

SOUTH AUDITORIUM MALLS - LEGAL DESCRIPTIONS

The property areas to be transferred and made reference to above are described as follows:

1. MONTGOMERY STREET MALL - Fourth Avenue towards Third Avenue

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a point which is N 71°39'20" E 2243.38 feet and S 69°08'00" E 100 ft. and N 20°52'00" E 210 ft. from the northwest corner of the Finice Caruthers Donation Land Claim and a Portland Development Commission monument bears S 20°52'00" West 210 feet and N 69°08'00" W 70 feet; thence from said beginning point N 69°08'00" W 100 feet; thence N 20°52'00" E along the westerly line of Block A 28 feet; thence S 69°08'00" E 100 feet; thence S 20°52'00" W 28 feet to the point of beginning.

2. THIRD AVENUE MALL - Market Street towards Harrison with portions adjoining Pettygrove Park

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E a distance of 2243.38 feet and S 69°08'00" E a distance of 242 feet and N 20°52'00" E a distance of 196 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point N 69°08'00" W 28 feet; thence N 20°52'00" E 483.85 feet to a Portland Development Commission monument; thence S 69°08'00" E along the northerly line of Block A 28 feet to a Portland Development Commission monument; thence S 20°52'00" W 483.85 feet to the point of beginning.

3. SECOND AVENUE MALL - Market Street towards Harrison Street with portions adjoining Pettygrove Park

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E 2243.38 feet and S 69°08'00" E 496 feet and N 20°52'00" E 196 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point N 20°52' E a distance of 483.85 feet to a point on the northerly line of Block A; thence S 69°08' E a distance of 28 feet along the northerly line of Block A; thence S 20°52' W a distance of 483.85 feet; thence N 69°08' W a distance of 28 feet to the point of beginning.

4. MILL STREET MALL - Fourth Avenue to Third Avenue

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E a distance of 2243.38 feet and S 69°08'00" E 214 feet and N 20°52'00" E 455.85 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point N 68°08'00" W 214 feet; thence N 20°52'00" E along the westerly line of Block A, 28 feet; thence S 68°08'00" E 214 feet to a Portland Development Commission monument; thence S 20°52'00" W 28 feet to the point of beginning.

5. MONTGOMERY STREET MALL - Second Avenue to Third Avenue adjoining Pettygrove Park

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E 2243.38 feet and S 69°08'00" E 242 feet and N 20°52'00" E 196 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point N 20°52'00" E 28 feet; thence S 69°08'00" E 254 feet; thence S 20°52'00" W 28 feet to Portland Development Commission monument; thence N 69°08'00" W 254 feet to the point of beginning.

6. MONTGOMERY STREET MALL - First Avenue to Second Avenue

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E 2243.38 feet and S 69°08'00" E 524 feet and N 20°52'00" E 218 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said point of beginning N 20°52'00" E 28 feet to a Portland Development Commission monument; thence S 69°08'00" E 176 feet; thence S 20°52'00" W 28 feet; thence N 69°08'00" W 176 feet to the point of beginning.

7. HALL STREET MALL - Second Avenue to Third Avenue adjoining Lovejoy Park

A parcel of land in Block B, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E 2243.38 feet and S 20°52'00" W 80 feet and S 69°08'00" E 259 feet and S 20°52'00" W 196 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point S 69°08'00" E 237 feet to a Portland Development Commission monument; thence S 20°52'00" W 28 feet; thence N 69°08'00" W 237 feet; thence N 20°52'00" E 28 feet to the point of beginning.

8. HALL STREET MALL - First Avenue to Second Avenue

A parcel of land in Block B South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument which is N 71°39'20" E 2243.38 feet and S 20°52'00" W 80 feet and S 69°08'00" E 524 feet and S 20°52'00" W 231.33 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point S 69°08'00" E a distance of 176 feet to a Portland Development Commission monument; thence S 20°52'00" W along the easterly line of Block B a distance of 28 feet to a Portland Development Commission monument; thence N 69°08'00" W 176 feet to a Portland Development Commission monument; thence N 20°52'00" E 28 feet to the point of beginning.

