

RECEIVED

149502

ACCEPTANCE MAY 8 8 50 AM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

Portland, Oregon, APRIL 25, 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 149502, passed by the Council on April 24, 1980, granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault and its vent system in and under the roadway of SW 2nd Avenue between SW Ash and SW Pine Street,

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,

Portland General Electric

[CORPORATE SEAL]

[Handwritten Signature]

3700 SE 17th Avenue Portland, OR 97202
Address

APPROVED AS TO FORM
Approved as to form:

Christopher P. Thomas

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.

ORDINANCE NO. 149502 |

An Ordinance granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault and its vent system in and under the roadway of S.W. 2nd Avenue between S.W. Ash and S.W. Pine Street, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Portland General Electric Company, 3700 S.E. 17th Avenue, through R. A. Blakney, Superintendent, Underground Department, requested permission under Section 17.56.040 of the City Code, to install, occupy, and maintain a precast transformer vault and its vent system in and under the roadway of S.W. 2nd Avenue between S.W. Ash and S.W. Pine Streets.
2. The transformer vault is needed to provide additional service to buildings in the blocks adjacent to the area of requested installation.
3. The plans for the transformer vault and its vent system have been approved by the City Engineer.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted Portland General Electric Company, to install, occupy, and maintain the transformer vault described in Section 1-1 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) 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 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 permittee

shall within 30 days remove the transformer vault and air vents and restore the street area as required by and to the satisfaction of the City Engineer.

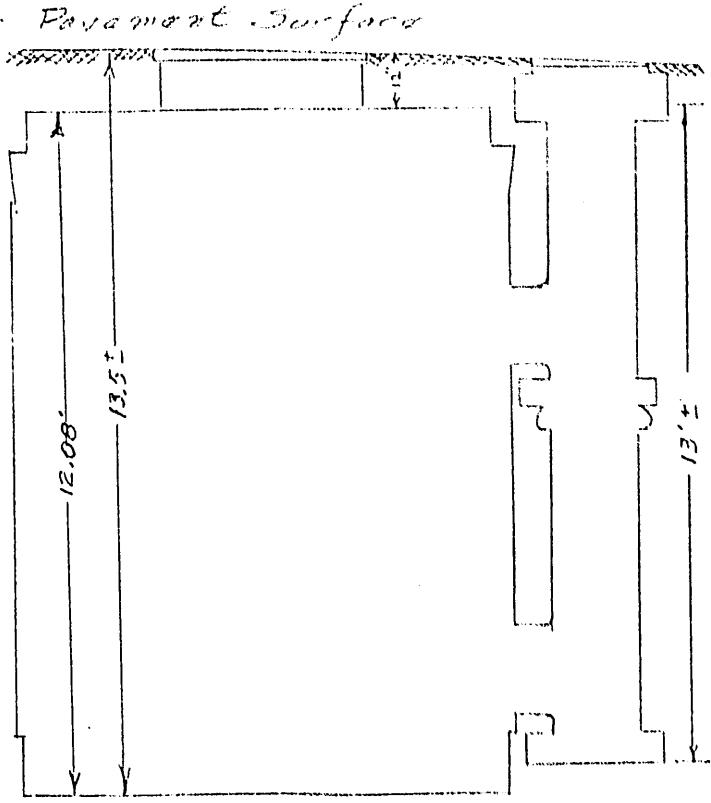
- (3) The permittee shall hold the City of Portland, its officers, agents, and employees free and harmless from any claims for damages to persons or property, including legal fees and costs of defending any actions or suits, including any appeals which may result from the use of the street area under this permit.
- (4) The permittee shall pay the permit fee of \$77.00 required by Section 17.24.020 of the City Code.
- (5) 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.
- (6) If, during construction under this permit, it becomes necessary or expedient to modify the location or the plan for the transformer vault, the permittee 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.
- (7) The permittee shall so schedule the work authorized by this Ordinance so that there will be no interference with the Rose Festival period which will begin on or about June 1, 1980. Any work started prior to this period will be completed and the roadway of S.W. 2nd Avenue restored.

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.

