

Exhibit "X"

A G R E E M E N T

THIS AGREEMENT, made and entered into this _____ day of _____, 1952, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State," and the CITY OF PORTLAND, a municipal corporation, acting by and through its city officials, hereinafter called "City":

W I T N E S S E T H:

RECITALS:

1. Those certain highways which have been designated as the Pacific Highway West, State Highway No. 1W.(US 99 w); the Mount Hood Highway, State Highway No. 26 (US 26); the Sunset Highway, State Highway No. 47 (US 26); and the Columbia River Highway, State Highway No. 2 (US 30), and which run into or through the City of Portland, are all state highways under the jurisdiction and control of the State Highway Commission.

2. Under the provisions of Section 100-122, O.C.L.A., the Highway Commission is authorized and directed, whenever the route of a state highway passes through the corporate limits of a city, to select and designate the street or streets over which the said highway shall be routed.

3. State and City entered into an agreement, bearing date of September 11, 1944, relative to the designation of certain streets of said City as state highways and also relating to the repair, maintenance, and jurisdiction over said streets. The said agreement was executed by City pursuant to Ordinance No. 80262 which authorized execution of two separate agreements between City and State. At a subsequent date, City and State entered into a supplementary agreement relative to the designation of certain streets of said City as state highways whereby certain streets were eliminated from the state highway system and the jurisdiction and control of the State, and certain other streets were added to the state highway system and brought within the jurisdiction and control of the State. The said supplementary agreement was entered into on August 22, 1950, and was executed by the City pursuant to Ordinance No. 92015, passed by the City Council July 13, 1950.

4. In the exercise of the authority given it by Section 100-122, 100-123, and 100-124, O.C.L.A., State intends to change the existing streets upon which state highways are routed, and it is the opinion of the State and City that the agreements of September 11, 1944, and August 22, 1950, should be still

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further altered and modified to conform to the proposed plan for the state highway system on the city streets. It is recognized that the purpose of this agreement is to notify and inform the City of the plans of the State and to permit full cooperation between the State and the City, and it is further recognized that the exclusive power and authority of the State to designate, alter, or change city streets as the route of the state highways is in no way affected hereby.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is mutually agreed by and between the State and City as follows:

1. The said agreements between State and City relative to the designation of certain streets of said City as state highways bearing dates of September 11, 1944 and August 22, 1950, hereby are modified by eliminating from the state highway system and relieving the State of any obligation or responsibility for the following named streets or portions or units thereof, listed under the particular highway of which they were formerly a part:

Pacific Highway West, State Highway No. 1 W (US 99W)

N. Interstate Avenue, from N. Tillamook Street southerly and easterly to N. Broadway.

N. Broadway, from Interstate Avenue southwesterly to the east end of the Broadway Bridge.

N.W. & S.W. Broadway, from the west end of Broadway Bridge (at Hoyt Street) southerly to Grant Street.

S.W. 6th Avenue, from S.W. Grant Street southwesterly to Sheridan Street.

S.W. Sheridan Street, from S.W. 6th Avenue easterly to Barbur Boulevard (at S.W. 4th Avenue).

S.W. Barbur Boulevard, from S.W. Sheridan Street southerly to S.W. Front Avenue.

S.W. 4th Avenue, from W. Burnside Street southwesterly to Barbur Boulevard (at Sheridan Street).

Mount Hood Highway, State Highway No. 26 (US 26)

S.W. Sheridan Street, from S.W. 4th Avenue (at Barbur Blvd.) to S.W. 3rd Avenue.

S.W. Caruthers Street, from S.W. 4th Avenue easterly to S.W. 3rd Avenue.

S.W. 3rd Avenue, from S.W. Caruthers Street southerly to S.W. Arthur Street.

S.W. Arthur Street, from S.W. 3rd Avenue easterly to S.W. Kelly Avenue (at S.W. Front Avenue.)

2. The said agreements between State and City relative to the designation of certain streets of said City as state highways bearing dates of September 11, 1944 and August 22, 1950, hereby are modified by adding to the state highway system the following named streets or portions or units thereof which are to be maintained from curb to curb, listed under the particular highway of which they hereby become a part:

Sunset Highway, State Highway No. 47 (US 26)

S.W. 18th Avenue, from S.W. Jefferson Street northeasterly to W. Burnside Street.

S.W. 19th Avenue, from W. Burnside Street southerly to S.W. 18th Avenue, (west of Morrison Street).

Pacific Highway West, State Highway No. 1 W (US 99W)

S.W. Ash Street, from S.W. Front Avenue westerly to S.W. 2nd Avenue.

S.W. and N.W. 2nd Avenue, from S.W. Ash Street northerly to N.W. Everett Street.

