

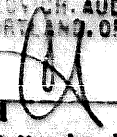
# ACCEPTANCE

RECEIVED

OCT 7 3 46 PM 1980

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

Portland, Oregon, September 26, 1980

BY   
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. 150458, passed by the Council September 24, 1980, vacating all that portion of N. Burlington Avenue lying between the southwesterly line of N. Bradford Street and its terminus at the northeasterly line of the Willamette River, 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,

PORTLAND DEVELOPMENT COMMISSION

(CORPORATE SEAL)

BY 

Robert J. Holmes, Executive Director  
1500 SW 1st, Portland, Or. 97201

Address

Approved as to form:

  
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. 150458

An Ordinance vacating all that portion of N. Burlington Avenue lying between the southwesterly line of N. Bradford Street and its terminus at the northeasterly line of the Willamette River, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds:

1. By Resolution No. 32716 adopted by the Council July 23, 1980, proceedings were initiated for the vacation of N. Burlington Avenue between N. Bradford Street and the Willamette River.
2. The vacation was initiated at the request of the Portland Development Commission to consolidate property for the St. Johns Riverfront Development Project.
3. The vacation is recommended by the Commissioner of Public Works, under certain conditions, set forth in the directive action below.
4. In accordance with O.R.S. 271.100, the Council fixed a time and place for public hearing before the Council; the Auditor published notice thereof, and posted notice in the area proposed to be vacated.
5. Other procedural requirements of O.R.S. 271 have been complied with and the Council having held a public hearing finds no objections were made or filed hereto and it is in the public interest that said street be vacated.

NOW, THEREFORE, the Council directs:

- a. All that portion of N. Burlington Avenue lying between the southwesterly line of N. Bradford Street and its terminus at the northeasterly line of the Willamette River, is hereby vacated.
- b. The vacation of the above described street areas is granted, subject to the following conditions and restrictions:

Nothing contained herein shall cause or require the removal or abandonment of any sewer or gas main, conduit of any kind, wire, pole or thing used, or intended to be used for any public service, (with the exception of an existing sewer for which no easement should be reserved), 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;

# ORDINANCE No.

that no building or structure of any kind shall be built or erected within a distance of ten feet from the centerline of any such utility, except with the prior written consent of the City Engineer and the owner of the utility 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 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 hereinafter reconstructed, renewed, replaced and/or enlarged.

## Section 2.

- a. The City Auditor shall file with the recorder, the assessor, the surveyor of the county in which said property 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, **SEP 24 1980**

ORDER OF COUNCIL  
 Stu Keebaugh/jmh  
 September 5, 1980

Attest:

*Senque Fubonil*  
 Auditor of the City of Portland



3463  
Calendar No. 5361

**ORDINANCE No. 150458**

**Title**

An Ordinance vacating all that portion of N. Burlington Avenue lying between the southwesterly line of N. Bradford Street and its terminus at the north-easterly line of the Willamette River, under certain conditions.

(C-9318)

SEP 17 1980

PASSED TO SECOND READING SEP 24 1980

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan	1	
Lindberg	1	
Schwab	1	
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Filed SEP 11 1980

GEORGE YENKOVICH  
Auditor of the CITY OF PORTLAND

*Gordon Howell*  
Deputy

INTRODUCED BY  
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER

Affairs  
Finance and Administration  
Safety  
Utilities  
Works *mlms*

BUREAU APPROVAL

Bureau: Street & Structural Engineering  
Prepared By: SK Date: 9/5/80  
Budget Impact Review:  Completed,  Not required  
Bureau Head: *David J. Vargas*  
David J. Vargas, Acting Chief

CALENDAR

Consent  Regular

NOTED BY

City Attorney  
City Auditor  
City Engineer Approved: John M. Lang, P.E.  
By: *David J. Vargas*