

AUD 50 RECEIVED

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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY *ef*

Portland, Oregon, March 25, 1971

GEORGE YERKOVICH
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. 132394, passed by the Council March 24, 1971, vacating a certain portion of SE Reedway Street, under certain 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,



SOUTHERN PACIFIC TRANSPORTATION COMPANY

BY: *D. G. H. Young*
GENERAL ATTORNEY - OREGON LINES

251 Union Station, Portland 97209

Address

Approved as to form:

W. L. Chisholm
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. 132394

An Ordinance vacating a certain portion of SE Reedway Street, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that by Resolution No. 30707, adopted by the Council April 16, 1970, proceedings were initiated for the vacation of a certain portion of SE Reedway Street; that the purpose of said vacation is for industrial expansion and the elimination of a grade crossing; 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:

Beginning at a point on the southerly line of SE Reedway Street, 50.0 feet in width, distant 320.0 feet south 89° 53' 30" west along the southerly line of SE Reedway Street from the east line of SE 26th Avenue; thence continuing south 89° 53' 30" West, along said southerly line, 190.0 feet; thence north 0° 06' 30" west, 50.0 feet to a point in the northerly line of SE Reedway Street, thence north 89° 53' 30" east, along said northerly line, 190.0 feet; thence south 0° 06' 30" east, 50.0 feet to the point of beginning;

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

ORDINANCE No.

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. Easements hereby are reserved by the City of Portland for future construction and maintenance of sewers and water mains when found necessary or desirable by the City Engineer and Chief Engineer, Bureau of Water Works.

c. An easement hereby is reserved by the City of Portland for a term of twenty years following the date of passage of this ordinance, for construction of a highway underpass or overpass within the portion of SE Reedway Street hereby vacated.

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 any map, plat or other record which may be required by law.

Passed by the Council, MAR 24 1971

Order of Council
MCR:jw 3/11/71


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No.

1063
355

ORDINANCE No. 133304

Title

An Ordinance vacating a certain portion of SE Reedway Street, under certain conditions.

MAR 1971

PASSED TO THIRD READING MAR 24 1971

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	1	
Goldschmidt	1	
Ivancie	-	
McCready	1	
Schnuk	1	

FOUR-FIFTHS CALENDAR	
Anderson	
Goldschmidt	
Ivancie	
McCready	
Schnuk	

INTRODUCED BY
Order of Council

DRAWN BY

MCR: jw

Date 3/11/71

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

City Attorney

NOTED BY THE CITY AUDITOR

42

APPROVED

Date 3-12-71

By

City Engineer

Date

By

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By

Deputy