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SI COHN, COUNTY CLERK MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

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County Clerk's Office, Multnomah County, Oregon CIRCUIT COURT DEPARTMENT 278 LITIGATION ACCOUNT Portland, Oregon,___ Plaintiff Defendant. In the above entitled case. County Clerk, FORM CO. CLK. 29-2000 4/64

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ACCEPTANCE

RECEIVED

Oct 15 8 59 AM '64 Portland, Oregon, October 8, 1964

RAY SMITH AUDITOR GITY OF PORTLAND, ORE.

RAY SMITH

Auditor of the City of Porfland, -MS

Room 202, City Hall Portland 4, Oregon Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 119270 vacating a portion of the cul-de-sac on N. Congress Avenue at vacated N. Humboldt 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,

SCHOOL DISTRICT NO. 1

[CORPORATE SEAL]

L. J. Waker, Business Manager

L. J. WEKER, MISINESS MANAGER

620 N.E. Halsey Stadar Portland, Oregon 97232

Approved as to form:

City Attorne

*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. 110270

An Ordinance vacating a portion of the cul-de-sac on N. Congress Avenue at vacated N. Humboldt Street, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that by Resolution No. 29363, adopted by the Council August 12, 1964, proceedings were initiated for the vacation of a portion of the cul-de-sac on N. Congress Avenue at vacated N. Humboldt Street; that the purpose of said vacation is to provide a high school play field; that said area to be vacated is more particularly described as follows:

All that portion of the cul-de-sac on N. Congress Avenue at vacated N. Humboldt Street lying North of a line drawn 25 feet North of and parallel to the South line of Lot 5, Block 20, Clifford and the easterly extension thereof, in the City of Portland, County of Multnomah and State of Oregon.

that pursuant to ORS 271.130 the Council fixed a time and place for public hearing before the Council; that the City Auditor published notice of such hearing in the City official newspaper, namely, Daily Journal of Commerce, once each week for four consecutive weeks, and posted such notice in certain places in area proposed to be vacated, all in accordance with provisions of ORS 271.110; that said matter came on regularly for hearing and no objections were made or filed thereto and it is in the public interest that said street be vacated; now, therefore, that certain street hereinbefore described hereby is vacated under the following conditions:

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; 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 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

ORDINANCE No.

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.

- b. The south 25 feet of Lot 4 and the south 25 feet of Lot 5, Block 20, Clifford Addition, shall be dedicated by School District No 1 for street purposes, except the portion now lying in street.
- c. The intersection of N. Kerby Avenue with the above-described 25-foot wide strip shall be constructed at the expense of School District No. 1 in accordance with plans to be prepared by the City Engineer.
- d. School District No. 1 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 file with the recorder, the assessor, and the surveyor of the county in which said vacation 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, 🔠

Mayer of the City of Portland

Attest.

Auditor of the Aty of Portland

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		City Engineer			APPROVED			NOTED FOR CITY AUDITOR

Filed SEP 22 1984

Grayson

Earl

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FOUR-FIFTHS CALENDAR

City Attorney

Works

Utilities

Safety

Finance

Affairs

NOTED BY THE COMMISSIONER

Depus

TO.

Calendar No.

Order of Council

INTRODUCED BY

Date

September 22, 1964

AGB: jw

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