9. THIRD AVENUE MALL - Harrison Street to Lincoln Street with portions adjoining Lovejoy Park

A parcel of land in Block B, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument in the northerly line of Block B which is N 71°39'20" E 2243.38 feet and S 20°52'00" W 80 feet and S 69°08'00" E 231 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point S 69°08'00" E along the northerly line of Block B a distance of 28 feet to a Portland Development Commission monument, thence S 20°52'00" W 361 feet to a Portland Development Commission monument; thence S 20°52'00" W 401.56 feet; thence S 0°41'57" W 52.39 feet to the southerly line of Block B; thence along the southerly line of Block B N 89°18'03" W 21 feet and N 86°26'18" W 7.01 feet; thence N 0°41'57" E 57.03 feet; thence N 20°52'00" E 767.40 feet to the point of beginning.

10. SECOND AVENUE MALL - Harrison Street to Lincoln Street with portions adjoining Lovejoy Park

A parcel of land in Block B, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a Portland Development Commission monument in the northerly line of Block B, which point is N 71°39'20" E 2243.38 feet and S 20°52'00" W 80 feet and S 69°08'00" E 496 feet from the northwest corner of Finice Caruthers Donation Land Claim; thence along the northerly line of Block B, S 69°08'00" E 28 feet; thence S 20°52'00" W 589.33 feet; thence S 69°08'00" E 26.50 feet; thence S 20°52'00" W 82.50 feet; thence S 0°41'57" W 37.02 feet; thence along the southerly line of Block B, N 89°18'03" W 41.82 feet; thence N 20°52'00" E 80.10 feet; thence N 69°08'00" W 28.00 feet; thence N 20°52'00" E 640.92 feet to the point of beginning.

11. HALL STREET MALL - First Avenue to Front Avenue

A parcel of land in Block H, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a point in the westerly line of Block H, which is N 71°39'20" E 2243.38 feet and S 20°52'00" W 80 feet and S 69°08'00" E 800 feet and S20°52'00" W 216 feet from the northwest corner of Finice Caruthers Donation Land Claim and a Portland Development Commission monument bears S 20°52'00" W 87.89 feet; thence from said beginning point S 69°08'00" E 200.99 feet; thence along the easterly line of Block H, said line being a curve which bears left with a radius of 1012 feet, southerly 28 feet; thence N 69°08'00" W 202.52 feet; thence along the westerly line of Block H, N 20°52'00" E 28 feet to the point of beginning.

12. MONTGOMERY STREET MALL - First Avenue to Front Avenue

A parcel of land in Block I, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon described as follows:

Beginning at a point in the easterly line of Block I and which point is N 71°39'20" E 2243.38 feet and S 69°08'00" E 1000 feet and N 20°52'00" E 300 feet from the northwest corner of Finice Caruthers Donation Land Claim and a Portland Development Commission monument bears S 20°52'00" W 270 feet; thence from said point of beginning N 69°08'00" W 200 feet; thence along the westerly line of Block I N 20°52'00" E 28 feet; thence S 69°08'00" E 200 feet; thence along the easterly line of Block I S 20°52'00" W 28 feet to the point of beginning.

13. COLLEGE STREET MALL - Third Avenue to Fourth Avenue

A parcel of land in Block B South Auditorium Addition to the City of Portland, Multnomah County, Oregon, described as follows:

Beginning at a Portland Development Commission monument in the westerly line of Block B, which point is N 71°39'20" E 2243.38 feet and S 20°52'00" W 620.96 feet and southerly along a curve to the left, which contains a central angle of 1°41'10" and a radius of 885.00 feet a distance of 26.04 feet from the northwest corner of Finice Caruthers Donation Land Claim; thence from said beginning point S 69°08'00" E 230.62 feet; thence S 20°52'00" W 56 feet; thence N 69°08'00" W 227.19 feet to a point on a curve, said curve being the easterly line of S. W. Fourth Avenue; thence northerly along the easterly line of S. W. Fourth Avenue on a curve to the right 56.24 feet more or less to the point of beginning.

