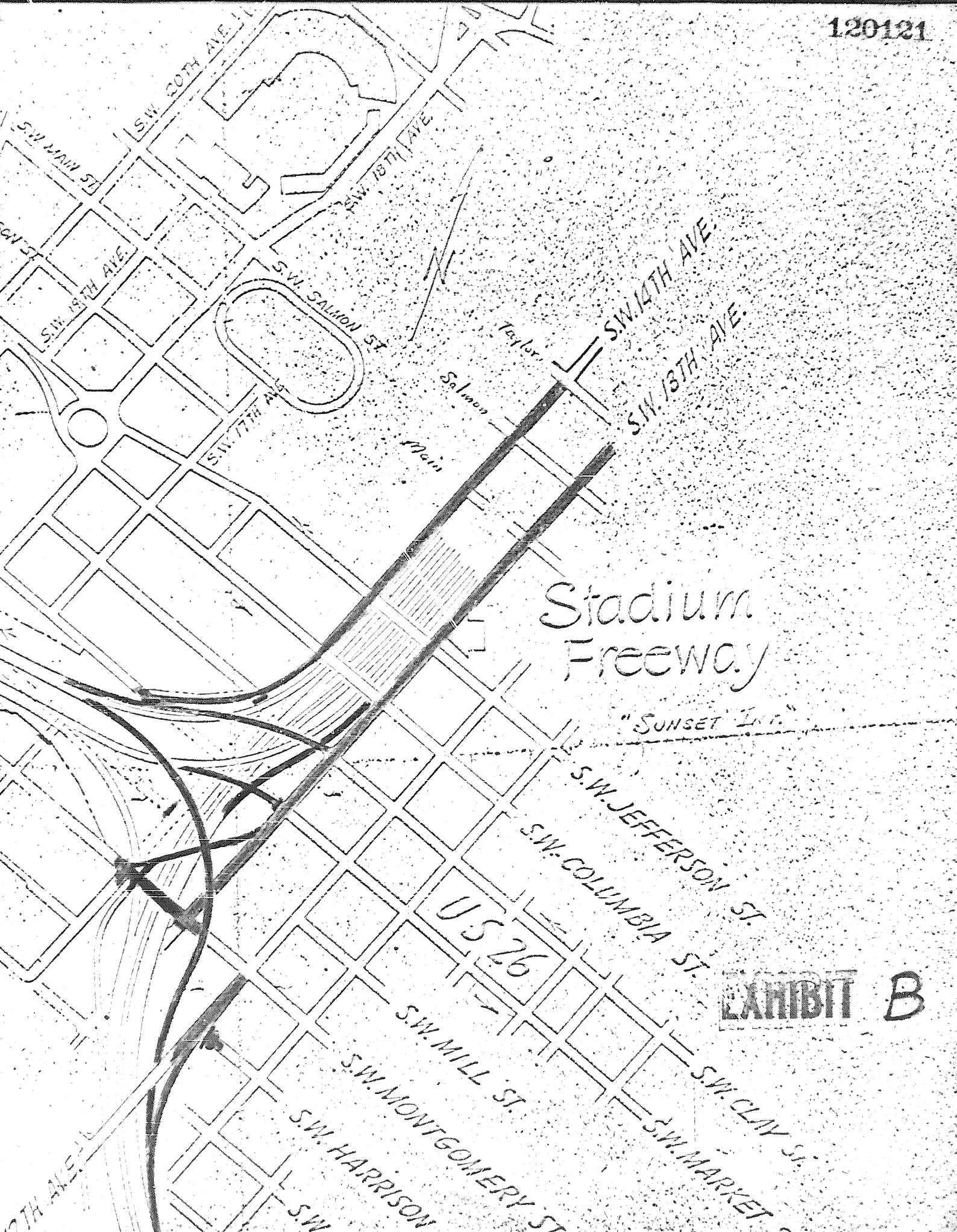


EXHIBIT A



Stadium Freeway

"SUNSET INF."

US 26

EXHIBIT B

ORDINANCE NO. 120121

An Ordinance amending the agreement between the City of Portland and the State of Oregon, by and through its State Highway Commission, dated April 13, 1962, as amended, for construction of the Stadium Freeway to provide for the establishment, construction, maintenance and additional street closures of various city streets and interchange ramps, to provide for the safe and expeditious flow of traffic through the Sunset and Burnside Street interchanges, and declaring an emergency.

The City of Portland ordains:

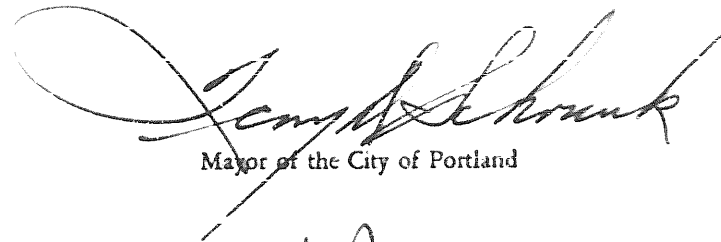
Section 1. The Council finds that the City of Portland and the State of Oregon, by and through its State Highway Commission, have heretofore entered into a throughway agreement, dated April 13, 1962, and supplemented by agreement dated November 24, 1964, concerning the construction of the Stadium Freeway, State Primary Highway No. 61, within the corporate limits of the City of Portland; that the State of Oregon, acting by and through its State Highway Commission, and the City have determined that said agreement of April 13, 1962, as amended, although remaining in full force and effect, should be supplemented to provide for the establishment, construction, maintenance and additional street closures of various city streets and interchange ramps to provide for the safe and expeditious flow of traffic through the Sunset and Burnside Street interchanges within the corporate limits of the city and that an agreement to effect such changes should be authorized; now, therefore, the Mayor and Commissioner of Public Works hereby are authorized to enter into a supplemental agreement amending the agreement dated April 13, 1962, which was supplemented by agreement, dated November 24, 1964, between the city and the State of Oregon, by and through its State Highway Commission, which agreement shall be substantially in accordance with the form of agreement attached to the original only of this ordinance, marked Exhibit "1," and by this reference made a part of this ordinance. Such agreement shall be in form approved by the City Attorney.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and

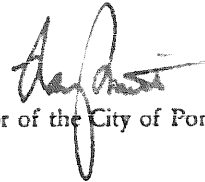
ORDINANCE No.

safety of the City of Portland in this: In order that the supplemental agreement authorized in Section 1 of this ordinance may be executed without unnecessary delay to establish the rights and duties of the parties to such agreement; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 1 - 1965


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No.

1260

ORDINANCE No. 120121

Title

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	1	
Bowes	1	
Earl	1	
Grayson		
Schrunk	1	

FOUR-FIFTHS CALENDAR

Bean	
Bowes	
Earl	
Grayson	
Schrunk	

An Ordinance amending the agreement between the City of Portland and the State of Oregon, by and through its State Highway Commission, dated April 13, 1962, as amended, for construction of the Stadium Freeway to provide for the establishment, construction, maintenance and additional street closures of various city streets and interchange ramps, to provide for the safe and expeditious flow of traffic through the Sunset and Burnside Street interchanges, and declaring an emergency.

THURSDAY

Filed MAR 26 1965

RAY SMITH

Auditor of the CITY OF PORTLAND

By *Robert [Signature]* Deputy

INTRODUCED BY
Commissioner Bowes

DRAWN BY
RLH:gm/Eg
Date March 24, 1965

NOTED BY THE COMMISSIONER

Affairs
Finance
Safety
Utilities
Works *WAB*

City Attorney *[Signature]*

NOTED FOR CITY AUDITOR
[Signature]

APPROVED

Date
By
City Engineer