

160

# ACCEPTANCE

Portland, Oregon, January 26, 1967

RAY SMITH  
Auditor of the City of Portland,  
Room 202, City Hall  
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 123946, passed by the Council January 25, 1967, vacating that portion of S.E. Long Street lying between the east line of S.E. 31st Avenue and the west line of S.E. 32nd Avenue and also that portion of S.E. Long Street between the east line of S.E. 32nd Avenue and the west line of S.E. 33rd Avenue, under certain conditions, 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,

*Walter Parrott*  
-----  
Walter Parrott

\* *Barbara Parrott*  
-----  
Barbara Parrott

-----  
11849 S.E. Dorset Lane, Portland, Ore. 97266  
Address

[CORPORATE SEAL]

RECEIVED  
FEB 6 9 39 AM '67  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

Approved to form:

*M. Rushing*  
-----  
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. 123916

An Ordinance vacating that portion of S.E. Long Street lying between the east line of S.E. 31st Avenue and the west line of S.E. 32nd Avenue and also that portion of S.E. Long Street between the east line of S.E. 32nd Avenue and the west line of S.E. 33rd Avenue, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that under date of November 17, 1966, Walter Parrott and Barbara Parrott, 11849 S.E. Dorset Lane, Portland, Oregon, filed with the City Auditor a petition for the vacation of all that portion of S.E. Long Street, lying between the easterly line of S.E. 31st Avenue and the westerly line of S.E. 33rd Avenue (including the intersection of S.E. 32nd Avenue), in the City of Portland, County of Multnomah, State of Oregon; that the purpose of such street vacation is for consolidation of residential property; that said petition has been approved by the Commissioner of Public Works, subject to certain conditions as recommended by the City Engineer in his report dated October 31, 1966; that said petition has been approved by the Planning Commission; that said petition complies in all respects with all of the provisions of ORS 271.080 in that it includes the consents of owners of all abutting property and of not less than two-thirds of the real property affected thereby; that pursuant to ORS 271.100 the Council fixed a time and place for public hearing before the City Council; that the Auditor published notice of such hearing in the city's official newspaper, namely, The Daily Journal of Commerce, once each week for four consecutive weeks and posted such notice in certain places in the area proposed to be vacated, all in accordance with provisions of ORS 271.110; that said petition came on regularly for hearing at 9:30 A.M., January 4, 1967 in the Council Chambers of the City Hall in the City of Portland; that no objections nor remonstrances were made or filed against the same, and that it is in the public interest that said street be vacated under certain conditions; that said street vacation will not interfere with any improvements proposed by the Commission of Public Docks, the Port of Portland or the State Highway Department, and the Council found and does now find that said street vacation should be granted with conditions as hereinbelow set forth; now, therefore, the property described as that portion of S.E. Long Street lying between the east line of S.E. 31st Avenue and the west line of S.E. 32nd Avenue and also that portion of S.E. Long Street between the east line of S.E. 32nd Avenue and the west line of S.E. 33rd Avenue, in the City of Portland, Multnomah County, State of Oregon, hereby is vacated under the following conditions:

1. That the petitioners pay all costs incidental to the vacation proceedings;
2. Nothing herein contained shall cause or require the removal or abandonment of any sewer, water or 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 with the written consent of the City Engineer and the owner of the 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 of the Bureau of Buildings, to the end that such construction may be so adjusted with reference to all public utilities in said area as to cause a minimum 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; WITH THE EXCEPTION of an existing sewer for which an easement through, under and along only the north 10.0 feet of said portion of S.E. Long Street should be reserved.
3. That the petitioners grant to the City of Portland a sewer easement through, under and along the following described property:

The southerly 5.0 feet of Lots 5 and 6, Block 5, Excelsior, in the City of Portland, County of Multnomah, State of Oregon.
4. That the petitioners agree to have included in the contract for improvement of S.E. 32nd Avenue between S.E. Schiller Street and S.E. Long Street, the provisions that the improvement extend northerly to cross the ravine located at S.E. Long Street, as required by the City Engineer.

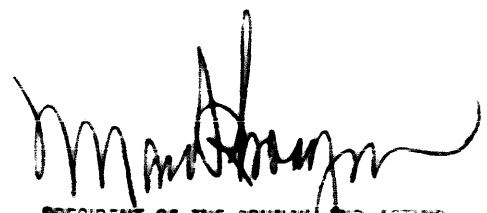
ORDINANCE No.

Section 2. The petitions shall file with the City Auditor, in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Section 3. The City Auditor shall at the expense of the petitioners file with the Recorder, the Assessor and the Surveyor of the county in which said property is located a certified copy of this ordinance and the acceptance thereof, and any map, plat or other record which may be required by law.

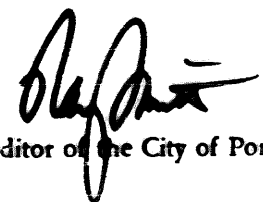
Passed by the Council, JAN 25 1967

Order of Council  
January 9, 1967  
MCR/fg



PRESIDENT OF THE COUNCIL AND ACTING  
Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No.

327  
~~227~~

ORDINANCE No. 123916

Title

An Ordinance vacating that portion of S.E. Long Street lying between the east line of S.E. 31st Avenue and the west line of S.E. 32nd Avenue and also that portion of S.E. Long Street between the east line of S.E. 32nd Avenue and the west line of S.E. 33rd Avenue, under certain conditions. 1+L

JAN 18 1967

Read 1 & 2 & PASSED TO THIRD READING JAN 29 1967

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bowes	1	
Earl	1	
Grayson	1	
Ivancie	1	
Schrunk	—	

FOUR-FIFTHS CALENDAR	
Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

INTRODUCED BY

Order of Council

DRAWN BY

MCR/EG

Date January 9, 1967

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED

Date

By

City Engineer

Date

By

Filed... JAN 9 1967

RAY SMITH

Auditor of the CITY OF PORTLAND

By...

Deputy