

ORDINANCE NO. 121952

An Ordinance vacating a certain portion of N. E. Lombard Place, bordering Block 4, Stansbery's Addition, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that Oregon-Washington Railroad & Navigation Company, by its Vice-President F.J. Melia, filed a petition with the City Council for the vacation of certain property at N. E. 15th Avenue at N. E. Lombard Place; that the purpose for such vacation is for general commercial purposes, the same as the adjacent ground and particularly to enlarge the adjacent commercial property to allow for possible commercial development; that said petition has been investigated by various bureaus of the City, and upon the recommendation by the City Planning Commission as concurred in by the City Engineer, the vacation was recommended for approval in part only; that the modified vacation area has been approved by the Commissioner of Public Works under certain conditions hereinafter set forth and as recommended by the City Engineer in his report dated May 10, 1967; that the petition complies in all respects with all 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 in area 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, to wit 9:30 A.M. June 26, 1967 in the Council Chambers of the City Hall in the City of Portland, Oregon, at which time and place said hearing was held; that the Auditor published notice of such hearing in the city official newspaper the Daily Journal of Commerce once each week for four consecutive weeks and posted such notice in certain places in area to be vacated, all in accordance with provisions of ORS 271.100 et seq; that the vacation as recommended by the City Engineer and as hereinafter set forth will not interfere with any improvements proposed by the Commission of Public Docks nor with reasonable access to the water front nor any transportation terminal; that there were no remonstrances made or filed against the petition, and the Council found and does now find that said vacation of property as hereinafter set forth should be granted with conditions; now, therefore, the following described property hereby is vacated under the following conditions:

That portion of N. E. Lombard Place lying southerly of a line drawn 80 feet northerly of and parallel with the northerly line of Block 4, Stansbery's Addition and extending between the northerly extension of the west line of said Block 4, and a line drawn 30 feet westerly of and parallel with the northerly extension of the east line of said Block 4, Stansbery's Addition, in the City of Portland, County of Multnomah, State of Oregon.

a. That petitioner dedicate to the City for public street purposes, the following described parcel of property:

ORDINANCE No.

The east 30 feet of Lot 1, Block 4, Stansbery's Addition and also the east 30 feet of that portion of Lot 16, Block 4, Stansbery's Addition lying northerly of N.E. Lombard Street as now laid out and established in the City of Portland, County of Multnomah and State of Oregon.

b. That the petitioner pay all costs incidental to the vacation.

c. 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.

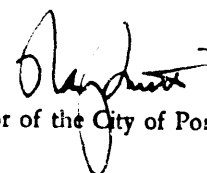
Section 2. Petitioner shall file with the City Auditor in form approved by the City Attorney a document in writing accepting the terms and conditions of this ordinance.

Section 3. The City Auditor shall at the expense of the petitioner 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, JUL 12 1967


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No.

2819
2746

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

FOUR-FIFTHS CALENDAR	
Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

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JUL 5 - 1967

Read 1 & 2 &

PASSED TO THIRD READING

Filed JUL 11 1967

RAY SMITH
Auditor of the CITY OF PORTLAND

By *[Signature]*
Deputy

INTRODUCED BY
Order of Council

DRAWN BY
AGB:gm

Date 6-29-67

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

City Attorney

[Signature]

NOTED FOR CITY AUDITOR

[Signature]

APPROVED

Date

By

City Engineer

Date

By