

5111
59118

Ordinance No. 59118

An Ordinance vacating certain portions of East 12th, East 13th, East 14th, East 15th, East 17th, Hassalo, Pacific and Oregon Streets and Holladay Avenue.

WHEREAS, due notice has been given by advertisement thereof for thirty days, to wit, from June 27, 1930 to July 28, 1930, 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 30th day of July 1930, a petition would be presented to said Council praying for the vacation of certain portions of East Twelfth, East Thirteenth, East Fourteenth, East Fifteenth, East Seventeenth, Hassalo, Pacific and Oregon Streets and Holladay Avenue more particularly described as hereinafter set out, which said notice, together with due proof of publication thereof was filed in the office of the Auditor of said City of Portland on July 28, 1930, 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, July 30, 1930, which said petition duly set forth a description of said portions of said streets 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 Lloyd Corporation, Ltd.; 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 portions of said streets which are proposed to be vacated, estimated upon the frontage of said portions of said streets, such frontage commencing at a line drawn equidistant from the termini of said streets 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 consent is acknowledged before an officer authorized to take acknowledgments; 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 4th day of August 1930 at 2 o'clock P. 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 portions of said streets; and

WHEREAS, the Council did on said date, to wit, August 4, 1930, 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 the streets, or parts thereof, as follows, to wit:

All that portion of East Twelfth Street which lies between the south line of Holladay Avenue and a line drawn from the southeast corner of Block 131, Holladay's Addition to a point on the west line of Block 142, Holladay's Addition, 14.59 feet north of the southwest corner of said Block 142;

All that portion of East Thirteenth Street from the north line of East Irving Street to the south line of Pacific Street;

All that portion of East Fourteenth Street from a point lying 10 feet south of the south line of Multnomah Street to the north line of Holladay Avenue, also East Fourteenth Street from the south line of Holladay Avenue to the north line of Oregon Street;

All that portion of East Fifteenth Street from a point lying 10 feet south of the south line of Multnomah Street to the north line of Holladay Avenue, also East Fifteenth Street from the south line of Holladay Avenue to the north line of Oregon Street;

All that portion of East Seventeenth Street from a point lying 10 feet south of the south line of Multnomah Street to the north line of Holladay Avenue, also East Seventeenth Street from the south line of Holladay Avenue to the north line of Oregon Street;

All that portion of Hassalo Street from a point 190 feet west of the west line of East Fourteenth Street to a point 190 feet east of the east line of East Fifteenth Street; also Hassalo Street from a point lying 190 feet west of the west line of East Seventeenth Street to a point on the east line of Block 192, Holladay's Addition produced northerly, except those parts included in the vacation of East Fourteenth Street, East Fifteenth Street and East Seventeenth Street;

All that portion of Pacific Street from a point on the east line of Block 190, Holladay's Addition, extended northerly, to a point lying 10 feet east of the east line of East Sixteenth Street; also Pacific Street from a point lying 190 feet east of the east line of East Fifteenth Street to a line described as follows: From a point on the south line of Pacific Street 101.13 feet west of the west line of East Thirteenth Street (as widened to 80 feet), northeasterly, a distance of 121.67 feet to a point 12.15 feet east of the west line of East Thirteenth Street (as widened to 80 feet) and 17.62 feet south of the north line of Pacific Street; thence northeasterly on a curve to the left whose radius is 87 feet, central angle 24 degrees and 59 minutes, a distance of 37.94 feet to a point on the north line of Pacific Street 49.40 feet east of the west line of East Thirteenth Street (as widened to 80 feet), except those parts included in the vacation of East Fourteenth Street, East Fifteenth Street and East Seventeenth Street;

All that portion of Oregon Street from the west line of East Fourteenth Street to a point lying 190 feet west of the west line of East Thirteenth Street;

All that portion of Holladay Avenue from a point 190 feet west of the west line of East Fourteenth Street to a point 190 feet east of the east line of East Fifteenth Street; also Holladay Avenue from a point 190 feet west of the west line of East Seventeenth Street to a point on the east line of Block 191, Holladay's Addition produced northerly; all in the City of Portland, Multnomah County, State of Oregon, be and the same are hereby vacated and said vacation of said portions of said streets 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 a certified copy of this ordinance, and shall obtain from the County Surveyor a proper entry on the plat records as provided by law.

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 portions of said streets hereby vacated; provided, however, that in the event the said Lloyd Corporation, Ltd desires to move any sewer, water main, pole or poles or gas main now present in said vacated areas, same shall be removed at the expense of said Lloyd Corporation, Ltd. and not at the expense of the City or any public utility owning the same.

Passed by the Council AUG 13 1930

Approved:

GEO. L. BAKER

Mayor of the City of Portland.

Attest:



Auditor of the City of Portland.

8-4-30
Order of
Council.

RECORDED
CITY CLERK