14. SECOND AVENUE MALL - Lincoln Street towards Stadium Freeway

A parcel of land in Block C, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon described as follows:

Beginning at a point in the northerly line of Block C and which point is S 89°18'03" E 607.17 feet and S 0°41'57" W 40.00 feet from the Initial Point of South Auditorium Add. Blocks C, D, E, F, G, and Partial Block H which initial point is S 88°29'03" E 662.95 feet, S 88°25'02" E 1093.39 feet, S 88°31'52" E 0.78 feet and S 1°27'01" W 251.79 feet from the northwest corner of the Finice Caruthers Donation Land Claim; thence from said beginning point S 0°41'57" W 300.00 feet; thence N 89°18'03" W 28.00 feet; thence N 0°41'57" E 300.00 feet; thence S 89°18'03" E 28.00 feet to the point of beginning.

15. MONTGOMERY STREET MALL - Third Avenue towards Fourth Avenue

A parcel of land in Block A, South Auditorium Addition to the City of Portland, County of Multnomah, Oregon, described as follows:

Beginning at a railroad spike set at a point which is N 71°39'20" E a distance of 2243.38 feet and S 69°08'00" E a distance of 214 feet and N 20°52'00" E a distance of 210 feet from the northwest corner of the Finice Caruthers Donation Land Claim and a Portland Development Commission monument bears S 20°52'00" W a distance of 210 feet and N 69°08'00" W a distance of 184 feet; thence from said beginning point N 69°08'00" W a distance of 114 feet to an iron rod; thence N 20°52'00" E a distance of 28 feet to a point; thence S 69°08'00" E a distance of 114 feet to an iron rod; thence S 20°52'00" W a distance of 28 feet to the point of beginning.

16. THIRD AVENUE MALL - Montgomery Street to Harrison Street

A parcel of land in Block A, South Auditorium Addition to the City of Portland, Multnomah County, Oregon described as follows:

Beginning at an iron rod set in the southerly line of Block A, which iron rod is also on the northerly line of S. W. Harrison Street and from which the northwest corner of the Finice Caruthers Donation Land Claim bears N 69°08'00" W a distance of 214 feet and S 71°39'20" W a distance of 2243.38 and a Portland Development Commission monument bears N 69°08'00" W a distance of 184 feet; thence from said beginning point N 20°52'00" E a distance of 196 feet to a point; thence S 69°08'00" E a distance of 28 feet to a railroad spike; thence S 20°52'00" W a distance of 196 feet to a railroad spike in the southerly line of Block A; thence N 69°08'00" W along said southerly line of Block A a distance of 28 feet to the point of beginning.

