

122860

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RECEIPT

No. 72683

OFFICE OF
SI COHN, COUNTY CLERK
 MULTNOMAH COUNTY, OREGON
 RECORDING DEPARTMENT

NAME City Auditor

FILE NO. _____

DOCUMENT	PARTIES	
c/c	Ord. # 122860	6 00
	Book 518 Page 829 7-28-66	

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RECEIVED

JUL 19 9 30 AM '66 ACCEPTANCE

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.

BY [Signature]

Portland, Oregon, July 14, 1966

RAY SMITH
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. 122860 vacating S.W. Harrison Street between S.W. Broadway and S.W. Park Avenue, under certain conditions, and declaring an emergency,

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,

[CORPORATE
SEAL]

Portland State College

* [Signature]
By J. Malcolm McEinn

P. O. Box 751, Address Portland, Ore. 97207

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. 122860

An Ordinance vacating SW Harrison Street between SW Broadway and SW Park Avenue, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that on the request of the State of Oregon, acting by and through the State Board of Higher Education, for the use and benefit of Portland State College, the City initiated proceedings for the vacation of SW Harrison Street between SW Broadway and SW Park Avenue, by Resolution No. 29757, adopted by the Council March 30, 1966, (CC#1846) that the purpose of said street vacation is to provide for a terminating area for a pedestrian overpass and for a pedestrian mall; that pursuant to ORS 271.190, since the area to be vacated lies within 5,000 feet of the harbor line, approval in writing of the proposed vacation has been secured from The Port of Portland and the Commission of Public Docks; that said area to be vacated is more particularly described as follows:

All that portion of SW Harrison Street lying between the west line of SW Broadway and the east line of SW Park Avenue, adjacent to Blocks 199 and 200, Portland Addition, in the city of Portland, county of Multnomah, state of Oregon.

that pursuant to ORS 271.130 the Council fixed a time and place for public hearing before the Council; that the City Auditor published notice of such hearing in the City official newspaper, namely, Daily Journal of Commerce, once each week for four consecutive weeks, and posted such notice in certain places in area proposed to be vacated, all in accordance with provisions of ORS 271.110; that said matter came on regularly for hearing and no objections were made or filed thereto and it is in the public interest that said street be vacated; now, therefore, that certain street hereinbefore described hereby is vacated under the following conditions:

a. 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 any and all such things; 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 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 hereafter reconstructed, renewed, replaced and/or enlarged.

b. The State of Oregon, by and through the State Board of Higher Education, for Portland State College, shall reconstruct, at its expense, the existing 20-inch diameter sewer in SW Harrison Street from a point 4.0 feet west of the east curb on SW Park Avenue to a point 4.0 feet east of the west curb on SW Broadway, in accordance with plans to be prepared by the City Engineer.

c. The City hereby reserves an easement for future construction of a sanitary sewer, said easement being 20.0 feet in width and lying 10.0 feet on each side of the center line of SW Harrison Street as originally laid out and established, it being understood that no building or structures will be constructed over said easement without the written approval of the City Engineer.

d. The State of Oregon, by and through the State Board of Higher Education, for Portland State College, agrees to pay all costs of reconstruction of the intersections at the easterly and westerly ends of the street to be vacated, as required by the City Engineer.

e. The State of Oregon, by and through the State Board of Higher Education, for Portland State College, shall file with the City Auditor, in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Section 2. The City Auditor shall file with the recorder, the assessor, and the surveyor of Multnomah County, a certified copy of this ordinance and the acceptance thereof, and any map, plat or other record which may be required by law.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there may be no delay in utilization of street area in connection with summer construction, 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

Mayor of the City of Portland

Attest:

Order of Council
AGB:jw 7/8/66

Auditor of the City of Portland

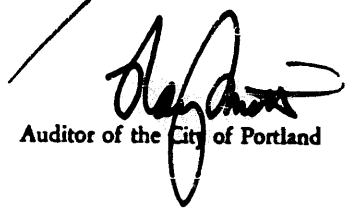
ORDINANCE No.

Passed by the Council, JUL 13 1966



George W. Schenk
Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. 2797

ORDINANCE NO. 122810

Title

An Ordinance vacating SW Harrison Street between SW Broadway and SW Park Avenue, under certain conditions, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR		
Bean		
Bowes		
Earl		
Grayson		
Schrunk		

Filed JUL 8 1966

RAY SMITH

Auditor of the CITY OF PORTLAND

By: Robert Cady Deputy

INTRODUCED BY
Order of Council

DRAWN BY	AGB:jw
Date	July 8, 1966

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney	<i>[Signature]</i>
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NOTED FOR CITY AUDITOR
<i>[Signature]</i>

APPROVED	
Date	
By	City Engineer
Date	
By	