

RECEIPT

No 102587
48816

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Auditor

DOCUMENT NO.

DOCUMENT	PARTIES		
<i>cd</i>	<i>Ordinance #102587</i>		<i>450</i>
	<i>Book 1763</i>		
	<i>Page 586</i>		
	<i>Jan 10, 1956</i>		

2.50
XIII - A
483784
W-10-56

County Clerk's Office, Multnomah County, Oregon

CIRCUIT COURT DEPARTMENT
LITIGATION ACCOUNT

No 102587
1757

Reg. No. *none*

Portland, Oregon, *1/10* 195 *6*

RECEIVED OF

Two City Treasurer

DOLLARS

Plaintiff	\$
Defendant	\$
Bail	\$
	<i>Ord 102587</i>	\$	<i>250</i>
	\$
	\$
Total	\$	<i>250</i>

City
vs.

In the above entitled case.

SI COHN,
County Clerk,

By *[Signature]* Deputy

REMITTANCE ADVICE

102587

PLEASE DETACH BEFORE DEPOSITING

PURCHASE ORDER		YOUR INVOICE DATE	AMOUNT OF INVOICE	DISCOUNT	CREDIT MEMOS	APPROPRIATION FUNCTION AND OBJECT No.	NET AMOUNT
NUMBER	DATE						
B ORD 102352	12/28/55		\$ 2 50	\$	\$	3700 399	\$ 2 50*

FILING CERTIFIED COPY OF ORD #102587
 WITH COUNTY SURVEYOR FOR ~~XXXXXX~~ VACATION OF
 A PORTION OF NE CLACKAMAS STREET

CITY OF PORTLAND, OREGON

WARFANT NUMBER 32681

IS HANDED TO YOU, HEREWITH, IN FULL PAYMENT OF THE ITEMS LISTED ABOVE.

WILL GIBSON

AUDITOR OF THE CITY OF PORTLAND

685

ORDINANCE ACCEPTANCE

Portland, Oregon, August 19, 1955

WILL GIBSON,
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 102587, passed by the City Council August 18, 1955

vacating, subject to conditions, all that portion of N. E. Clackamas Street lying between the west line of N. E. 69th Avenue and a line drawn parallel to and 100 feet west of said west line of N. E. 69th Avenue, in the City of Portland, Multnomah County, Oregon, and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

Millard E. Christal

Millard E. Christal

*

Verna M. Christal

Verna M. Christal

1753 N. E. Fremont Street

Address

[CORPORATE
SEAL]

Approved as to form:

Alexander H. Brown
City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

ORDINANCE No. 102587

An Ordinance vacating, subject to conditions, all that portion of N. E. Clackamas Street lying between the west line of N. E. 69th Avenue and a line drawn parallel to and 100 feet west of said west line of N. E. 69th Avenue, in the City of Portland, Multnomah County, Oregon.

WHEREAS, it appears to the Council that on June 16, 1955, Millard E. and Verna M. Christal, 4753 N. E. Fremont Street, Portland, Oregon, filed a petition with the City Auditor for the vacation of all that portion of N. E. Clackamas Street from the west line of N. E. 69th Avenue to the east line of N. E. 68th Avenue, all in the City of Portland, Multnomah County, Oregon, pursuant to the applicable provisions of ORS 271.010 to and including 271.230, and that at the time of said filing paid the required fee and also filed with the Auditor a consent in writing of all abutting property owners upon the portion of said street proposed to be vacated, and more than two-thirds in area of all the real property affected by such vacation, and that thereupon the City Auditor gave notice by posting and publication for a period of four successive weeks that said petition, together with any objections, remonstrances or claims for damage which may be made in writing and filed with the Auditor of the City of Portland, Oregon, prior to the time of hearing, would be heard and considered by the Council of the City of Portland, Oregon, at a regular meeting to be held at 9:30 a.m., Wednesday, July 27, 1955, in the Council Chambers of the City Hall of said City; said notice was first published in the City's official newspaper, to-wit: the Daily Journal of Commerce on June 24, 1955, and said Auditor within five days after said first publication further published said matter by posting three (3) notices headed "Notice of Street Vacation" in three (3) conspicuous places in the area of said street proposed to be vacated in the places therein described and designated as follows:

<u>Location</u>	<u>Object to which attached</u>
At the approximate intersection of the South line of N. E. Clackamas Street and the East line of N. E. 68th Avenue.	On a stake
On the approximate South line of N. E. Clackamas Street approximately equidistant between the East line of N. E. 68th Avenue and the West line of N. E. 69th Avenue.	On a stake

ORDINANCE No. 102587

LocationObject to which attached

At the approximate intersection
of the North line of N. E.
Clackamas Street and the West
line of N. E. 69th Avenue

On a stake

AND WHEREAS, said matter came on regularly for hearing on July 27, 1955, and no one appeared to object thereto and no objection or remonstrance, nor any claim for damage, was filed or made against the same, and

