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RECEIPT

No. 1667

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Auditor

FILE NO.

DOCUMENT	PARTIES		
<i>Ord.</i>	<i>Ord. # 122861</i>		
			<i>9.00</i>
	<i>Book 522</i>		
	<i>Page 257</i>		
	<i>Aug 18, 1966</i>		

ORDINANCE NO. 122861

An Ordinance vacating certain portions of S. W. 2nd, 3rd and 4th Avenues and S. W. Madison and Jefferson Streets, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that by Resolution No. 29800, adopted by the Council May 19, 1966, proceedings were initiated for the vacation of certain portions of S. W. 2nd, 3rd and 4th Avenues and S. W. Madison and Jefferson Streets adjacent to Blocks 55 and 70, City of Portland; that the purpose for said street vacation is to provide additional land area required for construction of the Federal Office Building; that said area to be vacated is more particularly described as follows:

The West five (5) feet of S.W. 2nd Avenue lying East of and adjacent to Block 70, City of Portland; also

All of S.W. 3rd Avenue lying between Blocks 55 and 70, City of Portland; also

The East fifteen (15) feet of S.W. 4th Avenue lying West of and adjacent to Block 55, City of Portland; also

The South eight (8) feet of S.W. Madison Street lying between a line drawn fifteen (15) feet West of and parallel to the West line of Block 55, City of Portland Extended, and a line drawn five (5) feet East of and parallel to the East line of Block 70, City of Portland Extended; also

The North eight (8) feet of S.W. Jefferson Street lying between a line drawn fifteen (15) feet West of and parallel to the West line of Block 55, City of Portland Extended, and a line drawn five (5) feet East of and parallel to the East line of Block 70, City of Portland Extended.

That said street vacation will not interfere with any improvement proposed by the Commission of Public Docks or with reasonable access to the waterfront or transportation terminal; that said petition has been approved by the Commissioner of Public Works, subject to certain conditions set forth hereinbelow; that said petition complies in all respects with the provisions of ORS 271.080 in that it includes the consents of the owners of all abutting property and of not less than two-thirds in area of the real

property affected thereby; that pursuant to ORS 271.100 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's official newspaper, namely, The 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 petition came on regularly for hearing and no objections were made or filed thereto and it is in the public interest that said street area be vacated; now, therefore, that certain street area hereinbefore described hereby is vacated under the following conditions:

- (a) That S.W. 3rd Avenue between S.W. Madison and Jefferson Streets shall be vacated on the following covenants and conditions applicable to construction in the vacated area, reserving to the city for the use and benefit of the public, easements for vehicular and pedestrian traffic over the existing street and sidewalks, or substitutes therefor provided by the United States of America, as follows:
- (1) The lowest portion of any structure spanning the street area shall be a minimum of 22 feet above the high point elevation of the traveled roadway for vehicular traffic;
 - (2) A four-hour fire separation wall shall be provided between the vehicular tunnel formed by bridging over S.W. 3rd Avenue and the remainder of the structure;
 - (3) Window openings of all floors in the area directly above both entrances of the vehicular tunnel shall be set back a distance of at least ten feet behind the tunnel entrances, so as to channel any heat or flame away from such window openings should a conflagration occur within the tunnel;
 - (4) Any and all first floor or mezzanine windows immediately adjoining the tunnel opening in the North and South faces of the building shall be equipped with wire glass in steel frames and with fire sprinkler protection;
 - (5) A dry type deluge sprinkler system shall be installed within the vehicular and pedestrian tunnel with fire department connections at each end approximately 100 feet away from the tunnel openings;
 - (6) The tunnel area shall be equipped with adequate lighting and ventilation for comfort and safety of pedestrians and vehicular passage;

- (7) Any substitute roadway or sidewalks shall be equal in area to the existing S.W. 3rd Avenue;
 - (8) Any substitute roadway structures shall be of sufficient strength and properly designed and maintained to carry street traffic and shall be designed for an H-20 loading;
 - (9) The street level shall be equipped with two catch basins at each side of the roadway, one in the center of the block and one at the North end of the vehicular tunnel, which shall be connected for storm drainage;
 - (10) The roadway portion of the structure shall be so constructed as to preclude the passage or leakage of low-flashpoint flammable liquids from the street roadway area to space below in the basement levels;
 - (11) A wall or fence of materials and design approved by the City Engineer and the Traffic Engineer of city shall be constructed and maintained a minimum of four feet in height between the pedestrian walkways and the vehicular roadway.
- (b) All portions of S.W. Madison Street and S.W. Jefferson Street lying between the property lines of Blocks 55 and 70 and the existing curb lines of such streets be vacated below the existing grade on the following conditions:
- (1) All parts of arcade structures shall be set back at least two feet from the curb line; such curb lines shall be at places designated by city prior to award of a construction contract by the government and need not be at the present curb lines, but the clear sidewalk width provided within the arcade shall be at least ten feet, and no basement areas of the building shall extend beyond such revised curb lines;
 - (2) Adequate lighting for public safety shall be provided in the arcade structure;
 - (3) Sidewalks over excavated areas shall be so constructed and maintained as to sustain a live load of 250 pounds per square foot, with all driveways constructed and designed for H-20 loading;
 - (4) No basement area shall be extended beyond the curb lines on S. W. Madison and S.W. Jefferson Streets

which may be revised by the city prior to award of a construction contract by the government and may be placed four feet inside present curb lines.

