

ORDINANCE NO. **149916**

An Ordinance granting a revocable permit to Lawrence P. Grant to maintain a reinforced concrete retaining wall and parking area in the street area of S.W. College Street between S.W. 13th and S.W. 14th Avenues, repealing Ordinance No. 113268, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Lawrence P. Grant has requested permission to maintain a reinforced concrete wall and parking area in the street area of S.W. College Street adjacent to his property at 1310 S.W. College Street.
2. That the granting of said permission, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is hereby granted to Lawrence P. Grant, permittee, to maintain an existing reinforced concrete wall and parking area in the street area adjacent to Lot 1, Block 291, Portland Addition, 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 30 days remove said wall and parking area from the street area, the said removal to be as directed 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 by providing evidence of insurance protecting the City of Portland, its officers, agents, and employees as follows:

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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 permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.
- (5) This permit is personal to the permittee only and does not run with the land, nor may the same be transferred, assigned, or other wise disposed of by said grantee.
- (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.

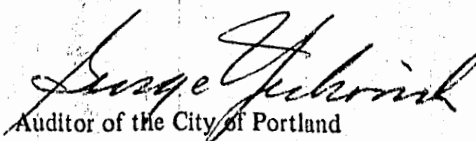
Section 2. Ordinance No. 113268 entitled: "An Ordinance granting a revocable permit to John J. Rystadt, Jean N. Lecomte and Louise Emilyn Nelson, to maintain a reinforced concrete retaining wall and parking area in the street area of S.W. College Street between 13th and 14th Avenues, repealing Ordinance No. 109800, and declaring an emergency.", passed by the Council March 9, 1961, hereby is repealed.

Section 3. 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 4. 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 to maintain the existing wall and parking area in the street area; 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 9, 1980

  
Auditor of the City of Portland

2329  
Calendar No. ~~2115~~

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## Title

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THURSDAY

JUN 19 1980

CONTINUED TO JUN 26 1980

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	

Filed JUN 12 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By

Deputy

INTRODUCED BY

COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER

Affairs

Finance and  
Administration

Safety

Utilities

Works

ML/SA

BUREAU APPROVAL

Bureau:

Street & Structural Engineering

Prepared By:

Date:

Harlan Scott:jmh

6/9/80

Budget Impact Review:

☐ Completed

☒ Not required

Bureau Head:

David J. Vargas, Acting Chief

NOTED BY

City Attorney

City Auditor

City Engineer

Approved:

John M. Lang, City Engineer

By:

David J. Vargas