

RECEIVED

# ACCEPTANCE

FEB 16 11 07 AM 1982

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

Portland, Oregon, January 20, 1982

BY *ll*

GEORGE YERKOVICH  
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. 152735, passed by Council January 20, 1982, vacating the easterly 15.0 feet of N. Delaware Avenue lying between the north line of N. Blandena Street and the south line of N. Wygant 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,

*James F. Pauli*

[CORPORATE  
SEAL]

\*James F. Pauli

2436 N. Wygant St., Portland, OR 97217

Address

APPROVED AS TO FORM  
Approved as to form:

*Christopher P. Thomas*

CITY ATTORNEY  
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.

152735

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CITY OF PORTLAND, ORE.BY EL

Portland, Oregon, January 20 19.82

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

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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]Chester C. Lageson

\*Chester C. Lageson

Elizabeth J. Lageson

Elizabeth J. Lageson

2425 N Blandena St., Portland, OR 97217

Address

Approved **AS TO FORM**  
As to form.Christopher P. Thomas

CITY ATTORNEY

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ORDINANCE NO. 152735

An Ordinance vacating the easterly 15.0 feet of N. Delaware Avenue lying between the north line of N. Blandena Street and the south line of N. Wygant Street, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds:

1. On October 29, 1980, Chester C. Lageson and James Pauli filed a petition for the vacation of all that portion of N. Delaware Avenue lying between the north line of N. Blandena Street and the south line of N. Wygant Street.
2. The petition states the reason for the vacation is to eliminate street area and enlarge adjacent residential yards.
3. In order to retain sufficient right of way to maintain the existing water mains through this area, the Commissioner of Public Works recommends the vacation of only the easterly 15.0 feet of the street area originally requested for vacation subject to 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 such notice in the area proposed to be vacated.
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 thereto and it is in the public interest that said street area be vacated.

NOW, THEREFORE, the Council directs:

- a. The easterly 15.0 feet of N. Delaware Avenue lying between the north line of N. Blandena Street and the south line of N. Wygant Street, is hereby vacated.
- b. The vacation of the above described street area is granted, subject to the following conditions and restrictions:
  - (1) That the petitioners pay to the City the sum of \$176.00, this being the cost of the vacation proceedings in excess of the minimum filing fee of \$200.00 already paid.

## ORDINANCE No.

- (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 centerline of any such utility, except with the prior written consent of the City Engineer and the owner of the utility 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 hereinafter reconstructed, renewed, replaced and/or enlarged.
- (3) That in the event the petitioners fail to fully comply with the above conditions within six months after the effective date of the vacating ordinance, said ordinance will then be subject to repeal by the Council.

Section 2. The petitioners 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.

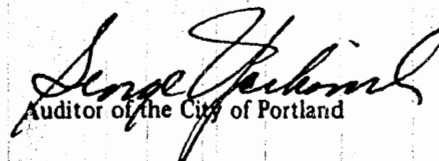
Section 3. The City Auditor shall at the expense of the petitioners file with the recorder, the assessor and the surveyor of the county in which said property is located a certified copy of this ordinance and the acceptance thereof, and any map, plat or other record which may be required by law.

Passed by the Council,

JAN 20 1982

ORDER OF COUNCIL  
Stu Keebaugh/jmh  
December 29, 1981

Attest:

  
Auditor of the City of Portland

Calendar No. ~~62~~ <sup>132</sup>

# ORDINANCE No. 152735

## Title

An Ordinance vacating the easterly 15.0 feet of N. Delaware Avenue lying between the north line of N. Blandena Street and the south line of N. Wygant Street, under certain conditions.

(C-9339)

JAN 13 1982

PASSED TO SECOND READING JAN 20 1982

Filed JAN 7 1982

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By George Croall  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG		
SCHWAB		
STRACHAN		
IVANCIE		

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
ORDER OF COUNCIL
NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ml/ms</i>
BUREAU APPROVAL
Bureau: Street and Structural Engineering
Prepared By: SK <i>PLN</i> Date: Carl Short/jmh 12/29/81
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>R.O. Schmidt</i> Richard O. Schmidt, Chief
CALENDAR
Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/>
NOTED BY
City Attorney
City Auditor
City Engineer Approved; John M. Lang, P.E.
By: <i>R.O. Schmidt</i>