

RECEIVED  
ORDINANCE ACCEPTANCE

1955 MAY 10 AM 8 29

Portland, Oregon, May 5 19 55  
WILL GIBSON AUDITOR  
CITY OF PORTLAND, ORE.  
BY \_\_\_\_\_

WILL GIBSON,  
Auditor of the City of Portland,  
Room 202, City Hall  
Portland 4, Oregon  
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 102044, passed by the City Council May 4, 1955 changing from Zone II to Zone III all of Block C, and Lots 1 through 20, Block A, Gannon Addition, under certain terms and conditions, petitioned for by Stark Street Company, Inc., by Will M. Fromme, President, 4214 S. E. 10th Avenue

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,

STARK STREET COMPANY, INC.

[CORPORATE SEAL]

\* Will M. Fromme President

4214 S. E. 10th Avenue

Address

Approved as to form:

*[Signature]*

Chief Deputy City Attorney

2939

\*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.

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- VII B

2.25

RECEIPT

N<sup>o</sup> 141615  
102044

OFFICE OF  
**SI COHN, COUNTY CLERK**  
**MULTNOMAH COUNTY, OREGON**  
RECORDING DEPARTMENT

NAME \_\_\_\_\_

*City Auditor*

DOCUMENT NO. \_\_\_\_\_

*102044*

DOCUMENT	PARTIES		
<i>C/C</i>	<i>Ordinance #102044</i>		<i>225</i>
		<i>Recorded 1/10/55</i>	
		<i>Book</i>	<i>1721</i>
		<i>page</i>	<i>306</i>

*[Signature]*

## ORDINANCE No. 102044

An Ordinance changing from Zone II to Zone III all of Block C, and Lots 1 through 20, Block A, Gannon Addition, under certain terms and conditions, petitioned for by Stark Street Company, Inc., by Will M. Fromme, President, 4214 S. E. 10th Avenue, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Stark Street Company, Inc., by Will M. Fromme, President, 4214 S. E. 10th Avenue, Portland, Oregon, has filed a petition to change from Zone II to Zone III, all of Block C, and Lots 1 through 20, Block A, Gannon Addition, located on the southeast corner of N. E. 84th Avenue and N. E. Halsey Street, in the City of Portland, County of Multnomah, State of Oregon, and the City Planning Commission has recommended that the petition be granted under certain conditions, which conditions have been accepted in writing by the petitioner; that all remonstrances made or filed against said zone change have been considered by the Council at a hearing held on April 27, 1955, and have been overruled and are by this ordinance specifically overruled, and the Council finds that a rezoning as herein provided will not adversely affect the peace, health, safety or convenience of the neighborhood, but will be beneficial to both the neighborhood and the general public, and a rezoning as herein stated should be made; now, therefore, subject to the Planning and Zoning Code (Ordinance 77953) the following described property hereby is changed from Zone II to Zone III, to-wit:

(Zone Change No. 1338) All of Block C, and Lots 1 through 20, Block A, Gannon Addition, located on the southeast corner of N. E. 84th Avenue and N. E. Halsey Street, in the City of Portland, County of Multnomah, State of Oregon.

The change of zone is granted upon the following conditions:

1. No part of any structure hereafter erected on the zone change area shall be closer than 45 feet to the center line of N. E. Halsey Street.
2. One off-street parking space of 250 square feet shall be provided for every 250 square feet of ground floor area in buildings hereafter constructed on the zone change area. Such off-street parking spaces shall be paved with a dust-proof material.

ORDINANCE No. 102014

- 3. There shall be a screen immediately provided and thereafter maintained along the easterly street property line of the parking lot. This screen shall be a masonry wall, a lattice fence with openings not less than 30 per cent nor more than 50 per cent, a woven wire fence with evergreen vines or an evergreen hedge. Such wall, fence or hedge shall be at least 5 feet and not more than 6 feet high.
- 4. That the provisions of the Building Code of the City of Portland and generally all other applicable code and ordinance provisions and regulations of the City whether presently existing or hereafter enacted shall be complied with.

In the event of a failure to comply with the terms and provisions herein stated, or any thereof, the Council may in its discretion repeal this ordinance and restore the property to Zone II, or otherwise rezone the same as it may determine. This ordinance shall not be effective and no change shall be made in the zoning maps of the City until a certified copy of this ordinance shall have been recorded in the appropriate deed record file in the office of the County Clerk of Multnomah County. No recording shall be effected until the petitioner shall have filed with the City Auditor, in a form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance and shall have paid the required fee for filing. The Auditor hereby is directed to change the maps provided for in Section 6-601 of the Planning and Zoning Code by designating on said maps said property as being in Zone III.

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: In order that there be no delay in the beneficial use of the above-described property; 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, MAY 4 - 1955

*Lud Peterson*  
 Mayor of the City of Portland

Attest: *Will Gibson*  
 Auditor of the City of Portland

Calendar No. 1839

**ORDINANCE No. 102014**

Title

An Ordinance changing from Zone II to Zone III all of Block C, and Lots 1 through 20, Block A, Gannon Addition, under certain terms and conditions, petitioned for by Stark Street Company, Inc. by Will M. Fromme, President, 4214 S. E. 10th Avenue, and declaring an emergency.

THE COMMISSIONERS VOTED  
AS FOLLOWS:

	Yeas	Nays
Bean	—	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR


Bean	
Boody	
Bowes	
Earl	
Peterson	

INTRODUCED BY  
Order of Council 1

DRAWN BY  
PG:dh  
Date April 28, 1955

NOTED BY THE COMMISSIONER  
Affairs  
Finance  
Safety  
Utilities  
Works

City Attorney 

NOTED FOR CITY AUDITOR  


APPROVED  
Date  
By  
City Engineer  
Date  
By

*Phile Siborn*  
Auditor of the CITY OF PORTLAND

Filed APR 28 1955  
By *W. S. Avery* Deputy