

RECEIVED

MAR 27 1 59 PM '85

ACCEPTANCE

JEWEL LANSING, AUDITOR
CITY OF PORTLAND, ORE.

BY _____

Portland, Oregon March 25 19 85

JEWEL LANSING
Auditor of the City of Portland
Room 202, City Hall
Portland, Oregon 97204

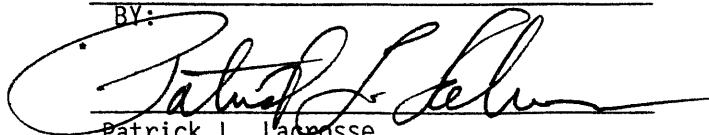
This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 156878, passed by the Council December 12, 1984, vacating a certain portion of SW Mill Street lying east of SW Harbor Way, under certain conditions,

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

BY:



Patrick L. Lacrosse
Executive Director
1120 SW 5th Ave, Room 1102, Portland, OR 97204

Address

Approved as to form:

APPROVED AS TO FORM


City Attorney

*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.

ORDINANCE NO. 156878

An Ordinance vacating a certain portion of SW Mill Street lying east of SW Harbor Way, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds:

1. By Resolution 33754, proceedings were initiated for the vacation of a certain portion of SW Mill Street lying east of SW Harbor Way.
2. The purpose of the vacation is to consolidate Portland Development Commission property holdings along SW Harbor Way in connection with the South Downtown Waterfront 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 ORS 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 ORS 271 have been complied with and the Council having held a public hearing finds no objections were made or filed thereto and it is in the public interest that said street area be vacated.

NOW, THEREFORE, the Council directs:

- a. The following described street area, as shown on the attached Exhibit "A," is hereby vacated:

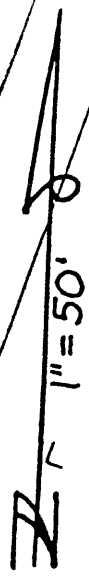
R/W #3932-1

All that portion of SW Mill Street lying between the easterly right of way line of SW Harbor Way as presently laid out and established, and the westerly line of that portion of SW Mill Street vacated by Ordinance No. 152717, passed by Council January 13, 1982, in the City of Portland, County of Multnomah and State of Oregon.

- b. The vacation of the above described street area is granted subject to the following conditions and restrictions:

- (1) That the petitioner pay to the City the sum of \$624.00, this being the cost of these vacation proceedings.
- (2) 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; that no building or structure of any kind shall be built or erected within a distance of ten (10) 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 areas 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 (except as herein provided with respect to existing sewers, for which a specific easement is reserved).
- (3) That an easement for construction, reconstruction, operation and maintenance of existing sewers in SW Mill Street is hereby reserved over the entire length and full width of the portion of SW Mill Street herein vacated.
- (4) The easement reserved by condition (3) above, is reserved on condition that no building construction, material storage or tree planting will be permitted within said easement area, and further that the City or its contractors will not be responsible for damage to any improvements, including landscaping existing on the easement area if such things are damaged or destroyed by the City or its contractor in the course of reconstruction or maintenance of existing sewer facilities.
- (5) That Portland Development Commission pay all costs of intersection reconstruction at the intersection of SW Mill Street with the easterly line of SW Harbor Way in accordance with plans to be furnished by the City Engineer.

EXHIBIT "A"



WAY

HARBOR

S.W.

S.W.

MILL

ST.

MONTGOMERY

ST.

103

102

3229
4

vacated
Ordinance
No. 152717

vacation
area
± 70'

S.W.

32'

30'

130.11

155'

30'

30'

30'

50'

50'

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Calendar No. **2651**
2579

ORDINANCE No. 156878

Title

An Ordinance vacating a certain portion of SW Mill Street lying east of SW Harbor Way, under certain conditions.

DEC 5 1984

PASSED TO SECOND READING DEC 12 1984

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	—	—
LINDBERG	✓	—
SCHWAB	✓	—
STRACHAN	✓	—
IVANCIE	✓	—

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed **NOV 30 1984**

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By *J. D. De* Deputy

INTRODUCED BY
ORDER OF COUNCIL

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>W.A. Jones</i>

BUREAU APPROVAL
Bureau: Transportation Engineering
Prepared By: <i>PH</i> Date: 11-16-84
Jimmy Hillstrom:mwp
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>Richard O. Schmidt</i> Richard O. Schmidt, Chief

CALENDAR
Consent
Regular <input checked="" type="checkbox"/>

NOTED BY
City Attorney
City Auditor
City Engineer: <i>Richard O. Schmidt</i> Richard O. Schmidt, P.E.
By: <i>R.O. Schmidt</i>