

LAND USE PERMIT

County Multnomah Highway Front Avenue Section Steel Bridge Ramps
 (Bridge 2733C)
 Station No. _____ Right Left Side

To: City of Portland
 Bureau of Street & Structural Engineers Attn: Robert L. Graham 248-4014
 Room 640; 621 S. W. Alder
 Portland, OR 97205

Reference is made to your request to use the property under the jurisdiction of the State of Oregon, by and through its Department of Transportation, Highway Division, consisting of: approximately 5,000 sq. ft. beneath the Steel Bridge Ramps on the West side as further shown in red on attached Exhibit "B".

Permission to use this property for material storage purposes is granted for the period: July 1, 1980 through December 31, 1980 and thereafter on an annual basis subject to paragraphs 1 through 9 below.

1. No noxious weeds or shrubs shall be permitted to grow on the property.

2. That the described land shall not be used for the construction, installation or maintenance of: (1) any advertising sign, advertising activities or businesses not conducted on the property described in this permit; and (2) buildings or other structures. It is also agreed as an express condition of this agreement that said land shall not be used as a place for the storage, keeping, buying, selling, dismantling or other processing of any junk, scrap, junked motor vehicles or parts thereof, debris, trash, waste or other such materials. Nor shall any objectionable or unlawful use be made thereof. In the event of violation of any of the above conditions, the permittee shall be solely responsible for the cost of removal or restoration and this permit shall become null and void.

3. State shall have the right to retake possession of the property without written notice to the tenant at any time such action may appear to the State to be in the public interest and such repossession by State shall be without liability to State for any loss, injury or damage. This agreement may be terminated without liability for loss, injury or damage of any nature whatsoever to permittee's business, property or improvements on the property covered by this agreement or ther property owned or operated by permittee upon thirty (30) days notice by State. Permittee may also terminate this agreement upon thirty (30) days notice to State without liability after the termination date. Upon termination of this permit, or prior thereto if the premises are vacated before that date, the permittee shall clean up the area upon which any materials have been piled or stored and shall leave the same in a clean and sightly condition. If permittee does not comply with the provisions of this paragraph State may deduct from the advance deposit (if any) an amount necessary to cover the cost of cleanup and restoration. If no deposit is required or if list of cleanup and restoration exceed deposit, permittee agrees to reimburse State for such amount. Nothing in this agreement shall be construed to give the permittee an interest, equitable or otherwise, in the above described property, other than the right of possession as provided herein.

4. Permittee may erect fences, not unsightly in nature, upon the premises, and upon the expiration of the permit shall remove such fences and debris if requested by State. By acceptance of this permit and the exercise of the rights granted herein, permittee agrees to save harmless the State of Oregon, by and through its Department of Transportation, Highway Division, and members thereof, officers and employees from all lawful claims and demands resulting from or because of the erection and maintenance of such fences. No

6. For any suit or action instituted by State to enforce any provisions of this agreement, permittee agrees to pay such attorney fees and costs as shall be awarded by the Court.

7. Access to the highway adjacent to this property will be allowed at Engineer Station N/A

8. The permit fee shall be: \$30 per month Paid: annually

9. Additional Special Conditions:

- A. Permittee may install fencing and lights if they desire.
- B. Permittee will install sight obscuring shrubs on the west side.
- C. Permittee agrees to pay any taxes that might be levied.
- D. Permittee will extend their standard liability insurance to cover this area.
- E. Permittee will in its use of airspace under the structures allow sufficient vertical and horizontal clearance for the operation, maintenance, ventilation and safety of the highway system.
- F. Permittee shall take all necessary steps to protect the overhead structure and piers from any damage incident to permittees use of premises.
- G. All plans must be approved by State's District Engineer.

Approved by: _____
District Engineer

_____ Property Agent

Date: _____

Date: _____

Approved by: _____
Regional R/W Supervisor

Date: _____

_____ Permittee

Date: _____

EXHIBIT "A"

The Lessee, for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that (1) no person, on the ground of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, and (2) that the Lessee shall use the premises in compliance with all other requirements imposed pursuant to Title 15, Code of Federal Regulations, Commerce and Foreign Trade, Subtitle A, Office of the Secretary of Commerce, Part 8 (15 C.F.R., Part 8), and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the State shall have the right to terminate the lease and re-enter and repossess said land and the facilities thereon, and hold the same as if said lease had never been made or issued.

01 734-3658

Distribution:

- Permittee - Original
- District Engineer - 1
- Property Manager - 1
- Region - 1

Permittee

DATE:

REGIONAL AND SUBDIVISION

APPROVED BY:

DATE:

DATE:

DISTRICT ENGINEER

PROPERTY OWNER

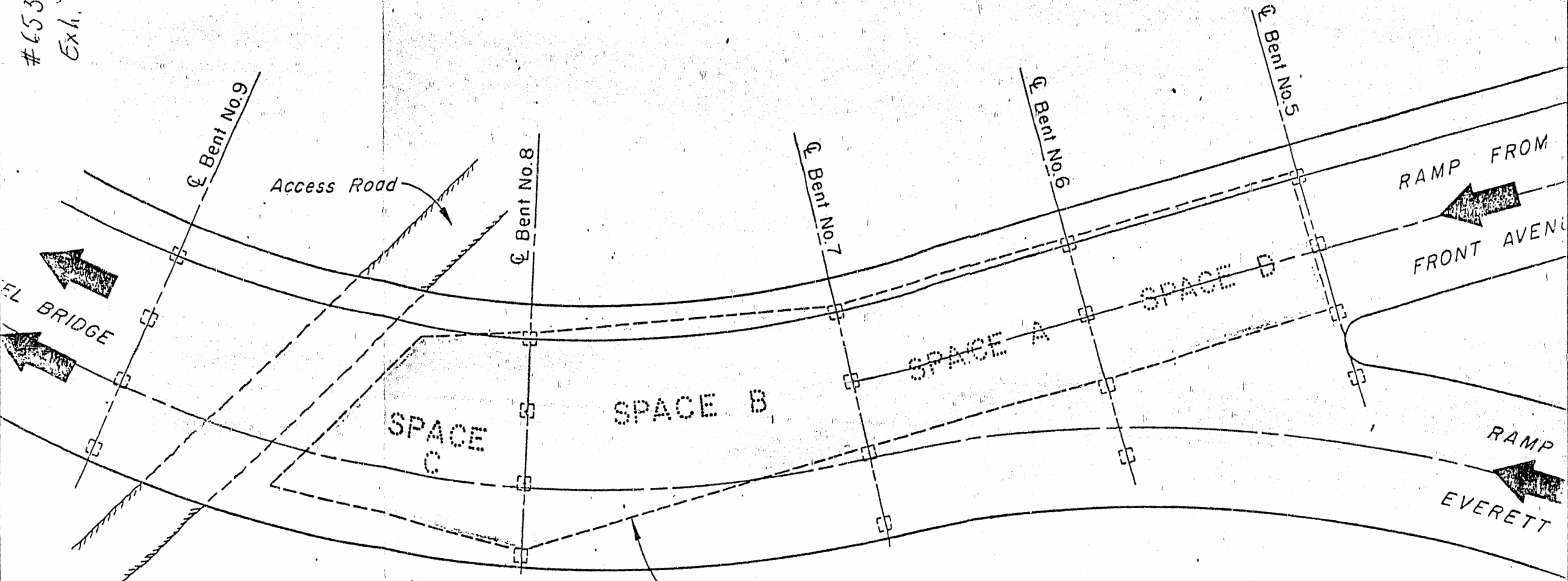
APPROVED BY:

- a. All plans shall be approved by date, a district engineer.
- b. Plans from any other jurisdiction to be submitted to the permittee.
- c. Permittees shall take all necessary steps to protect the electrical structure and the safety of the individual engineer.
- d. Permittees shall maintain the structure, maintenance, identification.
- e. Permittees shall in the use of electrical work, the structure shall sufficient.
- f. Permittees shall extend their structure (including) resources to cover this area.
- g. Permittees shall be held and taken their plans to follow.
- h. Permittees shall insure their operation and safety on the work site.
- i. Permittees shall insure their structure and safety on their work site.

Additional special conditions:

The permittee shall not: _____

#6530
Exh. "B"



Dashed line indicates 10' high fenced perimeter of storage area. See details below and on Sheet 2 for gate locations and construction details.

LOCATION PLAN

SCALE: 1" = 20'

App. 50327

149983

ORDINANCE NO.

149983

An Ordinance authorizing the execution of a land use permit from the State of Oregon for property beneath the Steel Bridge ramps, authorizing the drawing and delivery of warrant(s), and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That the Bureau of Maintenance has stored wooden stairways and ramps used by docking vessels at the harbor wall, at Delta Park.
2. That the State of Oregon, Department of Transportation, has agreed to permit the use of approximately 5,000 square feet of land beneath the Steel Bridge ramps on the west side of the Willamette River for such storage.
3. That the land use permit grants such use, commencing July 1, 1980, through December 31, 1980, and on an annual basis thereafter for a monthly permit fee of \$30.00 a month, to be paid annually.
4. That the Bureau of Maintenance has adequate funds in its 1980-81 budget for the permit fee.
5. That the Steel Bridge ramp property is convenient to the harbor wall, will allow for a reduction in travel time, and will result in a more efficient operation.
6. That the permit has been approved by the City Attorney.

NOW, THEREFORE, the Council directs:

- a. The Commissioner of Public Works and the Auditor hereby authorized to execute a land use permit by and between the State of Oregon, by and through its Department of Transportation, and the City of Portland for the use of approximately 5,000 square feet of land beneath the west side of the Steel Bridge ramps similar in form to Exhibit "A" attached to the original only hereof.

ORDINANCE No.

b. The Mayor and Auditor are hereby authorized to draw and deliver warrant(s) chargeable to the 1980-81 budget (BUC 16100293) when demand is presented and approved by the proper authorities.

Section 2. The Council declares that an emergency exists because undue delay may result in additional expense to the City and deprive the Bureau of Maintenance of the benefit of the use of said property at an early date; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

An emergency and emergency and delivery of warrant(s) and declaring bridge bonds, authorizing the drawing of a bond for property benefit the steel this ordinance authorizing the execution

ORDINANCE No. 1130003

Ordinance No. 1130003

Mayor of the City of Portland
GEORGE ALBRITTON

JUL 9 1980

Passed by the Council,
Commissioner Ivancie
Joan M. Cassidy:hkh
July 3, 1980
BUC 16100293

JUL 9 1980

Attest:

Chief Deputy Auditor of the City of Portland

Charles Spear

Calendar No. 2483

ORDINANCE No. 119983

Title

An Ordinance authorizing the execution of a land use permit from the State of Oregon for property beneath the Steel Bridge ramps, authorizing the drawing and delivery of warrant(s), 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 Ivancie

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities <i>FJI May</i>
Works

BUREAU APPROVAL
Bureau: Bureau of Facilities Management
Prepared By: <i>Joan M. Cassidy</i> Date: <i>7/3/80</i>
Budget Impact Review: <input type="checkbox"/> Completed <input type="checkbox"/> Not required
Bureau Head: <i>Allyn R. Staley</i>

NOTED BY
City Attorney
City Auditor
City Engineer

Filed JUL 3 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon Croell
Deputy