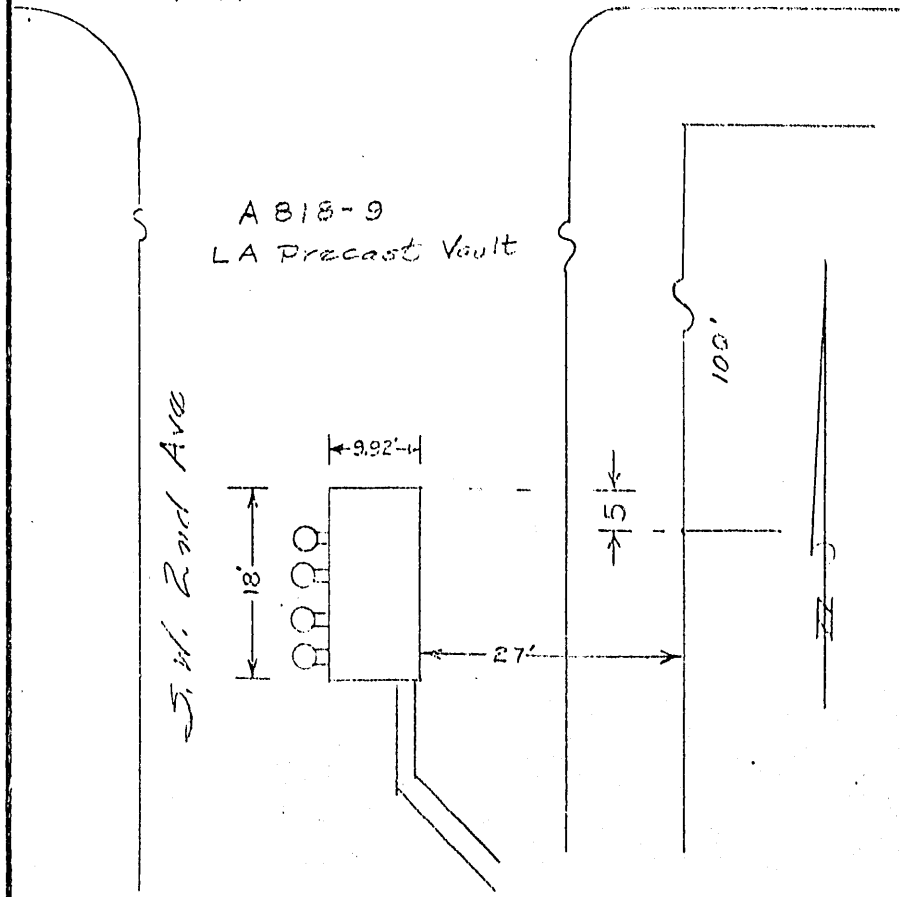
EXHIBIT - "A"

To install, occupy and maintain a precast transformer vault and its vent system in and under the roadway of SW 2nd Ave. between SW Ash and Pine Sts.

For: Portland General Electric Co., 3700 SE 17th Ave,
co R.A. Blakney, Superintendent, Underground Department



S. W. Ash St.



Drawing Not To Scale
Drawn by HGS
Sheet 3029

APPROVED

By John M. Langley
ACTING City Engineer
Reg. Prof. Engr.

ORDINANCE No.

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 the structures in the street area of S.W. 2nd Avenue; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 149502

Whereas, the Council has determined 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 the structures in the street area of S.W. 2nd Avenue; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

YAOZAHH

1981 APR 11

Passed by the Council, APR 24 1980

Commissioner Mike Lindberg
 Harlan Scott:jmh
 April 11, 1980

Attest:

Conrad Murray
 Mayor of the City of Portland

George Ferguson
 Auditor of the City of Portland

Calendar No. 1435

ORDINANCE No. 149502

Title

An Ordinance granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault and its vent system in and under the roadway of S.W. 2nd Avenue between S.W. Ash and S.W. Pine Street, and declaring an emergency.

THURSDAY

Filed APR 17 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Jordan Croell
Deputy

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

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>MLISA</i>

BUREAU APPROVAL
Bureau:
Street and Structural Engineering
Prepared By: Harlan G. Scott:jmh
Date: 4/11/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:
<i>David J. Vargas</i>
Davis J. Vargas, Acting Chief

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