

AUG 25 8 58 AM 1980

150044

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY \_\_\_\_\_

Portland, Oregon, \_\_\_\_\_ July 18, \_\_\_\_\_ 19 80

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. 150044, passed by the Council July 17, 1980, granting a revocable permit to Mobil Oil Corporation to erect and maintain an 8 foot high chain link fence across a section of unnamed street adjacent to St. Helens Road, near the St. Johns Bridge,

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,

MOBIL OIL CORPORATION BY \_\_\_\_\_

[CORPORATE SEAL]

\* *C. S. Ridings*  
C. S. RIDINGS, ASSISTANT SECRETARY *AK*

612 So. Flower St., Los Angeles, CA. 90017

9420 NW St. Helens Rd., Portland, OR 97231

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. 150044

An Ordinance granting a revocable permit to Mobil Oil Corp. to erect and maintain an 8 foot high chain link fence across a section of unnamed street adjacent to St. Helens Road, near the St. Johns Bridge, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Mobil Oil Corp. has requested permission to erect and maintain an 8 foot high chain link fence across a section of unnamed street, adjacent to St. Helens Road, near the St. Johns Bridge.
2. The reason for this request is to control public access into Mobil Oil Corp. tank farm.
3. The Mobil Oil Corp. has applied for and received a petition to vacate said street. Upon vacation of said street this permit is automatically revoked without further action by the Council.
4. The proposed fence, under certain conditions, would not be detrimental to the public interest.

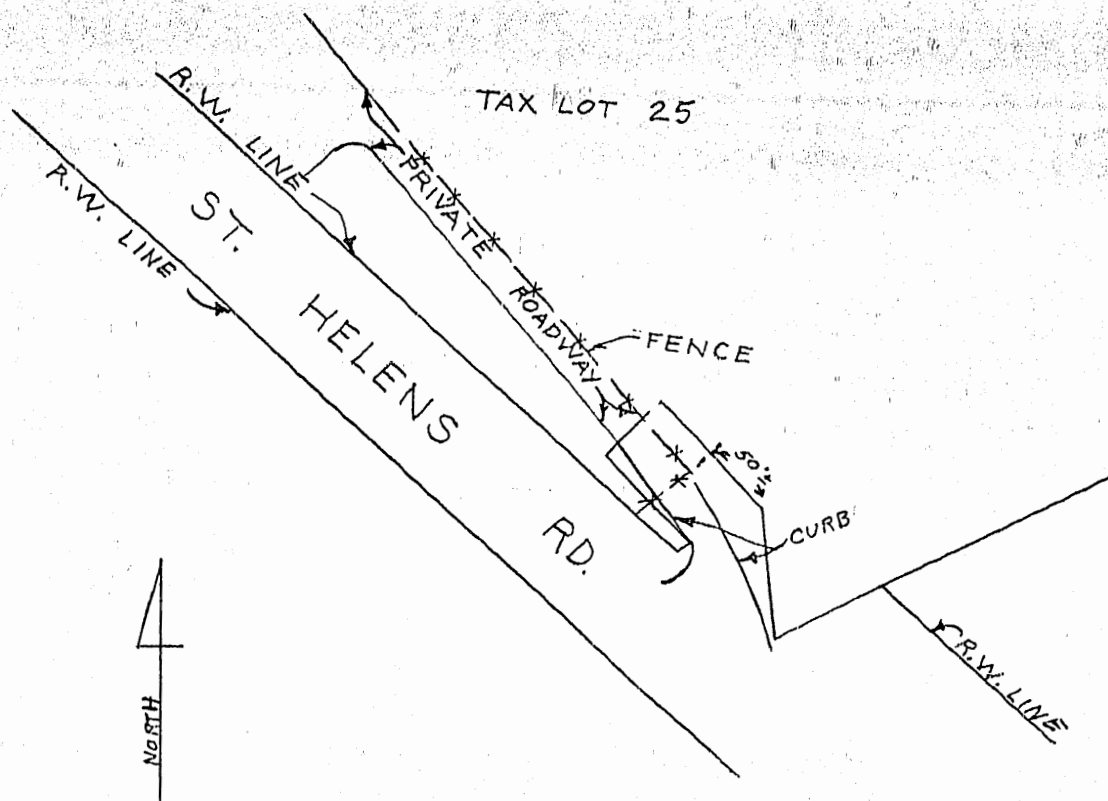
NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Mobil Oil Corp., 9420 N.W. St. Helens Road, Portland, Oregon 97231, permittee, to erect and maintain an 8 foot high chain link fence across a section of unnamed street adjacent to Tax Lot 25, Section 11, Township One North, Range One West, Willamette Meridan, and located as shown on the map marked "Exhibit A" attached to and by this reference made a part of this Ordinance, subject to the following conditions:
  - (1) That the Mobil Oil Corp. actively pursue the vacation of said section of unnamed street.
  - (2) The grantee 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

# EXHIBIT - "A"

TO: Erect and maintain an 8 foot high chain link fence across an unnamed street adjacent to Tax Lot 25, Section 11, Township One North, Range One West, Willamette Meridian, 1/4 2119

FOR: Mobil Oil Corp.  
9420 N.W. St. Helens Road  
Portland, Oregon 97231



**APPROVED**

SCALE NONE  
DRAWN BY LLB  
1/4 SEC. 2119

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

ORDINANCE No.

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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.

- (3) This permit is for the use of the street area only, and shall not exempt the grantee 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.
- (4) 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 grantee shall within 10 days remove said fence and restore the street area as required by and to the satisfaction of the City Engineer.
- (5) 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 Ordinance No. 30.270 or as it may be required by subsequent amendment and naming the City, its officers, agents and employees as additional insured.
- (6) The grantee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.

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.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship of uncertainty on the part of the applicant 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, **JUL 17 1980**

Commissioner Mike Lindberg  
 Steve Hazzard: jmh  
 July 1, 1980

Attest:

*George J. Johnson*  
 Auditor of the City of Portland

Calendar No. 2539

**ORDINANCE No. 150044**

Title

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**THURSDAY**

**JUL 10 1980**

Filed

**GEORGE YERKOVICH**

Auditor of the CITY OF PORTLAND

*George Yerkovich*  
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>MLimgz</i>

BUREAU APPROVAL	
Bureau: Street & Structural Engineering	
Prepared By: Steve Hazzard: jmh	Date: 7/1/80
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head: <i>D. Vargas</i> David J. Vargas, Acting Chief	

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang, City Engineering
<i>by JV</i>

150044