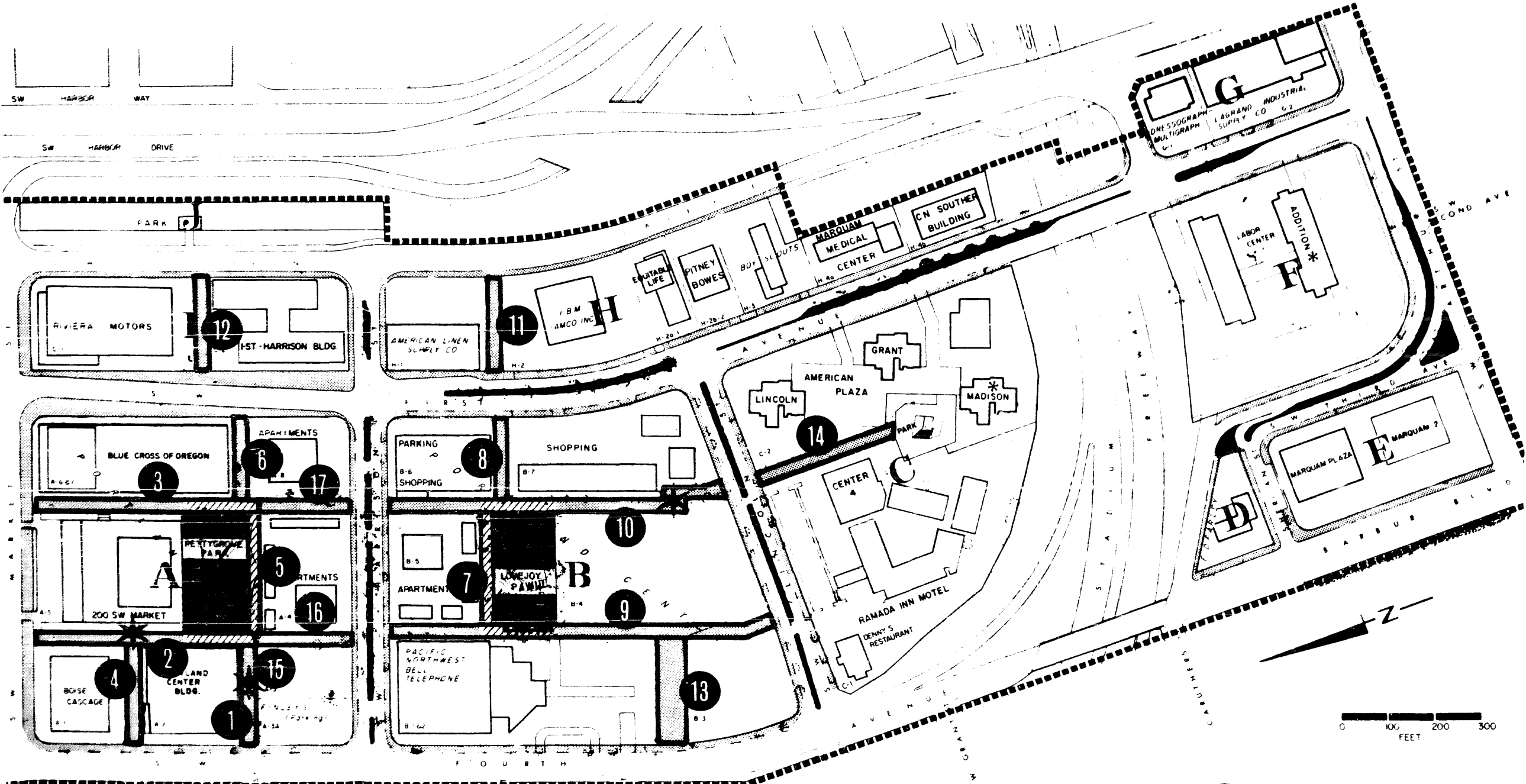
17. SECOND AVENUE MALL - Montgomery Street to Harrison Street

A parcel of land in Block A, South Auditorium Addition to the City of Portland, Multnomah County, Oregon, described as follows:





Beginning at a railroad spike set in the southerly line of Block A, which railroad spike is also on the northerly line of S. W. Harrison Street and from which the northwest corner of the Finice Caruthers Donation Land Claim bears N 69°08'00" W a distance of 496 feet and S 71°39'20" W a distance of 2243.38 feet and a Portland Development Commission monument bears S 69°98'00" E a distance of 174 feet; thence from said beginning point N 20°52'00" E a distance of 196 feet to a railroad spike; thence S 69°08'00" E a distance of 28 feet to a point; thence S 20°52'00" W a distance of 196 feet to a railroad spike on the southerly line of Block A; thence N 69°08'00" W along the southerly line of Block A, a distance of 28 feet to the point of beginning.

Maintenance Responsibilities

Item of Maintenance	Responsible Entity		
	Public Works	Park Bureau	Property Owners
1. Medians Within Dedicated Streets			
A. Ground cover		X	
B. Irrigation		X	
C. Trees		X	
D. Lighting	X		
E. Crosswalks	X		
F. Curbs	X		
2. Street Area - Between Curbs:			
A. Surfacing	X		
B. Drainage	X		
C. Brick or Concrete Crosswalks	X		
3. Street Area - Curb to Property Line			
A. Ground Cover			X
B. Irrigation			X
C. Trees (in conformance to City Code & policies)		X	X
D. Lighting			
(1) Street Lights	X		
(2) Recessed Tree Lights	X		
E. Bollards	X		
F. Kiosk	X		
G. Brick or Concrete Crosswalks at Mall Entrances			X
H. Sidewalks			
(1) Repair			X
(2) Sweeping and Cleaning			X
(3) Snow and Ice Removal			X
I. Curbs (see City Code)	X		X
J. Trash Receptacles (repair & replacement)	X		
K. Trash Removal	X		



