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149351

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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY _____

Portland, Oregon, March 31, 1980

GEORGE YERKOVICH
Auditor of the City of Portland.
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 149351, passed by the Council March 27, 1980, granting a revocable permit to Pacific Northwest Bell Telephone Company, a public utility, to install, use, and maintain two ten inch diameter, two eight inch diameter, and two two inch diameter pipe lines in, under, and across S.W. Park Avenue and S.W. Oak Street in the vicinity of the intersection of these two streets.

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,

PACIFIC NORTHWEST BELL TELEPHONE COMPANY

[CORPORATE
SEAL]

* *[Signature]*

Address
421 S.W. Oak, Portland, OR. (04)

APPROVED AS TO FORM

Approved as to form:

[Signature]

CITY ATTORNEY
City Attorney

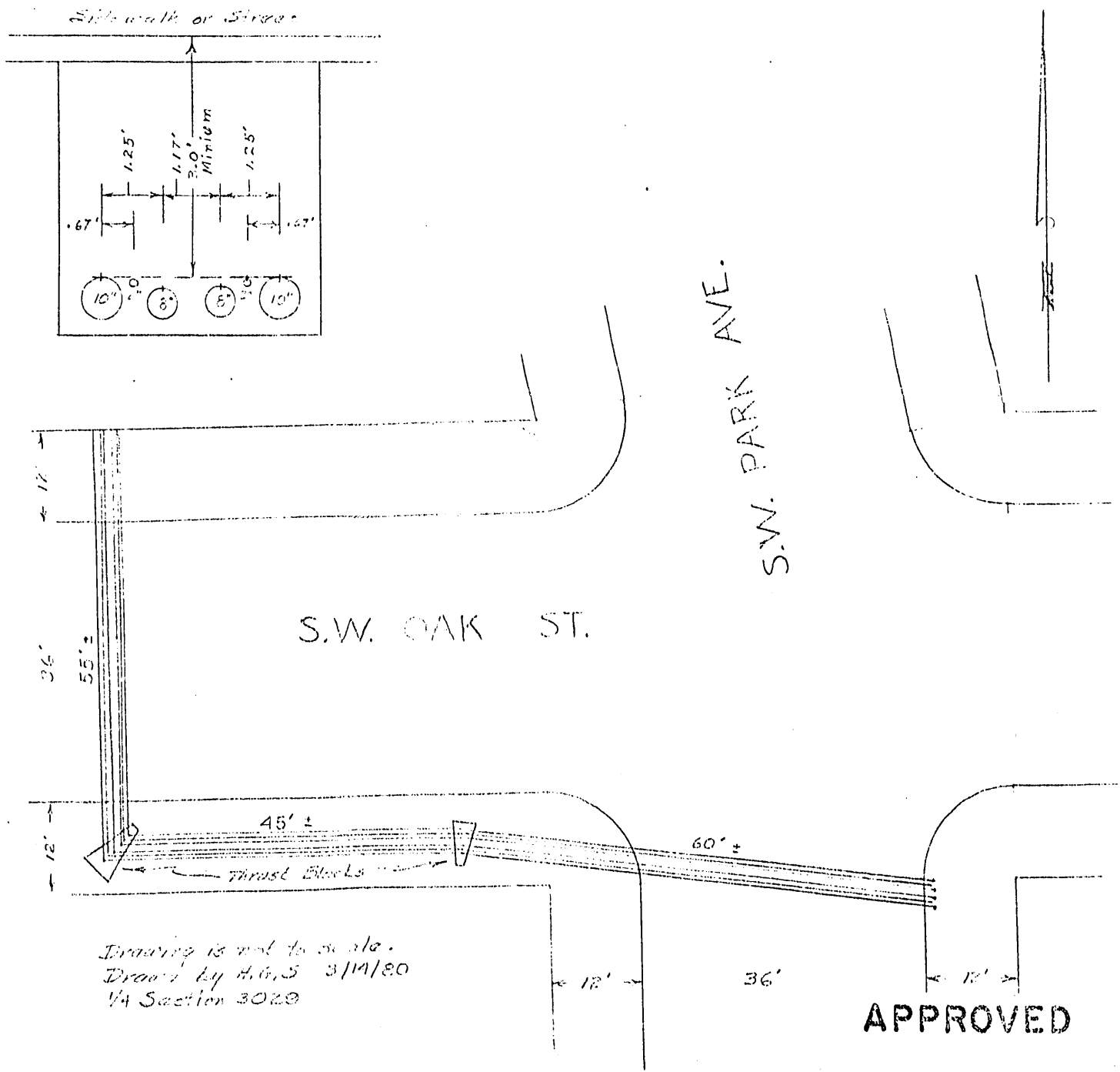
*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

EXHIBIT - "A"

149351

TO: Install, use, and maintain two 10-inch, two 8-inch, and two 2-inch pipe lines in, under and across SW Park Avenue and SW Oak Street.

