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125246  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.  
BY ew

# ACCEPTANCE

Portland, Oregon, August 24, 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. 125246, passed by the Council August 23, 1967, vacating that portion of N.W. 21st Place lying between the south line of N.W. York Street and the north line of N.W. Roosevelt Street, 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,



[CORPORATE  
SEAL]

-----  
MONARCH FORGE & MACHINE WORKS, Inc.  
\*  
By [Signature]  
-----  
E. N. Rickert, Jr., President

-----  
P.O. Box 10186 Address Portland, Ore. 97210

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. 125216

Recorded 9-28-67  
Book 583 Page 21

An Ordinance vacating that portion of N.W. 21st Place lying between the south line of N.W. York Street and the north line of N.W. Roosevelt Street, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that Monarch Forge & Machine Works, Inc., by E. N. Rickert, Jr., President, P.O. Box 10186, Portland, Oregon 97210, on December 14, 1966 filed a petition with the City Council for the vacation of a portion of N.W. 21st Place lying between the south line of N.W. York Street and the north line of N.W. Roosevelt Street; that the purpose of such street vacation is to consolidate commercial property for general commercial purposes; that by report to the Commissioner of Public Works from the City Engineer dated May 31, 1967, it was recommended that the petition be granted; that the petition complies in all respects with 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 a public hearing before the City Council, to-wit: 9:30 A.M., July 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 and was continued over to August 9, 1967; that the Auditor published notice of such hearing in the city's 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 such vacation will not interfere with any improvements proposed by the Commissioner of Public Docks, nor with the reasonable access to the waterfront, nor any transportation terminal, and that approval of such vacation by the Port of Portland and by the Dock Commission is attached to CC. 3287 (1967); that any objections or remonstrances made or filed against said street vacation were heard and considered by the Council, and the Council found and does now find that said vacation should be granted under certain conditions; now, therefore, the following described property hereby is vacated

That portion of N.W. 21st Place lying between the south line of N.W. York Street and the north line of N.W. Roosevelt Street,

under the following conditions:

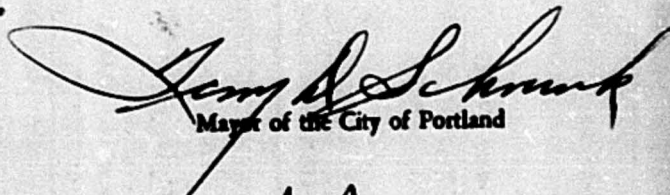
- (a) That the petitioner pay all costs incidental to the vacation proceedings;

## ORDINANCE No.

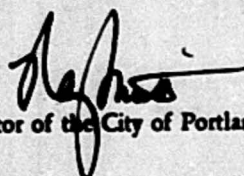
- (b) Nothing herein contained shall cause or require the removal or abandonment of any sewer, water or gas main, conduit of any kind, wire, pole or thing used, or intended to be used, for any public service, and the right hereby is reserved for the owner of any such utility or thing to maintain, continue, 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, and that any and all such 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 city water mains for which no easements should be reserved;
- (c) That the petitioner agrees to pay all costs incidental to the killing of an existing 2-inch diameter water main and relocation of the attached water service, as required and specified by the Water Engineer;
- (d) That the petitioner agrees to pay all costs related to reconstructing the intersection of N.W. 21st Place with N.W. Roosevelt Street and N.W. York Street, if required by the City Engineer;
- (e) 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 2. 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, AUG 23 1967

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Order of Council  
August 10, 1967  
AGB/fg

Calendar No.

3625  
~~3486~~

ORDINANCE No. 125246

Title

An Ordinance vacating that portion of N.W. 21st Place lying between the south line of N.W. York Street and the north line of N.W. Roosevelt Street, under certain conditions. 1 + 2

AUG 16 1967

Read 1 & 2 &

PASSED TO THIRD READING

Filed AUG 10 1967

RAY SMITH  
Auditor of the CITY OF PORTLAND

By *[Signature]*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bowes	/	
Earl	/	
Grayson	/	
Ivancie	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR

Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

INTRODUCED BY

Order of Council

DRAWN BY

AGB/fg

Date August 10, 1967

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works

City Attorney

*[Signature]*

NOTED FOR CITY AUDITOR

R. C. H.

*mc*

APPROVED

Date

By

City Engineer

Date

By

C-8316