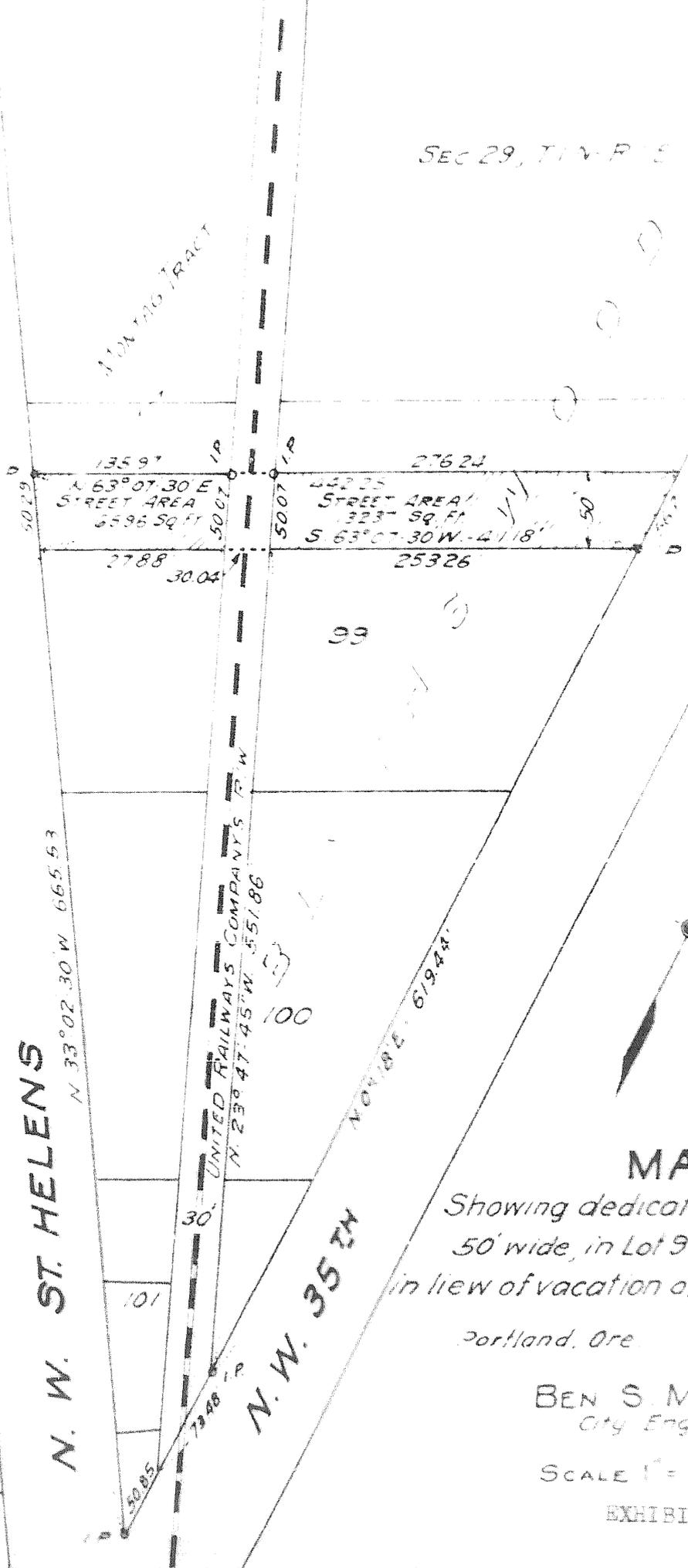


SEC 29, T14N R15E AM

ROAD

AVE.



MAP

Showing dedication of new street, 50' wide, in Lot 99, BLYTHSWOOD, in lieu of vacation of N.W. WILSON ST.

Portland, Ore. Oct. 1943

BEN S. MORROW
City Engineer

SCALE 1" = 100 Ft

EXHIBIT "A"

ORDINANCE NO. 79458

An Ordinance vacating a portion of N.W. Wilson street,
and declaring an emergency.

WHEREAS, it appears to the Council that on September 3, 1943, a petition was filed with the City Auditor by the Pacific Chain and Manufacturing Company for the vacation of the street area herein specified under the provisions of O.C.L.A. sections 95-1331 to 95-1340, and thereupon the City Auditor duly gave notice by posting and publication for a period of four successive weeks that said petition had been filed for the vacation of said area and that the matter of said vacation, together with any objection or remonstrance which might be made in writing and filed with said Auditor prior to the time of hearing would be heard and considered at 9:30 o'clock A. M. on Wednesday, October 13, 1943, by the Council of the City of Portland, Oregon, in the Council Chamber at the City Hall, in said City, which notice was first published in the City Official Newspaper, to wit, the Daily Journal of Commerce, on September 10, 1943, and said City Auditor within five days from said first publication further published said matter by posting three notices headed "Notice of Street Vacation" in three conspicuous places in said proposed vacation of such street area, one notice being near the south line of N.W. Wilson street and the east line of N.W. 20th avenue, on a power pole, one near the center line of N.W. Wilson street approximately 100 feet east of the east line of N.W. 20th avenue, on a crane tower, and one near the center line of N.W. Wilson street approximately 200 feet east of the east line of N.W. 20th avenue, on a crane tower, and

