

## ORDINANCE NO. 143853

An Ordinance granting a revocable permit to Union Pacific Railroad to construct and maintain two inlets and a manhole in the street area of N. Railroad Street between Albina and Lewis Avenues, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Union Pacific Railroad, P.O. Box 8979, 97208, has through B.F. Bowers, requested permission to construct and maintain inlets and a manhole in the street area of N. Railroad Street between Lewis and Albina Avenues.
2. Said inlets and manhole are needed to control water problem in that unimproved street area.
3. That under certain conditions, granting the requested permission will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

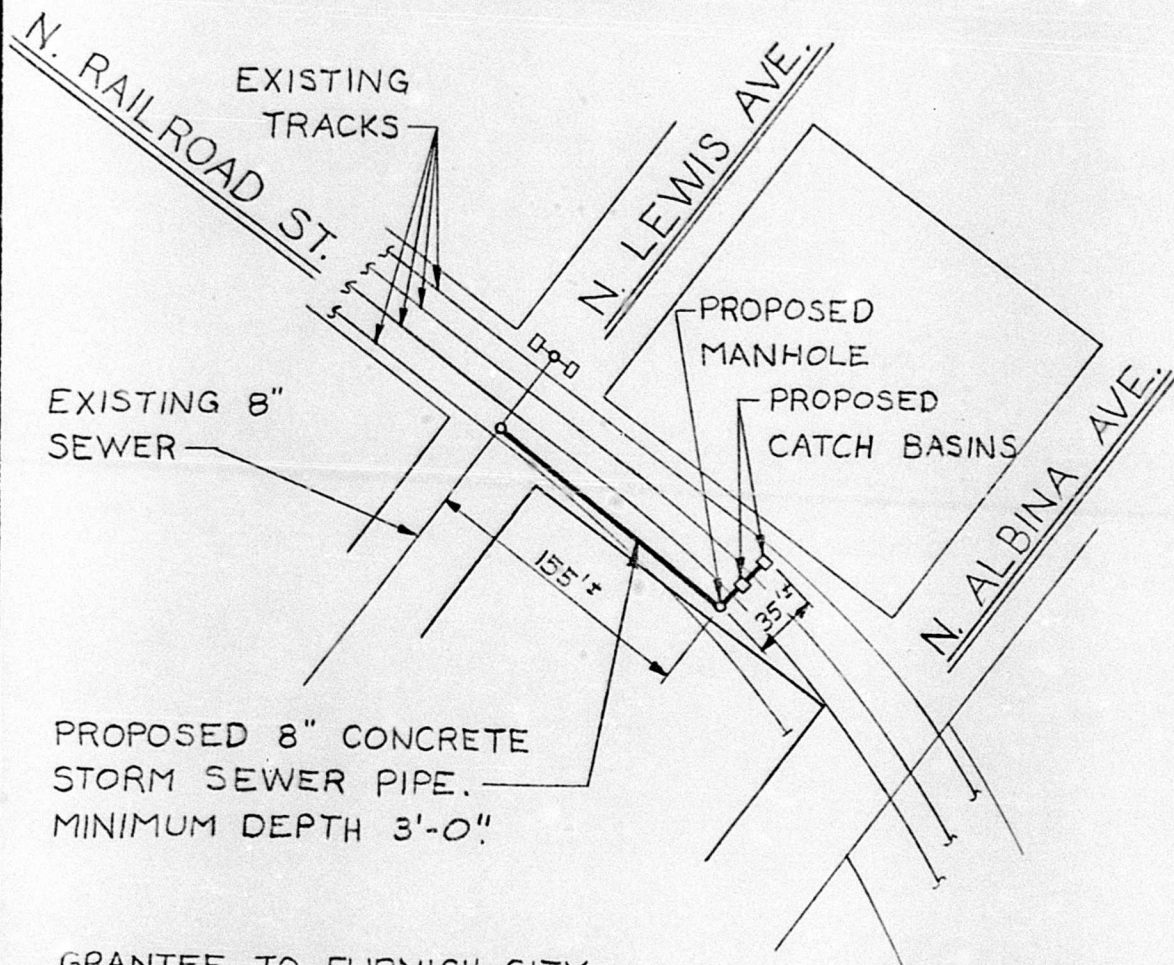
- a. A revocable permit is granted to Union Pacific Railway, grantee, to install, use, and maintain two inlets, manhole, and necessary pipes located approximately as shown on the attached plan marked "Exhibit A" and made a part hereof by reference, and structurally approved by City Engineer, subject to the following conditions:
  - (1) This permit is for the use of the street area only, and shall not exempt the grantee from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated.
  - (2) This permit is revocable at any time at the pleasure of the Council and no expenditure of money or lapse of time, or other act or thing, shall operate as an estoppel against the City of Portland, or be held to give the grantee any vested or other right. Upon revocation of this permit by the Council, the grantee shall within 60 days remove the said inlets and manhole and restore the street area as required by and to the satisfaction of the City Engineer.
  - (3) The grantee shall hold the City of Portland, its officers, agents, and employees free and harmless from any claims for damages to persons or property, including legal fees

