

ACCEPTANCE

REC

JUL 11 9 AM 1980

GEORGE YERKOVICH
CITY OF PORTLAND
AUDITOR

Portland, Oregon, June 30 1980

BY _____

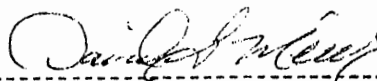
GEORGE YERKOVICH
Auditor of the City of Portland.
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

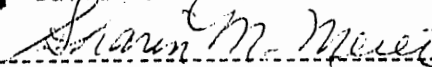
This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 149894, passed by the Council June 26, 1980, granting a revocable permit to David G. and Sharin M. Meier to maintain a portion of their residence in the street area of SW 10th Avenue south of SW Chestnut 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,



David G. Meier



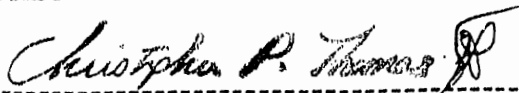
Sharin M. Meier

940 SW Chestnut Street, Portland, OR. 97219

Address

(CORPORATE SEAL)

Approved As to Form **APPROVED AS TO FORM**



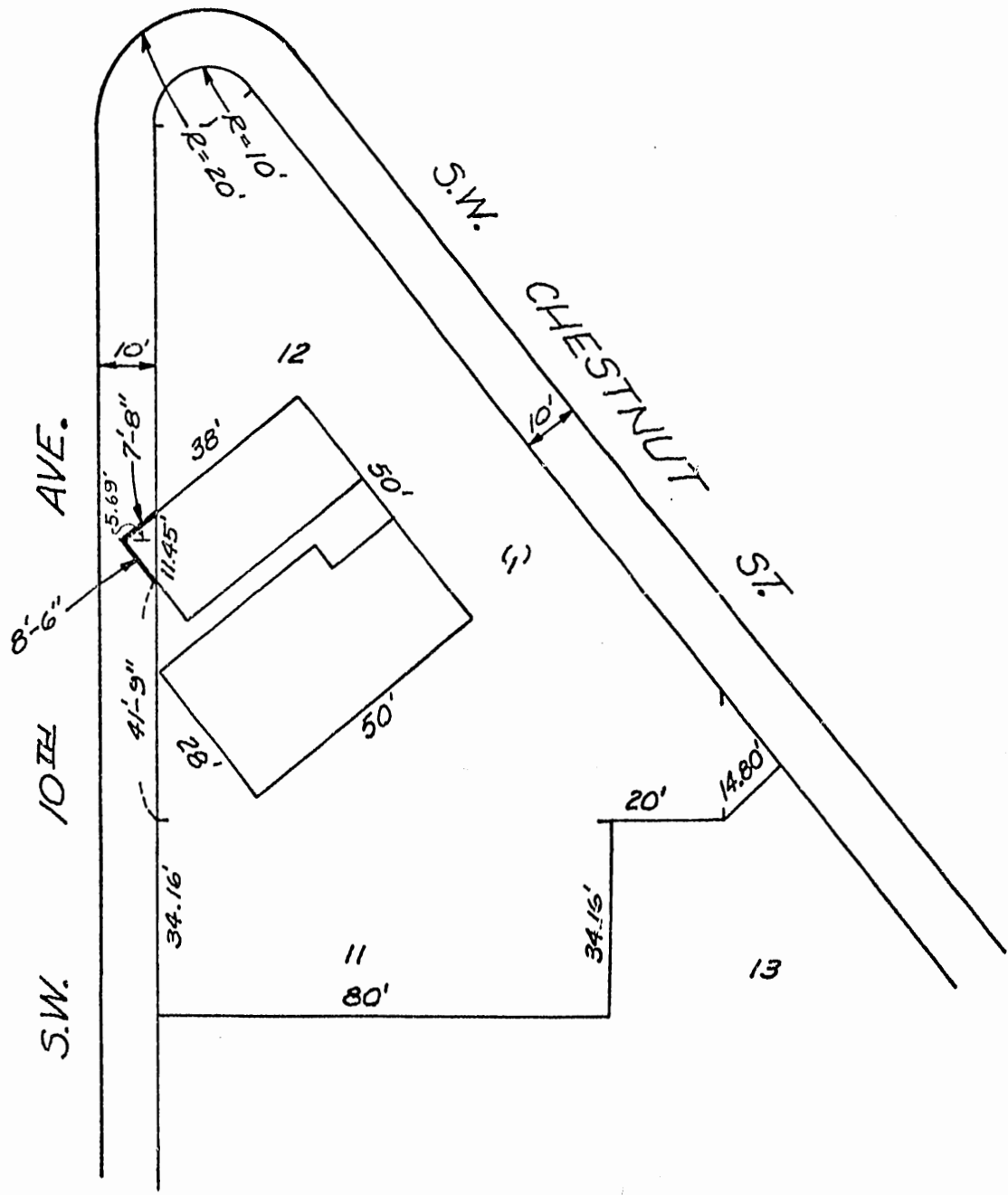
CITY AUDITOR

*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"

TO: Maintain their residence as it encroaches into the right of way of S.W. 10th Avenue adjacent to Tax Lot 1, of Lots 11, 12, and 13, Block 32, Burlingame Addition

FOR: David G. and Sharin M. Meier, owners of the property at 940 S.W. Chestnut Street, Portland, Oregon 97219



APPROVED

SCALE: 1"=30'
1/4 Sect. ~ 3728

By J. Vargas
for City Engineer
Reg. Prof. Engr.

ORDINANCE NO. **149894**

An Ordinance granting a revocable permit to David G. and Sharin M. Meier to maintain a portion of their residence in the street area of S.W. 10th Avenue south of S.W. Chestnut Street and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. David G. and Sharin M. Meier, owners of the property at 940 S.W. Chestnut Street, Portland, Oregon 97219, applied for a building permit (Application No. 2546) to remodel their residence and that survey required for the plot plan required for a building permit shows that their residence extends into the right-of-way area.
2. David G. and Sharin M. Meier have requested permission to maintain their residence as located and shown on the attached "Exhibit A".
3. The granting of said permission will not be detrimental to the public under certain conditions.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to David G. and Sharin M. Meier to maintain their residence as it encroaches into the right of way of S.W. 10th Avenue adjacent to Tax Lot 1, of Lots 11, 12, and 13, Block 32, Burlingame Addition and located as shown on the "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.
