

## ORDINANCE No. 98566

An Ordinance declaring certain streets previously used for sawmill purposes open to the public, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that the Supreme Court of the State of Oregon in the case of City of Portland v. Inman Poulsen Lumber Co., in 1913, reported at 66 Or. 86, decreed that the City could not restrain obstruction of certain streets as dedicated by plat during the continuance of occupancy of said area for sawmill purposes due to previous acts of city officials; that said area involved in said court determination has been occupied for sawmill purposes to the present time; that now the Inman-Poulsen Lumber Co. has notified the City that it is no longer using the streets lying east of S.E. Grand Avenue for sawmill purposes; that therefore said streets should be declared open; now, therefore, the following streets are declared open to the public use: S.E. Sherman Street and S.E. Caruthers Street, as originally platted, extending from the east line of S.E. Grand Avenue as now established to the southwesterly line of the Southern Pacific Company's railroad right-of-way; S. E. 6th Avenue and S. E. 7th Avenue, as originally platted, extending from the northerly line of S.E. Division Place to the southwesterly line of the Southern Pacific railroad right-of-way, excepting however that part of S.E. 6th Avenue vacated by Ordinances No. 98565 and 98566, passed by the Council of the City of Portland June 10, 1953.

Section 2. The Auditor hereby is authorized and directed to file for record, a certified copy of this ordinance, in the appropriate records in the Office of the County Clerk of Multnomah County, Oregon.

Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace, and safety of the City of Portland in this: In order that there may be no delay in restoring to public use street area as dedicated now that conditions prohibiting such opening under court order have been eliminated; therefore an emergency

ORDINANCE No. 99120

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 9 1963

*Frank L. Peterson*  
Mayor of the City of Portland

Attest:

*Will Gibson.*  
Auditor of the City of Portland

Calendar No. Sub 4878

# ORDINANCE No. 39120

## Title

An Ordinance declaring certain streets previously used for sawmill purposes open to the public, and declaring an emergency.

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

FOUR FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

SEP 9 - 1953  
Filed

*Will Gibson.*  
Auditor of the CITY OF PORTLAND

By **R. S. IVEY**

Deputy

## INTRODUCED BY

Comm'r Bowes

## DRAWN BY

MCR:gm

Date Sept. 2, 1953

## NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works WAB

City Attorney AGB

## NOTED FOR CITY AUDITOR

RST

## APPROVED

Date 9-4-53

By L. G. Apperson

City Engineer

Date

By