

Plu Jeanette Clark

CITY OF PORTLAND
Office of the City Auditor
1221 SW Fourth Avenue, Room 140
Portland OR 97204-1987

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
B27 5
Total : 36.00 ATTD5
2005-040276 03/09/2005 11:28:10am

I hereby certify this Ordinance No. 179044 to be a complete and exact copy of the original as the same appears on file and of record in my office and in my care and custody on March 8, 2005.

GARY BLACKMER
Auditor of the City of Portland

By *[Signature]*
Deputy

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ORDINANCE No. 179044

Vacate portions of SW Bond Street between SW Gibbs Street and vacated SW Lane Street, under certain conditions. (Ordinance by Order of Council; |VAC-10020.)

The City of Portland ordains:

Section 1. The Council finds:

1. On April 20, 2004, River Campus Investors, LLC filed a petition for the vacation of portions of SW Bond Street between SW Gibbs Street and vacated SW Lane Street.
2. The petition states that the reason for the vacation is to consolidate property for development.
3. The vacation is recommended by the Commissioner of Public Utilities under certain conditions set forth in the directive action below.
4. In accordance with ORS 271.100, the Council fixed a time and place for public hearing before the Council; the Auditor published notice thereof, and posted notice in the areas proposed for vacation.
5. Other procedural requirements of ORS 271 have been complied with, and the Council having held a public hearing, finds no objections were made or filed hereto, and it is in the public interest that said street be vacated.

NOW, THEREFORE, the Council directs:

- a. The following described street area, as shown on the attached Exhibit A, is hereby vacated:

R/W #6361

Portions of SW Bond Street between SW Gibbs Street and vacated SW Lane Street, in the City of Portland, County of Multnomah, State of Oregon, more particularly described as follows:

The west 2 feet of SW Bond Street between the south line of SW Gibbs Street and the north line of SW Whitaker Street; and between the south line of SW Whitaker Street and the north line of SW Curry Street; and between the south line of SW Gaines Street to a point 1 foot north of the south line of vacated SW Lane Street, as vacated by Ordinance No. 101137, recorded April 8, 1955, in Book 1716, Page 97, Multnomah County Deed Records.

- b. The vacation of the above described street area is granted subject to the following conditions and restrictions:
 1. That the Petitioner has paid to the City the sum of \$3,000, this being the estimated cost of these vacation proceedings, and that the Petitioner shall be responsible for payment of all additional costs incurred in excess of the estimated costs already paid; the City Engineer may require the Petitioner to make additional payments as needed to process the vacation, and all costs shall be paid prior to recording of the vacation Ordinance.

2. That the property owner hereby agrees to provide easements, if necessary, for any existing utilities, at no cost to said utilities, or to assume the responsibility and expense for relocating any utilities that currently lie within the right-of-way proposed for vacation. Any easement shall lie ten (10) feet on both sides of the centerline of said utility. No building shall be erected within the easement area except with the prior written consent of the City Engineer and the owner of said utility.
3. That in the event the Petitioner fails to fully comply with the conditions as stated in this report within one year after the effective date of the vacating Ordinance, said Ordinance will then be subject to repeal by the Council.

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 the Ordinance.

Section 3. Notice is given that the street vacation becomes effective only after a certified copy of the vacating Ordinance has been recorded in Multnomah County Deed Records. Prerequisites to recording the vacating Ordinance are that 30 days have passed after final Council passage of the Ordinance, that all conditions of the vacating Ordinance have been met, and that all vacation costs have been paid.

Section 4. After the prerequisites to recording the Ordinance have been met, upon request, the Auditor shall return a certified copy of this Ordinance and the acceptance thereof, to the Right-of-Way Acquisition Section, Transportation Engineering and Development, which 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, the certified copy of this Ordinance and the acceptance, and any map, plat or other record which may be required by law. The Right-of-Way Acquisition Section shall return the recorded Ordinance to the Auditor.

