

Ordinance No. 31800.

An Ordinance to vacate the original plat of Corbett Terrace.

WHEREAS, on the 30th day of March, 1916, a petition in writing hereinafter more particularly described, of Henry L. Corbett and others to the Council of The City of Portland, in the County of Multnomah and State of Oregon, praying for the vacation of the original plat of Corbett Terrace, in said City of Portland, was filed with the Auditor of said City of Portland; and,

WHEREAS, due notice was given by advertisement thereof for thirty days (to wit, from the 31st day of March, 1916, to the 4th day of May, 1916, both dates inclusive) in the Portland Daily Abstract, a public newspaper and the official newspaper of the City of Portland, printed and published in said City, that at a regular meeting of the Council of said City to be held on the 10th day of May, 1916, said petition (particularly describing the same and the plats and property therein referred to) would be presented to said Council; and,

WHEREAS, at said regular meeting of said Council held on said 10th day of May, 1916, said petition was duly presented to said Council and there was at the same time filed with said Auditor and presented to said Council due proof of the publication as aforesaid of said notice; and thereupon said Council fixed a meeting of said Council to be held on the 26th day of May, 1916, at 10 o'clock a. m., as the time for hearing said petition and any objections thereto, if any should be filed; and,

WHEREAS, it is alleged in said petition that on the 16th day of July, 1912, certain of the petitioners herein filed in the office of the County Clerk for Multnomah County, State of Oregon, a plat of said Corbett Terrace, which plat is now of record in the office of the said County Clerk at pages 85 and 86, in book 564 of the records of plats of said Multnomah County; that by reason of sundry errors in the survey or platting of said property said plat did not correctly represent the location of the property as the same was intended to stand;

that to correct said errors said certain petitioners thereafter and on the 17th day of June, 1913, filed in the office of said County Clerk a replat or amended plat of the said Corbett Terrace, in which said property was correctly represented and which said amended plat is now of record in the office of said County Clerk, at pages 81 and 82, in book 619, of the records of plats of said Multnomah County; and that the streets shown on said replat, together with the additional dedications made by said certain petitioners, comprise a larger area and give the public increased rights over the streets shown on the said original plat first referred to herein. Wherefore said petition prays for the vacation of said original plat, and especially of the portions of streets shown on said original plat which are not included in said replat: to wit, those portions of Fifth avenue (sometimes called City street), Front street and First street, as shown on said original plat, which fall outside of the boundary lines of said streets as the same are shown upon said replat. Copies of said original plat and said replat are attached to said petition as a part thereof, and express reference is made in said petition, and also herein and hereby, to said records of said plats. Said petition gives a distinct description of the property to be vacated and the names of the persons to be particularly affected thereby; and,

WHEREAS, said petitioners are the owners in fee simple of more than two-thirds of the real estate fronting on both sides of said streets dedicated on said plats and proposed to be vacated and affected by said proposed vacation; and in and by their said petition they consent to the vacation of the portions of said streets sought to be vacated in said proceeding; and said petition and consent are in writing, as aforesaid, and duly acknowledged before an officer authorized to take acknowledgments, and filed with the Auditor of said City of Portland, as aforesaid; and,

WHEREAS, at the said time fixed by the Council for hearing said petition and any objections which might be filed thereto, said petition was duly considered by the Council, and the Council ascertained and determined at that time and does now hereby ascertain, determine and find that all the hereinbefore recited statements and facts are true and that all the acts and things hereinbefore set forth have been done, in all respects as required by the

charter of said City of Portland, and that no objections to the vacation of said original plat filed on the 16th day of July, 1912, have been made or filed, and that the public interest will not be prejudiced by the vacation of said original plat; and,

WHEREAS, the Council did at said time grant the prayer of said petition in its entirety and did cause said action and the foregoing findings to be made a matter of record; now, therefore,

The City of Portland does ordain as follows:

Section 1. That the original plat of Corbett Terrace, now of record in the office of the County Clerk for Multnomah County, State of Oregon, at pages 85 and 86, in book 564 of the records of plats of said Multnomah County, and especially the portions of streets shown on said original plat which are not included in the amended plat of said Corbett Terrace now of record in said office at pages 81 and 82, in book 619 of said records: to wit, those portions of Fifth avenue (sometimes called City street), Front street and First street, as the same are shown on said original plat, which fall outside the boundary lines of said streets as the same are shown on said amended plat, be and the same are hereby vacated, and that the vacation thereof be and the same is hereby made a matter of record.

Section 2. The Auditor of The City of Portland is hereby directed to cause a certified copy of this ordinance to be filed for record and duly recorded in the office of the County Clerk of Multnomah County, and said County Clerk shall record the same in the records of deeds of said county and place an appropriate reference upon the margin of the record of said original plat of Corbett Terrace hereby vacated, to indicate the book and page where such vacation is recorded.

Passed by the Council, June 8, 1916.


Auditor of The City of Portland.

Submitted to the Mayor, June 13, 1916.

Approved, June 13, 1916.

H. R. ALBEE
Mayor of The City of Portland.