

131476 RECEIVED

SEP 10 4 38 PM 1970

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ACCEPTANCEAUDITOR  
CITY OF PORTLAND, ORE.  
BY elt

Portland, Oregon, September 9, 1970

JAMES L. HAMILL

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. 131476, passed by the Council September 9, 1970, vacating certain portions of N. Adriatic Avenue and N. Hodge Avenue, Portland, 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)

Department of Public Works

\* Lloyd E. Anderson

Lloyd E. Anderson, Commissioner

Address

Approved as to form:

W. Rushing

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. 131476

An Ordinance vacating certain portions of N. Adriatic Avenue and N. Hodge Avenue, Portland, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that by Resolution 30753, adopted by the Council July 1, 1970, proceedings were initiated for the vacation of certain portions of N. Adriatic Avenue and N. Hodge Avenue in the corporate limits of the city of Portland, county of Multnomah, state of Oregon; that the purpose of said vacation is to permit establishment of a park buffer strip between the traveled thoroughfare and the residential property to the south, in connection with the widening of N. Columbia Boulevard under a state, county and city project; 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 successive 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 all objections and remonstrances made or filed were heard and considered; and the Council finds that said vacation is in the public interest; that said vacation will not interfere with any improvement proposed by the Commission of Public Docks nor with reasonable access to the water front or transportation terminal; now, therefore, the following described street area hereby is vacated under the following conditions:

That portion of N. Adriatic Avenue lying between the easterly extension of the southerly line of Lot 15, Block 2, Walker's Addition and the southerly line of N. Columbia Boulevard (County Road No. 3831).

That portion of N. Hodge Avenue lying between the easterly extension of the southerly line of Lot 20, Block 1, Walker's Addition and the southerly line of N. Columbia Boulevard (County Road No. 3831).

a. All remonstrances made or filed against this portion of street to be vacated are by this ordinance specifically overruled;

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;

## ORDINANCE No.

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 upon the written consent of the City Engineer and the owner of the utility, 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 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.

c. That the City of Portland, Department of Public Works, immediately commence and complete without delay, at public expense out of State Gas Tax Funds, the improvement of alternate streets authorized by Ordinance No. 131208.

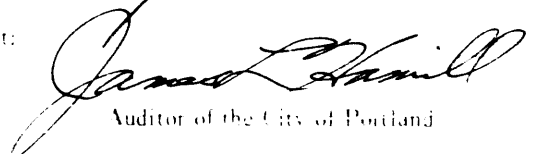
Section 2. The Commissioner of Public Works shall file with the City Auditor in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Section 3. The City Auditor shall file in the appropriate records of the Assessor and the Surveyor of Multnomah County, and in the appropriate records file of Multnomah County, 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 SEP - 9 1970

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Order of Council  
MCP:gm  
8-24670

Page No

Calendar No. **3233**  
~~3418~~

ORDINANCE No. **131476**

Title

An Ordinance vacating certain portions of N. Adriatic Avenue and N. Hodge Avenue, Portland, under certain conditions.

SEP - 2 1970

PASSED TO THIRD READING SEP - 9 1970

INTRODUCED BY
Order of Council

DRAWN BY
MCR:gm
Date 8-24-70

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

City Attorney
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NOTED BY THE CITY AUDITOR
<i>McC</i>

APPROVED
Date
By
City Engineer
Date
By

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Anderson	1	
McCreedy	1	
Grayson	1	
Ivancie	1	
Schruink	1	

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FOR FIFTHS CALENDAR

Anderson	
McCreedy	
Grayson	
Ivancie	
Schruink	

Filed AUG 27 1970

Auditor of the CITY OF PORTLAND  
 By *George J. Fabian* Deputy