Passed by the Council,

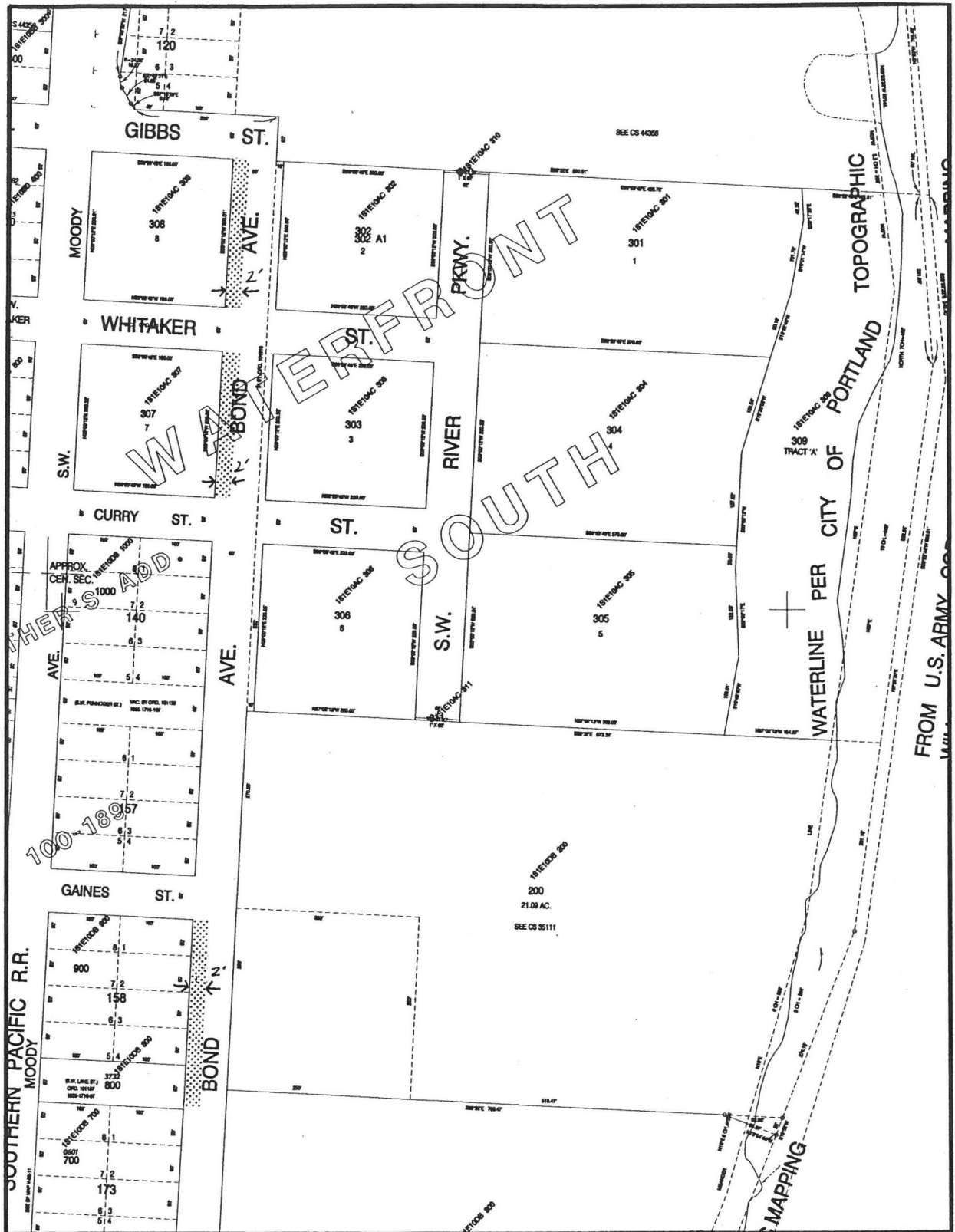
FEB 02 2005

Mayor Tom Potter
Linda Birth:slg
January 13, 2005

6361\BOND ORD

GARY BLACKMER
AUDITOR OF THE CITY OF PORTLAND
BY *Colleen Phillips*

DEPUTY



RW #6361 'SW BOND AVENUE SOUTH OF SW GIBBS STREET

Petitioner: River Campus Investors, LLC
 1/4 Section: 3330 Section: 1S1E10AC, DB
 3430

 Area Herein Vacated

Not to Scale

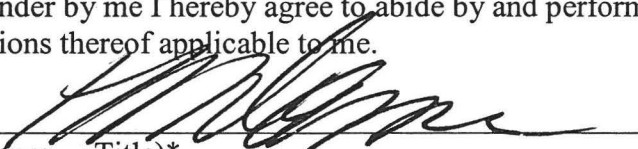


ACCEPTANCE

February 10, 2005

Auditor of the City of Portland
City Hall Room 140
1221 SW 4th Avenue
Portland, Oregon 97204

This is to advise the City of Portland, Oregon that I hereby accept the terms and provisions of Ordinance No. 179044, passed by the Portland City Council on February 2, 2005, **Vacate portions of SW Bond Street between SW Gibbs Street and vacated SW Lane Street, under certain conditions VAC 10020**, and in consideration of the benefits received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.



(Signature - Title)*

T.B. Dame, President
Williams & Dame Development

~~James Atkins~~ Williams & Dame Development, Manager
River Campus Investors LLC
1325 NW Flanders
Portland OR 97209

Approved **APPROVED AS TO FORM**



City Attorney **CITY ATTORNEY**

*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.

RECEIVED
FEB 25 2005