WHEREAS, said matter came on regularly for hearing before the City Council at said time and place, when no one appeared to object thereto and no objection or remonstrance was filed or made against the same and there was filed with the City Auditor a consent in writing of all abutting property owners upon the portion of said street area proposed to be vacated, and more than two-thirds in area of all of the real property affected by such vacation, and

WHEREAS, said property being within 2,000 feet of the meander line of the Willamette river, the Pacific Chain and Manufacturing Company, a corporation under the laws of Oregon, has offered to dedicate to the use of the public new ground which is equal in area and furnishes equal way and access to the same terminus and to that end is to submit a deed concurrently with the taking effect of this ordinance, said deed to be for the property described as follows: Beginning at an iron pipe which is in the westerly side line of N.W. 35th avenue North 0 degrees, 18 minutes East 619.44 feet from an iron pipe located at the

intersection of said line with the westerly line of the right of way of the United Railways Company in Blythswood, and running thence south 63 degrees 07 minutes 30 seconds West 411.18 feet to a point in the easterly line of N.W. St. Helens Road which is North 33 degrees 02 minutes 30 seconds West 665.53 feet from an iron pipe at the intersection of the northwesterly line of N.W. 35th avenue with the easterly line as now established of N.W. St. Helens Road, and running thence northerly along the easterly side of said road 50.29 feet to an iron pipe which is located at the southwest corner of a tract known as the "Montag Tract"; thence north 63 degrees 07 minutes 30 seconds East along the southerly line of said Montag Tract and an easterly extension thereof 442.25 feet to the westerly line of said N.W. 35th avenue; thence southwesterly along said westerly line 56.21 feet to the place of beginning, containing 19,833 square feet, more or less, subject to the right of way of the United Railways Company 50 feet in width (see Deed Book 436 at page 343), in the City of Portland, Multnomah County, State of Oregon, a plat of which property is hereto attached, marked Exhibit "A" and made a part hereof, and

WHEREAS, the City Engineer, the Commission of Public Docks and the Port of Portland have approved of said vacation and dedication, and

WHEREAS, it appears to the Council that a vacation of said area will not injuriously affect the market value of the property abutting or affected by such vacation and that said vacation will be for the public welfare and that all things have been duly done as provided by law for the vacation of said area and final action should now be taken and such vacation made a matter of record, now, therefore,

The City of Portland does ordain as follows:

Section 1. It is hereby ascertained and determined that the consent of the owners of all of the property adjacent or abutting the portion of said street area to be vacated has been obtained in writing, duly acknowledged and filed as herein above stated; that said vacation will not injuriously affect the market value of any of the property abutting upon said area but will be beneficial thereto; that notice has been duly and regularly given of such vacation and a hearing thereon duly and regularly had at which the City Council found and does now find and determine that the public interest will not be prejudiced by such vacation but said vacation will advance the public interest and welfare, all of which determinations are hereby made a matter of record; that a deed properly executed is to be given to the City dedicating new ground as above stated, and that the City Engineer, the Commission of Public Docks and the Port of Portland have approved of said vacation and dedication.

Section 2. There hereby is vacated all that portion of N.W. Wilson street which lies between the east line of N.W. 20th avenue and the northerly projection of the east line of Block 14, Blackistone's Addition, in the City of Portland, County of Multnomah, State of Oregon, subject to this provision, namely: that such vacation shall not have the effect to impair the rights of the Northern Pacific Terminal Company of Oregon under the permit granted by Ordinance No. 78724, which applies to a railroad spur track on the southerly side of said area, or its rights to maintain an existing trackage on the northerly side of a portion of said area, nor cause or require the removal or abandonment of any conduit, pole or other thing used or intended to provide public utility service. Any and all contemplated building plans in said area shall be submitted for approval to the City Engineer and to the Director of the Bureau of Building Inspection to the end that such construction may be adjusted with reference to such railroad trackage and utilities so as to cause a minimum amount of inconvenience, and no building permit shall be granted without such approval. The City Auditor shall file for record with the County Clerk, who is ex-officio recorder of Multnomah County, Oregon, a certified copy of this ordinance, as provided by law, and like copies with the County Assessor, and the County Surveyor of said County.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That the use of said property is necessary for war emergency work without unnecessary delay; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council DEC 22 1943

R. C. Riley

E.G.R.

Mayor of the City of Portland

Attest:

L.E.L.

John Bredemund
pro tem
Auditor of the City of Portland

By Order of
the Council

LEL-ak
10-22-43

C/5401:

3008

3118

3167

-3574

-3654

3755

Ordinance No. 79458

An Ordinance vacating a portion
of N.W. Wilson Street, and declaring
an emergency

1-2

Order of Council

OCT 27 1943

CONTINUED TO 1:30 P.M. OCT 28 1943

OCT 28 1943

CONTINUED TO 9:30 A.M. NOV 1-1943

NOV 1-1943

REFERRED TO
COMMISSIONER OF PUBLIC WORKS

DEC 8-1943

LAI D ON THE TABLE

RECONSIDERED

CONTINUED TO 9:30 A.M. DEC 15 1943

DEC 15 1943

CONTINUED TO 9:30 A.M. DEC 22 1943

Filed DEC 23 1943

THE FOLLOWING IS THE OFFICIAL VOTE ON THE FOREGOING ORDINANCE		
	YEAS	NAYS
BOWES	/	
COOPER	/	
LEE	/	
PETERSON	/	
REED	/	

John Fredman
Auditor pro tem
of the CITY OF PORTLAND

By I. W. HAVEN
Deputy