

5737
Ordinance No. 56138

An Ordinance vacating a portion of Doane Street.

WHEREAS, due notice has been given by advertisement thereof for thirty days, to wit, from January 19, 1929 to February 19, 1929, both dates inclusive, in the Daily Journal of Commerce, the City Official Newspaper, published in the City of Portland, County of Multnomah, State of Oregon, that at a regular meeting of the Council of said City to be held on the 20th day of February 1929, a petition would be presented to said Council praying for the vacation of that portion of Doane Street which lies northeasterly of the northeasterly line of North Front Street as shown on recorded plat of North Front Street and Doane Street, in Section 18, Township 1 North, Range 1 East of the Willamette Meridian in the City of Portland, Multnomah County, State of Oregon, which said notice, together with due proof of publication thereof was filed in the office of the Auditor of said City of Portland on February 19, 1929, prior to the presentation of said petition to the Council; and

WHEREAS, the petition hereinbefore referred to was duly presented to said Council on said date, to wit, February 20, 1929, which said petition duly set forth a description of said portion of Doane Street sought to be vacated, the reasons for such vacation, the purpose for which the ground is proposed to be used, the circumstances of the case, and the names of the persons affected, and said petition was duly signed by The Port of Portland; and

WHEREAS, there was appended to said petition as a part thereof and as a basis for such vacation, the consent in writing of the owners in fee simple of all abutting property and of at least two-thirds of the real estate fronting upon both sides of the portion of said Doane Street which is proposed to be vacated, estimated upon the frontage of said portion of said street, such frontage commencing at a line drawn equidistant from the termini of said portion of said street proposed to be vacated and extending along such proposed vacation the entire length thereof and two hundred feet in each direction beyond said termini, except northerly of said northerly terminus, said Doane Street being not continuous in such northerly direction beyond said northerly terminus, which consent is acknowledged before an officer authorized to take acknowledgments; and

WHEREAS, said property being within two thousand feet of the meander line of the Willamette River, the petitioner has offered to dedicate to the use of the public another roadway, which new roadway is equal in area and furnishes equal way and access to any and all terminals, and to that end the petitioner has submitted a new plat for making such

new dedication, and the City Engineer, Commission of Public Docks, and The Port of Portland having approved of said vacation and dedication; 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 27th day of February 1929 at 10 o'clock A. M. as the time for hearing said petition and any objections that might be filed thereto; and

WHEREAS, at said time so fixed by the Council for such hearing said petition was duly presented, heard and considered by the Council, there was no objection or objections presented thereto and the Council did find, ascertain and determine and does hereby find, ascertain and determine that all the foregoing recited facts are true and that all the acts and things above recited have been duly done and performed as required by the charter and ordinances of said City of Portland and laws applicable thereto; that the public interest will not be prejudiced by the vacation of said portion of said street; and

WHEREAS, the Council did on said date, to wit, February 27, 1929, grant the prayer of said petition in its entirety; now, therefore,

The City of Portland does ordain as follows:

Section 1. The findings and action hereinbefore recited are hereby made a matter of record and the Council of the City of Portland does hereby find and determine that all of the facts, matters and things hereinbefore recited are true and that all of the acts and things above recited have been done and performed as hereinbefore set forth and as required by law and by the charter and ordinances of said City of Portland.

Section 2. That all of that portion of Doane Street which lies northeasterly of the northeasterly line of North Front Street as shown on recorded plat of North Front Street and Doane Street, in Section 18, Township 1 North, Range 1 East of the Willamette Meridian, in the City of Portland Multnomah County, State of Oregon, be and the same is hereby vacated and said vacation is hereby made a matter of record, and it is hereby provided that the City Auditor shall file with the County Clerk of Multnomah County, Oregon, a certified copy of this ordinance, and shall obtain from the County Surveyor a proper entry on the plat records as provided by law.

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Nothing contained herein shall cause or require the removal or abandonment of any sewer, water main, conduit of any kind, wires, poles or any other thing used or intended to be used for any public service and the right is hereby reserved to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things, if any there be on said portion of said street hereby vacated.

The Council reserves the right to rescind and cancel the vacation hereby made and repeal this ordinance in the event that the new dedication above mentioned should not be promptly made and completed.

Passed by the Council **MAR 20 1929**

Approved:

GEORGE L. BAKER
Mayor of the City of Portland.



Attest:

Auditor of the City of Portland.

2-23-29
Order of
Council.

PREPARED-APPROVED
CITY ENGINEER