

131477

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SEP 10 4 38 PM 1970

## ACCEPTANCE

AUDITOR  
CITY OF PORTLAND, ORE.BY *elt*  
Portland, Oregon, September 10, 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. 131477, passed by the Council September 9, 1970, vacating certain portions of N. Delaware Avenue, N. Tyndall Avenue, N. Wilbur Avenue, N. Burrage Avenue, N. Calvert Avenue and N. Houghton Street, 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:

*McWhirter*  
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. 131477

An Ordinance vacating certain portions of N. Delaware Avenue, N. Tyndall Avenue, N. Wilbur Avenue, N. Burrage Avenue, N. Calvert Avenue and N. Houghton Street, Portland, under certain conditions.

The City of Portland ordains:

Section 1. The Council finds that by Resolution No. 30754, adopted by the Council July 1, 1970, proceedings were initiated for the vacation of certain portions of N. Delaware Avenue, N. Tyndall Avenue, N. Wilbur Avenue, N. Burrage Avenue, N. Calvert Avenue and N. Houghton Street, in the city of Portland, county of Multnomah, state of Oregon; that the purpose for 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 consecutive weeks, and posted such notice in the 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 the 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. Delaware Avenue lying between the easterly extension of the southerly line of Lot 43, Block 42, of Peninsular Addition No. 4 and the southwesterly line of N. Argyle Street (County Road No. 3906);**

**That portion of N. Tyndall Avenue lying between the easterly extension of the southerly line of Lot 30, Block 43, Peninsular Addition No. 4 and the southerly line of N. Columbia Boulevard (County Road No. 3831).**

**That portion of N. Calvert Avenue lying between the easterly extension of the southerly line of Lot 28, Block 47, Peninsular Addition No. 4 and the southerly line of N. Columbia Boulevard (County Road No. 3831.)**

That portion of N. Burrage Avenue lying between the westerly extension of the south line of Lot 8, Block 49, Peninsular Addition No. 4 and the southerly line of N. Columbia Boulevard (County Road No. 3831).

That portion of N. Wilbur Avenue lying between the easterly extension of the southerly line of Lot 17, Block 49, Peninsular Addition No. 4 and the southerly line of N. Columbia Boulevard (County Road No. 3831).

That portion of N. Houghton Street lying between the easterly line of N. Wilbur Avenue and the easterly line of N. Tyndall Avenue.

All the above in the City of Portland, County of Multnomah, State of Oregon.

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; 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 City Auditor shall file of record in the appropriate records of Multnomah County for the offices of the Assessor, Surveyor and as a matter of record in the Miscellaneous records, a copy of this ordinance and the acceptance hereof.

## ORDINANCE No.

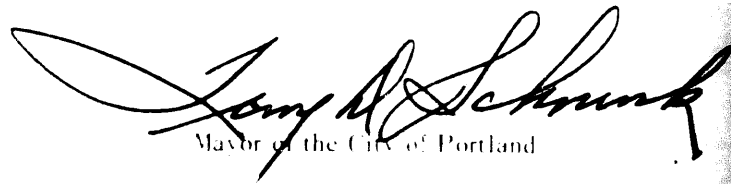
Section 3. The Commissioner of Public Works shall file with the City Auditor in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance.

Passed by the Council, SEP - 9 1970

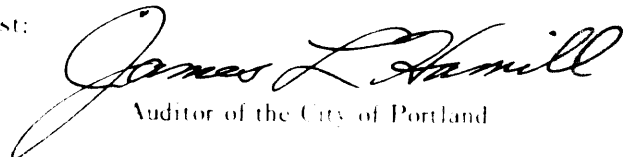
Order of Council

8-25-70

MCR:gm

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. ~~3447~~

3234

# ORDINANCE No. 131477

Title

An Ordinance vacating certain portions of N. Delaware Avenue, N Tyndall Avenue, N. Wilbur Avenue, N. Burrage Avenue, N. Calvert Avenue and N. Houghton Street, Portland, under certain conditions.

SEP - 2 1970

1-8-2

PRESENT TO TOWN MEETING SEP - 9 1970

INTRODUCED BY  
Order of Council

DRAWN BY

MCR:gm

Date 8-25-70

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

City Attorney

NOTED BY THE CITY AUDITOR

APPROVED

Date

By

CITY ENGINEER

Date

By

Auditor of the CITY OF PORTLAND

B. *George J. Johnson*  
Deputy

## THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Anderson	1	
McCreedy	1	
Grayson	1	
Ivancie	1	
Schrank	1	

## FOUR-FIFTHS CALENDAR

Anderson	
McCreedy	
Grayson	
Ivancie	
Schrank	