

32985

Ordinance No.

An Ordinance to vacate all of blocks numbered three, four and five, in Willbridge, and all of Lindel avenue, Merritt avenue, Pico avenue and an unnamed avenue in said Willbridge.

WHEREAS, due notice was given by advertisement thereof for four successive weeks, to wit: from the eleventh day of May, 1917, to the thirty-first day of May, 1917, both dates inclusive, in The Daily Bulletin, the City official newspaper published in the City of Portland, Oregon, and from the first day of June, 1917, to the twelfth day of June, 1917, both dates inclusive, in The Daily Record-Abstract, the City official newspaper published in the City of Portland, Oregon, that at a regular meeting of the Council of said City of Portland to be held on the thirteenth day of June, 1917, a petition would be presented to said Council praying for the vacation of all of blocks numbered three, four and five, all in Willbridge, within the corporate limits of the City of Portland, and all of Lindel avenue and one unnamed avenue running into and becoming a part of Lindel avenue, and Pico avenue and Merritt avenue, in Willbridge, within the corporate limits of the City of Portland, which said notice, together with due proofs of its publication, was filed in the office of the Auditor of The City of Portland on June 12, 1917, prior to the presentation of the said petition to the Council; and,

WHEREAS, a petition, hereinbefore referred to, praying for the vacation of said blocks numbered three, four and five, in said Willbridge, and all of Lindel avenue and an unnamed avenue running into and becoming a part of Lindel avenue, and Pico avenue and Merritt avenue, in said Willbridge, all within the corporate limits of the City of Portland, was duly presented to the Council on the date named in said notice, to wit: June 13, 1917, which said petition duly set forth a description of those portions of said avenues and blocks in Willbridge proposed and sought to be vacated, and the reasons for such vacation, and the purpose for which the ground is proposed to be used, and was duly signed by Commerce Trust and Savings Bank, by W. H. Fear, President, and Saltzman Investment Company, by M. L. Holbrook, President; and,

WHEREAS, there was appended to said petition as a part thereof and as a basis for such vacation and as a basis for the granting of the prayer of said petition, the consent of the owners in fee simple of all of blocks three, four and five, and of more than two-thirds of all of the lands fronting on or within two hundred feet of the boundaries or termini of each of Lindel avenue and one unnamed avenue running into and becoming a part of Lindel avenue, and Merritt avenue and Pico avenue, all in Willbridge, which is proposed to be vacated, estimated upon the frontage of said avenues, said frontage commencing at a line drawn equi-distant from the termini of said portions of said avenues proposed to be vacated, and extending along such proposed vacation the entire length thereof and two hundred feet in each direction from the termini thereof, which said consent of owners is in writing and duly acknowledged before an officer authorized to take acknowledgments, and is attached to said petition and filed therewith with the Auditor of The City of Portland; and,

WHEREAS, the Council upon the presentation of said petition and the filing of proof of publication of the notice thereof did fix a meeting of said Council to be held on the fifteenth day of June, 1917, at ten o'clock a. m., as the time for hearing said petition and any objections which might be filed thereto, if any there be; 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 did ascertain and determine at that time, and does now hereby ascertain, determine and find that all the foregoing recited facts are true and that all the acts and things above recited have been done as required by the Charter of The City of Portland, and that the consent of the owners in fee simple of at least two-thirds of the real estate fronting on both sides of said avenues which are proposed to be vacated, estimated upon the frontage of said avenues, said frontage commencing at a line drawn equi-distant from the termini of the portions of the avenues proposed to be vacated, and extending along such proposed vacation the entire length thereof and two hundred feet in each direction from the termini thereof, had been obtained in writing and duly acknowledged before an officer authorized to take acknowledgments and was

attached to and filed with said petition, and that no objections to the vacation of said avenues and blocks had or have been made or filed, and that the public interest will not be prejudiced by the vacation of said avenues and blocks in Willbridge hereinbefore mentioned; and,

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

The City of Portland does ordain as follows:

Section 1. The Council of The City of Portland hereby finds and determines that all of the facts herein above recited are true and that all of the acts and things above recited have been done and performed as herein set forth and as required by the Charter of The City of Portland. The Council further finds and determines that the owners of at least two-thirds of the real estate fronting upon both sides of said avenues which are proposed to be vacated, estimated upon the frontage of said avenues, said frontage commencing at a line drawn equidistant from the termini of the avenues proposed to be vacated, and extending along such proposed vacation the entire length thereof and two hundred feet in each direction from the termini thereof, have given their consent, which said consent of owners is in writing and duly acknowledged before an officer authorized to take acknowledgments, and is and was attached to said petition and filed therewith with the Auditor of The City of Portland. The Council further determines and finds that no objections to the vacation of said avenues and blocks had or have been made or filed, and that the public interest will not be prejudiced by the vacation of said avenues and blocks herein described.

Section 2. That all of the following described portions of Lindel avenue and unnamed avenue and Merritt avenue and Pico avenue, and of blocks numbered 3, 4 and 5, all in Willbridge, be and are hereby vacated, to wit:

All of blocks numbered three (3), four (4) and five (5), in Willbridge, within the corporate limits of the City of Portland, and all of Lindel avenue and an unnamed avenue designated in red upon the plat attached hereto and made a part hereof which

runs into Lindel avenue opposite lot 25, in block 5, in Willbridge, and all of Merritt avenue and Pice avenue lying and situate in Willbridge, an addition within the corporate limits of the City of Portland;

and the vacation of said avenues and blocks herein described is hereby made a matter of record.

Section 2. It is hereby provided that the petitioners for said vacation shall obtain and file with the County Clerk of Multnomah County, Oregon, a certified copy of this ordinance, and also a suitable plat, according to Section 3274 of Lord's Oregon Laws, and shall pay in full all liens of the City of Portland, bonded or otherwise, now against the lots abutting on said avenues vacated by this ordinance, which shall be done within thirty days after this ordinance becomes effective, and in the event of failure so to do, the Council shall have the right to repeal this ordinance and annul all proceedings for such vacation, which right is hereby expressly reserved.

Passed by the Council, JUN 29 1917

A. L. Garbur
Auditor of The City of Portland.

(Signed)

By *S. R. Rutzke*,
Chief Deputy.

Submitted to the Mayor,

Approved, JUN 29 1917

WILL H. DALY
President of the Council and Acting
Mayor of The City of Portland.