FOR: Pacific Northwest Bell Telephone Company
 c/o John H. Collins, Building Engineers,
 Room 313, Lincoln Building, 421 SW Oak St.
 Portland, Oregon 97204



Ironing is not to scale.
 Draw'n by H.G.S 3/14/80
 1/4 Section 3020

APPROVED

By John M. Lang
 City Engineer
 Reg. Prof. Engr.

ORDINANCE NO. 149351

An Ordinance granting a revocable permit to Pacific Northwest Bell Telephone Company, a public utility, to install, use, and maintain two ten inch diameter, two eight inch diameter, and two two inch diameter pipe lines in, under, and across S.W. Park Avenue and S.W. Oak Street in the vicinity of the intersection of these two streets, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Pacific Northwest Bell Telephone Company has requested permission to install, use, and maintain two ten (10) inch diameter, two eight (8) inch diameter, and two two (2) inch diameter pipe lines in, under, and across S.W. Park Avenue and S.W. Oak Street in the vicinity of the intersection of these two streets.
2. The purpose of this request is to connect the heating and cooling units and their attendant control systems of two of Pacific Northwest Bell Telephone Company buildings together so as to provide a more efficient system and to conserve energy.
3. The proposed pipelines will not be detrimental to the public interest under certain conditions.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Pacific Northwest Bell Telephone Company, c/o John H. Collins, Building Engineers, Room 313, Lincoln Building, 421 S.W. Oak Street, Portland 97204, permittee, to install, use, and maintain two 10-inch, two 8-inch, and two 2-inch pipe lines in under and across S.W. Park Avenue and S.W. Oak Street for the purpose described in Section 1-2 above and located as shown on the plan marked "Exhibit A" attached to and by this reference made a part of this Ordinance, subject to the following conditions:
 - (1) The permittee shall install the pipelines in accordance with plans and specifications approved by the City Engineer.
 - (2) This permit is for the use of the street area only, and shall not exempt the permittee from obtaining any license or permit required by City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any Ordinance, the City Code or the City Charter, except as herein stated.

- (3) The permittee 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 and costs of defending any actions or suits, including any appeals which may result from the use of the street area under this permit.
- (4) The permittee shall pay the permit fee of \$40.00 required by Section 17.24.020 of the City Code.
- (5) The permittee shall conduct that portion of the work authorized by this permit that lies in the sidewalk area adjacent to Lot 4, Block 86, Portland in such a manner as to cause minimum interference with the business located on said property.
- (6) Before construction begins, the permittee shall obtain from the Traffic Engineer his requirements as to hours to work, traffic control, and the placing of necessary signs and barricades.
- (7) If, during construction under this permit, it becomes necessary to modify the plan or location for these pipe lines, the permittee shall first obtain approval of 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.
- (8) Upon completion of the work authorized by this permit the permittee shall furnish the City Engineer "As Built" plans of the installation showing the location of the pipe lines with reference to property lines, the profile plan of the pipe lines referenced to City datum, and the size and location of the thrust blocks constructed at the pipe line angle points.

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

ORDINANCE No.

Section 3. The Council declares that an emergency exists because a 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 installation of pipe lines in the street area of S.W. Park Avenue and S.W. Oak Street; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Vertical text on the left side of the page, possibly bleed-through from the reverse side, including the word "ORDINANCE" and other illegible characters.

Passed by the Council, MAY 27 1980

Commissioner Mike Lindberg
Harlan Scott:jmh
March 14, 1980

George M. Prady
Mayor of the City of Portland

Attest:

George J. Ginnell
Auditor of the City of Portland

Calendar No. 1073

ORDINANCE No. 149351

Title

An Ordinance granting a revocable permit to Pacific Northwest Bell Telephone Company, a public utility, to install, use, and maintain two ten inch diameter, two eight inch diameter, and two two inch diameter pipe lines in, under, and across S.W. Park Avenue and S.W. Oak Street in the vicinity of the intersection of these two streets, and declaring an emergency.

THURSDAY

Filed MAR 21 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *Gordon Arnold*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie		
Jordan		
Lindberg		
Schwab		
McCready		✓

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/LST</i>

BUREAU APPROVAL
Bureau: Street and Structural Engineering
Prepared By: Harlan Scott:jmh Date: 3/14/80
Budget Impact Review:
<input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>D. Vargas</i> David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer Approved: <i>JM Lang</i> John M. Lang, Acting City Engr.
By: <i>JN</i>