

60910

Ordinance No. 60910

An Ordinance vacating a portion of Hill Crest Drive.

WHEREAS, due notice has been given by advertisement thereof for thirty days, to wit, from March 31, 1931 to April 30, 1931, both dates inclusive, in the Daily Journal of Commerce, the City Official Newspaper, published in the City of Portland, Multnomah County, State of Oregon, that at a regular meeting of the Council of said City to be held on the 6th day of May 1931, a petition would be presented to said Council praying for the vacation of that portion of Hill Crest Drive 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 May 1, 1931, 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, May 6, 1931, which said petition duly set forth a description of said portion of said Hill Crest Drive 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 Frank E. Pey, Ella R. Warrens, and others; 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 Hill Crest Drive 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 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 20th day of May 1931 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 continued said matter from time to time until May 27, 1931, at which time a report of the Commissioner of Public Works was made thereon and the Council thereupon found and does now 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, May 27, 1931, grant the prayer of said petition in its entirety, except as hereinafter stated; 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 Hill Crest Drive described in said petition, be and the same is hereby vacated, said portion of Hill Crest Drive being a strip of ground along the side of Hill Crest Drive adjoining Block 1, and Lot 1 of Block 6 in Raven's View, in the City of Portland, Multnomah County, State of Oregon, said strip being northerly and easterly of the pavement and curb and being more fully described as: Beginning at the initial point of the plat of Turner Heights, and running thence northerly along the easterly line of the plat of Raven's View 350 feet to the southeast corner of Lot 1 in Block 6 of said Raven's View, thence westerly along the southerly line of said Lot 1, 166.6 feet to an iron pipe which has been set as marking the southwest corner of said Lot 1, which iron pipe is the point of beginning for the description of the portion of said Hill Crest Drive to be vacated; from said beginning point marked by said iron pipe at the southwest corner of said Lot 1, running westerly along the westerly projection of the south line of said lot 5.66 feet more or

less to the easterly side of the concrete curb constituting the easterly side of the roadway at this portion of said Hill Crest Drive; running thence in a northwesterly direction along a curve to the left and following the easterly side of said curb a distance of 25.4 feet to the end of said curve, as indicated by said curb line (said curve having a radius of 27.5 feet); running thence northwesterly on a tangent along a line parallel with the westerly line of Lot 5 in Block 1, Raven's View, a distance of 51.17 feet to the beginning of a curve to the left, said course being along the easterly line of said curb line; thence northwesterly along a curve to the left (radius 32.65 feet) following the easterly line of said curb a distance of 56.20 feet to the beginning of a tangent; thence northwesterly along said tangent, and the easterly side of said curb a distance of 49.98 feet to the beginning of a curve to the left; thence along a curve to the left (radius 33.75 feet) a distance of 30 feet, more or less, along said northwesterly curb line to a point of intersection with the westerly line of Lot 1 in said Block 1 if said westerly line be extended in its existing course to said curb line; thence northerly to the southwest corner of said Lot 1, Block 1; thence southeasterly and southerly by curves and tangents along the southerly and westerly line of said Block 1 and of said Lot 1 of Block 6 in said Raven's View, to the point of beginning.

Said vacation of said portion of said Hill Crest Drive 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 portion of said street hereby vacated.

JUN 17 1931

Passed by the Council

STANHOPE S. PIER

Approved:

President of the Council and Acting  
Mayor of the City of Portland.

Attest:

*Geor. F. Junk*  
Auditor of the City of Portland.

5-28-31  
Order of  
Council.

PREPARED—APPROVED  
CITY ATTORNEY