 - (2) The permit is revocable at any time at the pleasure of the Council, and no expenditure of money hereunder 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 permittee any vested or other right. Upon revocation of this permit by the Council the permittee shall within 90 days remove that portion of their residence which extends into the street area as directed by the City Engineer.

ORDINANCE No.

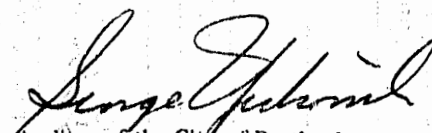
- (3) This permit is a burden upon the property and runs with the land and will require insurance with limits of coverage that will meet the maximum requirements for liability of a public body as set forth in ORS 30.270 or as it may require by subsequent amendment and naming the City of Portland, its officers, agents, and employees as additional insureds.
- (4) 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 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.
- (5) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.
- (6) The permittee shall reimburse the City for the cost of filing by the City Auditor of a certified copy of this Ordinance with the Records Division of Multnomah County.

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

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 applicants as to the status of the requested permit; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUN 26 1980**

Commissioner Mike Lindberg
Harlan Scott:jmh
June 17, 1980


Auditor of the City of Portland

Calendar No. 2004

ORDINANCE No. 149894

Title

An Ordinance granting a revocable permit to David G. and Sharin M. Meier to maintain a portion of their residence in the street area of S.W. 10th Avenue south of S.W. Chestnut Street and declaring an emergency.

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>ML/SA</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Harlan Scott:jmh Date: 6/17/80
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, City Engineer
By: <i>JV</i>

Filed **JUN 19 1980**

By *George Yerkovich*
 GEORGE YERKOVICH
 Auditor of the CITY OF PORTLAND
 Deputy