

156895

ACCEPTANCE

RECEIVED

JAN - 4 1985

**OFFICE OF THE
CITY AUDITOR**

Portland, Oregon December 27, 1984

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 156895, amending Ordinance No. 127882, passed by the Council October 16, 1968, which vacated a portion of S.W. Madison Street between the east line of S.W. 10th Avenue and the west line of S.W. Park Avenue, by amending the conditions of such ordinance to allow closure of the vacated area during night hours

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 MASONIC TEMPLE ASSOCIATION

[Handwritten Signature]

1119 S.W. Park (05)

Address

APPROVED AS TO FORM

Approved as to form:

[Handwritten Signature]
ACTING CITY ATTORNEY
City Attorney

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

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JAN 25 1985

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CITY AUDITOR**

Portland, Oregon December 27, 19 84

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

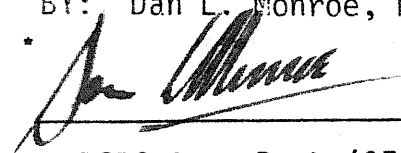
This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 156895, amending Ordinance No. 127882, passed by the Council October 16, 1968, which vacated a portion of S.W. Madison Street between the east line of S.W. 10th Avenue and west line of S.W. Park Avenue, by amending the conditions of such ordinance to allow closure of the vacated area during night hours,

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 ART ASSOCIATION

BY: Dan L. Monroe, President



1219 S.W. Park (05)

Address

Approved as to forms TO FORM


ACTING CITY ATTORNEY

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ORDINANCE NO. 156895

An Ordinance amending Ordinance No. 127882, passed by the Council October 16, 1968, which vacated a portion of S.W. Madison Street between the east line of S.W. 10th Avenue and the west line of S.W. Park Avenue, by amending the conditions of such ordinance to allow closure of the vacated area during night hours, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 127882, passed by the Council October 16, 1968, vacated S.W. Madison Street between the east line of S.W. 10th Avenue and the west line of S.W. Park Avenue.
2. That the purpose of vacation of this street area between property owned by the Portland Art Association and the Portland Masonic Temple Association was to create an open pedestrian sculpture mall for display of outdoor sculptures.
3. That the conditions of the vacating ordinance required that an 8 foot-wide pedestrian easement open to the public at all times be provided and maintained.
4. That because of vandalism to the sculptures, chiefly during night-time hours, the Portland Art Association has requested that the conditions of the vacating ordinance be amended to permit the Art Association to close the area by fence from 11:00 p.m. until 7:00 a.m. and provide security during the hours of closure.
5. Closure of this area at night would not adversely affect the public interest and would allow the Portland Art Association to create an attractive area with outdoor sculptures which is a benefit to the public.

NOW, THEREFORE, the Council directs:

- a. Ordinance No. 127882, passed by the Council October 16, 1968, is hereby amended by amending the conditions in subsections (b) and (c) of said ordinance to read as follows:
 - (b) That said easement not be blocked in any manner between the hours of 7:00 a.m. and 11:00 p.m. and be adequately illuminated for use in hours of darkness.

ORDINANCE No.

(c) The owners of the adjacent properties may block or close the easement to the public between the hours of 11:00 p.m. and 7:00 a.m. provided that any fence or barricade used for the purpose of blocking or closing such easement during these hours shall be approved as to design by the design review process as provided by the City Planning and Zoning Code.

b. Except as herein amended, all other provisions of Ordinance No. 127882 shall remain in full force and effect.

Section 2. The property owners adjacent to the vacated street area shall file a written acceptance of the terms and conditions of this ordinance with the City Auditor.

Section 3. A copy of this ordinance shall be filed in the appropriate deed records of Multnomah County.

Section 4. The Council declares that an emergency exists because it is necessary to protect the sculptures in the vacated street area from vandalism during night-time hours as soon as possible, therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **DEC 26 1984**
 COMMISSIONER LINDBERG
 RLHurtig:mc/MS:bas
 December 13, 1984

JEWEL LANSING
 Auditor of the City of Portland

By *Edna Curra*
 Deputy

2736

2699

Calendar No.

ORDINANCE No. 156895

Title

An Ordinance amending Ordinance No. 127882, passed by the Council October 16, 1968, which vacated a portion of S.W. Madison Street between the east line of S.W. 10th Avenue and the west line of S.W. Park Avenue, by amending the conditions of such ordinance to allow closure of the vacated area during night hours, and declaring an emergency.

DEC 19 1984

CONTINUED TO DEC 26 1984

DEC 14 1984

Filed _____

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By Dennis D. C.
Deputy

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

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
COMMISSIONER LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/MS</i>

BUREAU APPROVAL	
Bureau:	
Prepared By: Robert L. Hurtig	Date: 10/16/84
Budget Impact Review:	
<input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head:	

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

NOTED BY
City Attorney
City Auditor
City Engineer