WHEREAS, the Council finds that the petition for said street vacation has been investigated by the City Engineer, who recommended that the vacation be granted from a point 100 feet west of the west line of N. E. 69th Avenue to the west line of N. E. 69th Avenue, which recommendation was accepted by the petitioner in writing under date of June 17th, 1955, and subject to certain conditions set forth in his report, and

WHEREAS, the Council finds that the reason for this vacation is for general residential purposes, the same as the adjacent ground and particularly for building purposes, and

WHEREAS, the Council finds that a vacation of the real property herein described will not injuriously affect the market value of the property abutting or affected by such vacation, and it appears that said vacation in all respects will be for the public welfare, and it further appears that all things have been done as provided by law for the vacation of said street area and that final action should be now taken thereon and such vacation be made a matter of record; now, therefore,

The City of Portland does ordain as follows:

Section 1. It is hereby ascertained and determined that said vacation will not injuriously affect the market value of any of the property abutting upon said street area to be vacated but will be beneficial thereto; that the consent of the owners of all of the property adjacent or abutting the area to be vacated has been obtained in writing, duly acknowledged and filed as hereinabove stated; that notice has been duly and regularly had and the Council does now find that no objections or remonstrances were made or filed and that the public interest will not be prejudiced thereby, but that said vacation will enhance the public interest and welfare;

ORDINANCE No. 102587

that the petition for vacation should be granted with conditions as outlined in the City Engineer's Report, as hereinafter recited, all of which determinations hereby are made a matter of record.

Section 2. This vacation is contingent and dependent upon the following conditions:

(a) This vacation is made upon the condition and with the reservation that nothing herein contained shall cause or require the removal of or abandonment of any sewer, water main, gas main, conduit of any kind, wire, pole, or thing used or intended to be used for any public service, and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, repair, reconstruct, renew, replace, rebuild and/or enlarge any and all such things; that no building or structure of any kind shall be built or erected within a distance of ten feet from the center line of any such utility, except by written consent of the City Engineer and the owner of such utility first had; and that any and all contemplated building plans in said vacated area shall be submitted for approval to the City Engineer and to the Director, Bureau of Building Inspection, to the end that such construction may be so adjusted with reference to all public utilities in said area as to cause a minimum amount of danger or inconvenience to the public and to the owner of such utility and to protect and preserve the same as presently constructed or hereafter reconstructed, renewed, replaced and/or enlarged.

(b) That the petitioner pay all costs incidental to these proceedings.

(c) It hereby is made a condition precedent that petitioner shall first pay to the City of Portland the sum of \$500.00, which sum has been determined to be a just and reasonable assessment of special benefit to the property abutting the area vacated.

ORDINANCE No. 102587

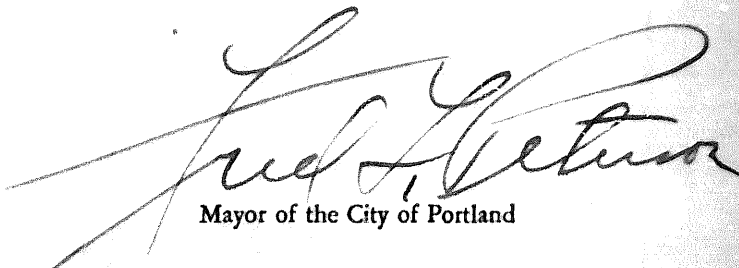
Section 3. There hereby is vacated, subject to the conditions hereinabove recited, the following described property in the City of Portland, Multnomah County, Oregon:

All that portion of N. E. Clackamas Street lying between the west line of N. E. 69th Avenue and a line drawn parallel to and 100 feet west of said west line of N. E. 69th Avenue.

Section 4. This ordinance shall be of no force and effect until the petitioners shall have filed with the City Auditor, in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Section 5. The Auditor shall file for record with the County Clerk, who is ex-officio recorder of Multnomah County, a certified copy of this ordinance and acceptance thereof, as provided by law, and like copies with the County Assessor and County Surveyor of said County. The filings herein provided shall be at the expense of and shall be paid by the petitioners.

Passed by the Council, AUG 18 1955

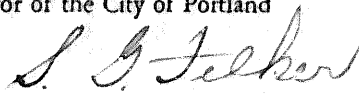

Mayor of the City of Portland

Attest:



Auditor of the City of Portland

By



CHIEF DEPUTY

Calendar No. 3360
3605

ORDINANCE No. 102587

Title

An Ordinance vacating, subject to conditions, all that portion of N. E. Clackamas Street lying between the west line of N. E. 69th Avenue and a line drawn parallel to and 100 feet west of said west line of N. E. 69th Avenue, in the City of Portland, Multnomah County, Oregon.

AUG 4 - 1955

Read 1 & 2 & PASSED TO THIRD READING AUG 17 1955

JUL 29 1955

Filed.....

Will Gibson
Auditor of the CITY OF PORTLAND
By *Robert A. Gray*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

INTRODUCED BY
Order of Council

DRAWN BY
AGB:dh
Date July 28, 1955

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney <i>MCP</i>

NOTED FOR CITY AUDITOR
<i>Robt A Gray</i> <i>MC</i>

APPROVED
Date
By
City Engineer
Date
By