SOUTH AUDITORIUM MAINTENANCE RESPONSIBILITIES FOR PUBLIC AREAS

- 18** MALL SEGMENT TRANSFERED
- CITY MAINTENANCE RESPONSIBILITY
-  — MALLS ADJACENT TO PARKS
 -  — SPECIAL SCULPTURE, FOUNTAIN, PLANTER FEATURES
 -  — PARKS & MEDIANS
- PRIVATE MAINTENANCE RESPONSIBILITY
-  — MALLS & SIDEWALKS

11/15/81

ORDINANCE NO. 147584

An Ordinance accepting the transfer of certain parcels of land for use as pedestrian malls located in the South Auditorium Urban Renewal Project to the City in accordance with the Urban Renewal Plan from the Portland Development Commission, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

- (1) That the Portland Development Commission has undertaken an urban renewal project known as the South Auditorium Project, pursuant to an urban renewal plan, which plan, as amended, has been approved by the City Council and is recorded in Book 2096, Pages 172-228 inclusive, Multnomah County Deed Records, which plan has been subsequently amended from time to time;
- (2) That said urban renewal plan as approved by the Council provides for certain areas to be established as pedestrian malls in the project area, to be improved without cost to the City in accordance with said plan;
- (3) That title to the property hereinafter described is vested in the City of Portland, acting by and through the Portland Development Commission as the duly designated Urban Renewal Agency of the City of Portland;
- (4) That all improvements on said property have now been substantially completed and the Commission now proposes to turn over said property to the City subject to certain conditions as herein expressed.

NOW, THEREFORE, the Council directs:

- (a) The City of Portland hereby accepts the transfer of the property as herein described in accordance with conditions of the Urban Renewal Plan, such transferred sidewalk areas, median areas and mall areas and previously transferred mall areas shall be subject to the following conditions:
 - (1) Prior to acceptance by the City for maintenance, all items shall be repaired by the Portland Development Commission to a condition acceptable to the affected City bureau. The affected City bureau shall be that bureau responsible for the maintenance of the particular item or area in accordance with the attached exhibit entitled "South Auditorium Malls Maintenance Responsibilities".
 - (2) Vehicular traffic over the property is limited to public maintenance and emergency vehicles specifically authorized by City permit. Emergency vehicles are those of the fire department, fire patrol and police department as well as ambulances and rescue-type vehicles. Weight of emergency vehicles shall not exceed the load limit of the mall sidewalks.

- (3) Property owners in the South Auditorium area shall maintain and repair portions of the mall and sidewalk areas adjoining their properties in accordance with the City Code, where applicable, but not adjoining public park areas, in a neat, clean and safe condition, and free from debris as follows:
- (a) Planted areas including watering, fertilizing, weeding and replanting;
 - (b) Paved sidewalks, curbs and steps, including leaf, snow and ice removal, sweeping, cleaning slit openings over trench drains and structural repair;
 - (c) Emptying of trash receptacles.
- (4) The City shall maintain portions of the mall, sidewalk areas and medians in the South Auditorium Area as follows:
- (a) In the mall, sidewalk and median area:
 - (1) Trees, including spraying, pruning and replacement;
 - (2) Lighting systems including electricity;
 - (3) Drainage systems;
 - (4) Special design features within the mall area including but not limited to fountains, planters, kiosks, drinking fountains, benches, bollards and sculpture.
 - (b) Mall and sidewalk areas adjoining public parks as follows:
 - (1) Planted areas including watering, fertilizing, weeding and planting;
 - (2) Paved walkways, including snow and ice removal, sweeping and repair;
 - (3) Trash receptacles, including repair, replacement and regular emptying;
 - (4) Lighting systems including electricity;
- (5) Irrigation systems.
- (a) Property owners shall maintain irrigation systems within the planted areas between sidewalk and curbs in adjacent street areas and within mall areas, except those mall areas which are adjacent to public parks and shall pay their pro rata share as determined by the City, of the cost of water service to irrigation systems which are connected to the City's irrigation system in the area. In the event the property owner fails to pay the costs of water service, the City shall cap off or meter that portion of the City's system within that property owner's area of responsibility, at the cost of that property owner. All future construction or reconstruction of irrigation systems within property owners' area of responsibility in South Auditorium Urban Renewal Area shall connect to private water supplies.