# EXHIBIT - "A"

143853

To construct and maintain two inlets, a manhole, and necessary pipes in the street area of N. Railroad Street between Albina and Lewis Avenues,  $\frac{1}{4}$ -Section 2829

For: Union Pacific Railroad  
P.O. Box 8979 97208



PROPOSED 8" CONCRETE  
STORM SEWER PIPE.  
MINIMUM DEPTH 3'-0"

GRANTEE TO FURNISH CITY  
ENGINEER WITH "AS BUILT"  
DRAWINGS UPON COMPLETION.



SCALE: 1"=100'

APPROVED

6-1-77

By *Charles W. Halling*  
City Engineer  
Reg. Prof. Engr.

1 JUN 77

DR. BY: L.A.M. CK. BY: J.K.



## ORDINANCE No.

and costs of defending any actions or suits, including any appeals which may result from the use of the street area under this permit by providing evidence of insurance protecting the City of Portland, its officers, agents, and employees as follows:

Bodily injury \$100,000 for one claimant and \$300,000 for one occurrence, property damage \$50,000 for one claimant and \$300,000 for one occurrence, said insurance to be kept in full force and effect at all times. This permit is automatically revoked without further action by the Council if this insurance is permitted to lapse, is cancelled or, for any other reason, becomes inoperative.

- (4) The grantee shall pay the permit fee of \$47.00 required by Section 17.24.020 of the City Code.
- (5) If, during construction under this permit, it becomes necessary or expedient to modify the location or the plan for the said inlets and manhole, the grantee shall first obtain the approval of the City Engineer on revised plans filed in duplicate with the City Engineer. One copy of the approved plan showing the change shall be filed by the City Engineer with the City Auditor to become a part of this Ordinance.

Section 2. This Ordinance will not become effective until the grantee has filed with the City Auditor a document which has been approved by the City Attorney, accepting the terms and conditions hereof.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship on the part of the applicant as to the status of the requested permit for construction of said inlets and manhole; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 16 1977

Commissioner Connie McCready  
Jim Kirk:mw  
June 1, 1977

Attest:

Mayor of the City of Portland

Auditor of the City of Portland

1971  
Calendar No. 1894

# ORDINANCE NO. 1438.73

Title

An Ordinance granting a revocable permit to Union Pacific Railroad to construct and maintain two inlets and a manhole in the street area of N. Railroad Street between Albina and Lewis Avenues, and declaring an emergency.

THURSDAY  
JUN 9 1977

CONTINUED TO JUN 16 1977

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
McCready	1	
Schwab	1	
Goldschmidt	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
McCready	
Schwab	
Goldschmidt	

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By *Stephen D. Jones*  
Deputy

INTRODUCED BY
Commissioner Connie McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL
Bureau: Sanitary Engineering
Prepared By: Date:
Jim Kirk 6-1-77
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: Joe Niehuser

NOTED BY
City Attorney
City Auditor
City Engineer
Cowles Mallory