

RECEIVED 130705

APR 14 9 31 AM 1970

RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

BY clh

427  
ACCEPTANCE

Portland, Oregon, April 9 1970

RAY SMITH  
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. 130705, passed by the Council April 8, 1970, vacating a certain portion of S. E. Alder Street, under certain condition, initiated by the City Council,

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]

SCHOOL DISTRICT NO. 1

\* BY:

Lawrence E. Winter

Assistant Superintendent

631 N. E. Clackamas Portland, 97232

Approved as to form:

W. Cheshire  
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. 130705

An Ordinance vacating a certain portion of S.E. Alder Street, under certain conditions, initiated by the City Council.

The City of Portland ordains:

Section 1. The Council finds that by Resolution No. 30647, adopted by the Council February 4, 1970, proceedings were initiated for the vacation of certain portions of S.E. Alder Street, in the City of Portland, hereinafter more particularly described; for and on behalf of School District No. 1; that the purpose of said vacation is to provide additional school playground area; that pursuant to ORS 271.130 the Council fixed a time and place for public hearing before the Council, 9:30 A.M., March 25, 1970 in the Council Chambers of the City Hall, Portland ; 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 streets be vacated; 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, as evidenced by letters of consent from both the Port of Portland and the Dock Commission, made a part of Council Calendar No. 1011; now, therefore, the following described property hereby is vacated upon the following conditions:

All that portion of S.E. Alder Street lying between the east line of S.E. 12th Avenue and the west line of S.E. 14th Avenue, in the City of Portland, County of Multnomah, State of Oregon.

a. That School District No. 1 pay all costs of transferring an existing fire hydrant to a new location in an adjoining public street, and for transferring or killing existing water services, all as required by the Chief Engineer, Bureau of Water Works.

b. That School District No. 1 pay all costs of the closure and reconstruction of the intersections at both ends of the portion of S.E. Alder Street herein vacated, said reconstruction to be done by School District No. 1 in accordance with plans to be furnished by the City Engineer.

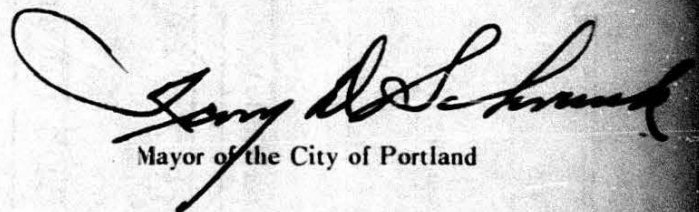
## ORDINANCE No.

c. 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 of ten feet from the center line of any such utility, ~~except~~ that an easement shall be retained for the existing sewer to cover the north 30 feet of the vacated street. Any contemplated repair, enlargement, etc. shall be initiated upon the written consent of the City Engineer and the owner of the utility first obtained, 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 hereafter reconstructed, renewed, replaced and/or enlarged.

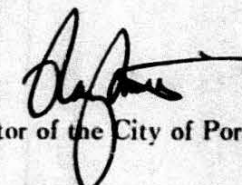
Section 2. School District No. 1 shall file with the City Auditor in form approved by the City Attorney a document in writing accepting the terms and conditions of this ordinance.

Section 3. The City Auditor shall at the expense of School District No. 1 file with the Multnomah County records, 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, APR - 8 1970  
Order of Council  
3-27-70  
MCR:gm

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland



1249

Calendar No.

~~1115~~

## ORDINANCE No. 130705

Title

An Ordinance vacating a certain portion  
of S.E Alder Street, under certain  
conditions, initiated by the  
City Council.

142

APR - 1 1970

PASSED TO THIRD READING APR - 8 1970

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	1	
<del>Grayson</del>		
Grayson	1	
Ivancie	1	
McCluskey	1	
Schrunk	1	

5

FOUR-FIFTHS CALENDAR	
Anderson	
<del>Grayson</del>	
Grayson	
Ivancie	
Schrunk	

Filed MAR 27 1970

RAY SMITH

Auditor of the CITY OF PORTLAND

By

*George Schubert*  
Deputy

INTRODUCED BY

Order of Council

DRAWN BY

MCR:gm

Date 3-27-70

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