- (b) The City shall maintain irrigation lines and systems in the medians, in sidewalk and mall areas adjacent to public parks and in the raised planters within the mall areas.
- (6) The Portland Development Commission shall submit reproduceable copies to the City of existing, as built plans, for all mall facilities, including but not limited to sidewalks, curbs, sewers, drains, irrigation lines, street light details and street lighting circuits.
- (7) Maintenance responsibilities for the areas herein transferred to the City are assigned to the various bureaus as indicated by the attached exhibit entitled South Auditorium Malls Maintenance Responsibilities.
- (8) Attached hereto, as an exhibit, is a maintenance responsibility map indicating the maintenance responsibilities as herein described as between the City and the private property owners in the affected area.
- (9) The property areas to be transferred and to which reference is made above are described in the attachment to this ordinance labeled "South Auditorium Malls--Legal Descriptions."
- (10) The following malls have been previously dedicated, but are covered by the maintenance provisions of this ordinance.
- Property description No. 15, Montgomery Street Mall--3rd Avenue towards 4th Avenue;
- Property description No. 16, Third Avenue Mall, Montgomery Street to Harrison Street;
- Property description No. 17, Second Avenue Mall, Montgomery Street to Harrison Street;
- (11) Improvement of mall areas which are not completed at the time of transfer by this ordinance shall be designed and developed to be consistent with this ordinance and with the completed portions of the malls and be coordinated with those assigned maintenance responsibility under this ordinance.

Section 2. The Council Declares:

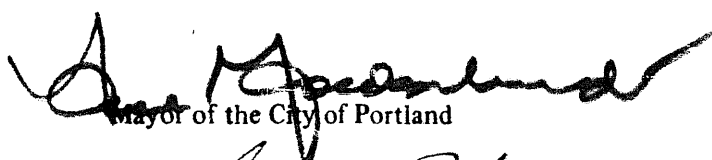
That in order that the transfer of property for use as pedestrian malls located in South Auditorium Urban Renewal Project may be transferred to the City and the maintenance responsibilities as-

ORDINANCE No.

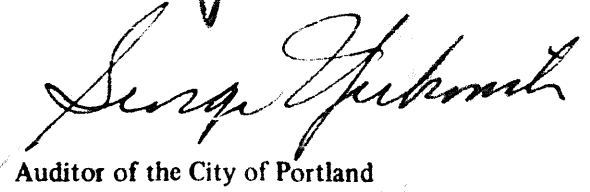
signed for such areas without unnecessary delay, an emergency exists; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 25 1979

Commissioner McCready
February 22, 1979


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 1275

ORDINANCE No. 147581

Title

An Ordinance accepting the transfer of certain parcels of land for use as pedestrian malls located in the South Auditorium Urban Renewal Project to the City in accordance with Urban Renewal Plan from the Portland Development Commission, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	/	
Jordan	/	
McCready	/	
Schwab	/	
Goldschmidt	/	

4

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

INTRODUCED BY
Commissioner McCready

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *C. M. ...*

BUREAU APPROVAL

Bureau:
Street & Structural Engineering

Prepared By: Bob Hurtig Date: 04-12-79

Budget Impact Review:
 Completed Not required

Bureau Head:
John M. Lang
John M. Lang

NOTED BY

City Attorney

City Auditor

City Engineer
...

Filed APR 20 1979

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *James Holton*
Deputy