N.W. Couch Street, from N.W. Front Avenue westerly to N.W. 2nd Avenue.

N.W. Everett Street, from N.W. Front Avenue westerly to N.W. 2nd Avenue.

N.W. 3rd Avenue, from W. Burnside Street northerly to N.W. Glisan Street.

Columbia River Highway, State Highway No. 2 (US 30)

N.W. 18th Avenue, from W. Burnside Street northerly to N.W. Vaughn Street.

N.W. Vaughn Street, from N.W. 18th Avenue westerly to N.W. 19th Avenue.

3. Except as modified or altered herein, or except where inconsistent with the provisions of this alteration or modification, the provisions of said original and supplemental agreements shall remain in full force and effect to the same extent as if fully and completely set forth herein.

4. There is attached hereto, marked Exhibit "A", and by this reference made a part hereof, a map on which is shown, colored solidly in red, streets or portions or units thereof presently a part of the state highway system and are retained as a part of the state highway system and affected or changed in no way by this agreement, and there is shown, colored in blocks of red, the streets or portions or units thereof formerly a part of the state highway system and as set forth in this agreement, eliminated from the state highway system and from the jurisdiction and control of the State, and shown also, on said exhibit "A", colored in blue are the streets or portions or units thereof formerly not a part of the state highway system, but which, as set forth in this agreement, are or will be added to the state highway system and brought within the jurisdiction and control of the State, under the authority of Sections 100-122, 100-123, and 100-124, O.C.L.A.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals the day and year first above written, the City officials acting under Ordinance No. _____, passed by its Council on the ____ day of _____, 1952.

ATTEST:

STATE OF OREGON, by and through
its State Highway Commission

Secretary

By _____
Chairman

APPROVED:

By _____
Commissioner

Asst. State Highway Engineer

By _____
Commissioner
State

APPROVED AS TO FORM:

CITY OF PORTLAND

Chief Counsel

By _____
Mayor

APPROVED AS TO FORM

By _____
Commissioner of public works

City Attorney

City

8/12/52

ORDINANCE No. 97092

An Ordinance authorizing the execution of an agreement with the State Highway Commission modifying and altering prior agreements executed pursuant to Ordinance No. 80262 and Ordinance No. 92015 as they relate to designation of routes through the city of Pacific Highway West (U.S. 99W), Mt. Hood Highway and Sunset Highway (U.S. 26) and the Columbia River Highway (U.S. 30) and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the City of Portland, pursuant to authority of Ordinance No. 80262, passed by the Council August 31, 1944, entered into two separate agreements with the State of Oregon, acting through its State Highway Commission, one of which agreements (Exhibit "B" of said ordinance) provided among other things for the routing of certain state and federal highways through the city; that said agreement relating to such routing was modified and altered by subsequent agreement entered into by state and city, the city acting pursuant to Ordinance No. 92015, passed by the Council July 13, 1950; that the State Highway Commission now finds it necessary to make further changes in such routing and has requested the city to enter into an agreement modifying and altering said prior agreements so as to effect such necessary changes; now, therefore, the Mayor and Commissioner of Public Works hereby are authorized on behalf of the City to enter into and execute an agreement in triplicate with the State of Oregon, acting through its State Highway Commission, modifying and altering said prior agreements substantially in accordance with the form attached hereto and marked Exhibit "X" and by this reference made a part hereof, the map incorporated in said agreement by reference as Exhibit "A" to be attached only to the triplicate originals of said agreement as prepared for execution by the parties.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That there be no unnecessary delay in proper designation of state and federal highway routes through the city so as to further

ORDINANCE No. 97092

facilitation and control of traffic; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **SEP 16 1962**

Dorothy M. Gullough
Mayor of the City of Portland
Attest *Will Gibson*

Auditor of the City of Portland
By *Pat Buchanan*
CHIEF DEPUTY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Peterson	/	
Lee	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	NAB
Bowes	WAB
Peterson	DML sk
Lee	

FLP wag

Calendar No. 4442
4580
4786

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AUG 21 1952
CONTINUED TO 2P.M. AUG 28 1952

AUG 28 1952
CONTINUED TO 9:30 A.M. SEP 16 1952

Filed AUG 20 1952

Will Gibson.
Auditor of the CITY OF PORTLAND

ROB'T L. McCOY

By Deputy

INTRODUCED BY
Commissioner Bowes
DRAWN BY
HFA:gm
Date 8/12/52
NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works WAB
City Attorney MCR
NOTED FOR CITY AUDITOR
RSI
JHL
APPROVED
Date
By
Chief Civil Engineer
Date 8-14-52
By L. G. Apperson
City Engineer