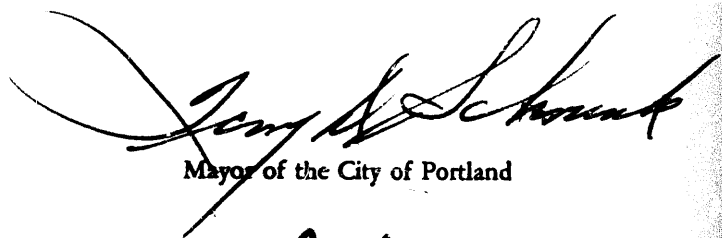
- (c) All portions of S. W. 2nd Avenue and S.W. 4th Avenue lying between the property lines of Blocks 70 and 55 and the existing curb lines shall be vacated, reserving to the city for the use and benefit of the public, easements for pedestrian traffic over existing sidewalks, or substitutes therefor provided by the United States of America, such vacation to be on the following conditions applicable to construction in the vacated areas as follows:
- (1) All parts of arcade structures shall be set back at least two feet from the curb line; such curb lines shall be at places designated by city prior to award of a construction contract by the government and need not be at the present curb lines, but the clear sidewalk width provided within the arcade, shall be at least ten feet, and no basement areas of the building shall extend beyond such revised curb lines;
 - (2) Adequate lighting for public safety shall be provided in the arcade structure;
 - (3) Sidewalks over excavated areas shall be so constructed and maintained as to sustain a live load of 250 pounds per square foot, with all driveways constructed and designed for H-20 loading;
 - (4) No basement area shall be extended beyond the curb lines on S.W. 2nd Avenue and S.W. 4th Avenue which may be revised by the city prior to award of a construction contract by the government and may be placed four feet inside present curb lines.
- (c) The following general covenants and conditions are also agreed to:
- (1) The United States of America shall grant to the City of Portland an easement for pedestrian traffic over all areas within arcade structures which will be open to the public but which are not presently within dedicated street areas;
 - (2) All areas open to pedestrian or vehicular travel of the public shall be and remain under the police power of the city;

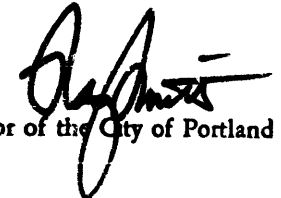
ORDINANCE No.

- (3) All building structures on Blocks 55 and 70 and the vacated areas shall be constructed in accordance with codes and regulations of the City of Portland; electric systems shall be installed in accordance with the National Electric Code; all plumbing systems shall be installed in accordance with the National Plumbing Code; and drawings and specifications shall be submitted to the city for review and comment;
- (4) The government shall remove existing utility lines including water and sewer lines presently located in S.W. 3rd Avenue and shall reimburse the City of Portland for any cost of relocation of water or sewer lines or services necessitated by construction of basement levels, such relocations to be at the times and in accordance with the directions of the City Engineer and the Water Engineer.

Section 2. The City Auditor shall file with the recorder, the assessor, and the surveyor of the county in which said vacation is located, a certified copy of this ordinance and any map, plat or other record which may be required by law.

Passed by the Council, JUL 13 1966


 Mayor of the City of Portland

Attest:

 Auditor of the City of Portland

Calendar No.

2798
~~2709~~

ORDINANCE NO. 122861

Title

An Ordinance vacating certain portions of S.W. 2nd, 3rd and 4th Avenues and S.W. Madison and Jefferson Streets, under certain conditions.

JUL 6 - 1966

Read 1 & 2 & PASSED TO THIRD READING JUL 13 1966

THE COMMISSIONERS VOTED AS FOLLOWS:	
Yeas	Nays
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/	
/	
/	
/	
/	
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FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

INTRODUCED BY
Order of Council 1

DRAWN BY
AGB/fg

Date June 30, 1966

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

WA

APPROVED

Date

By

City Engineer

Date

By

RAY SMITH

Auditor of the CITY OF PORTLAND

By

Robert Walsh
Deputy

Filed JUL 1 1966

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