

AUD 50-25-68 SEP 15 4 40 PM 1980

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY _____

Portland, Oregon, September 15, 19 80

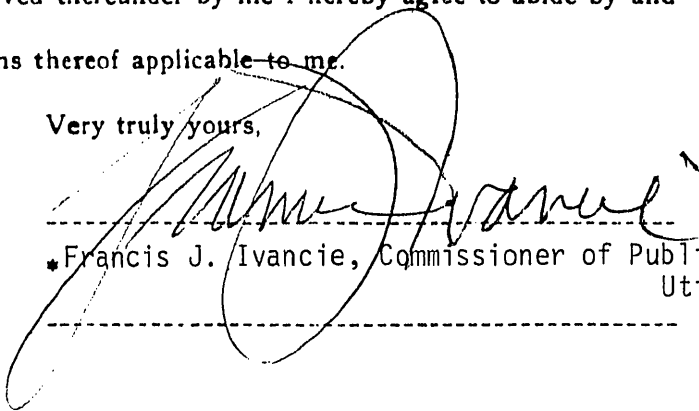
GEORGE YERKOVICH
Auditor of the City of Portland.
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 150238, granting a Revocable Permit to the City of Portland, Bureau of Facilities Management, deedholder, to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area, in Zone M3; located at 1131 SE Powell Boulevard, on Lots 1-14, Water Bureau Addition, Lots 10-15 and the west one-half of Lots 16 and 17, Block 9, Tibbetts Homestead Addition, and Tax Lot 29, Section 11, T1S, R1E, for a period of time not to exceed eighteen months, under certain conditions,

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,

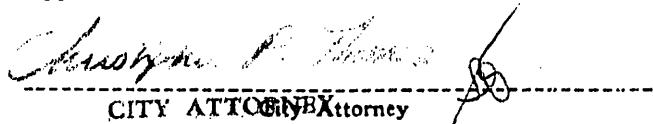


Francis J. Ivancie, Commissioner of Public Utilities

[CORPORATE SEAL]

Address

Approved as to form: FORM


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. **150238**

An Ordinance granting a Revocable Permit to the City of Portland, Bureau of Facilities Management, deedholder, to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area, in zone M3; located at 1131 S.E. Powell Boulevard, on Lots 1-14, Water Bureau Addition, Lots 10-15 and the West one-half of Lots 16 and 17, Block 9, Tibbetts Homestead Addition, and Tax Lot 29, Section 11, T1S, R1E, for a period of time not to exceed eighteen months, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland, Bureau of Facilities Management, deedholder, has filed application for a Revocable Permit to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area, in zone M3; located at 1131 S.E. Powell Boulevard.
2. The legal description of said property is Lots 1-14, Water Bureau Addition, Lots 10-15 and the West one-half of Lots 16 and 17, Block 9, Tibbetts Homestead Addition, and Tax Lot 29, Section 11, T1S, R1E.
3. The filing fee for this application has been waived.
4. A duly authorized and conducted public hearing has been held by the City's Hearings Officer on July 21, 1980, (Planning Commission File No. 6975R) and the Hearings Officer recommends that a Revocable Permit to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area be allowed for a period of time not to exceed eighteen months, under certain conditions.
5. The City Auditor has complied with the notice requirement of the ordinance for the hearing before the Hearings Officer.
6. In order to prevent a hazardous situation, the existing fence should remain until site development plans are prepared. This has been estimated as being approximately eighteen months.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings and recommendation of the Hearings Officer in P.C. File No. 6975R are adopted by City Council.

- b. That a Revocable Permit be granted to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area, in zone M3; located at 1131 S.E. Powell Boulevard, on Lots 1-14, Water Bureau Addition, Lots 10-15 and the West one-half of Lots 16 and 17, Block 9, Tibbetts Homestead Addition, and Tax Lot 29, Section 11, T1S, R1E, for a period of time not to exceed eighteen months.
- c. This Revocable Permit is granted under the following conditions:
- 1) The permit shall expire eighteen months after passage by City Council.
 - 2) All future plans for site use shall meet the special setback requirements, parking lot requirements, and other applicable City requirements.
 - 3) The parking lot shall be graded and paved to City standards and no paving shall occur within the special setback and right-of-way area.
 - 4) All plans for improvements on this site shall be approved by the Traffic Engineer and Bureau of Planning prior to issuance of Building Permits.
 - 5) A Building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. Fifth Avenue, 248-4241, before carrying out this project in order to assure that all conditions imposed here and all requirements of the pertinent Building Codes are met.
 - 6) The Revocable Permit hereby granted is personal to the permittee and may not be transferred, assigned or otherwise disposed of by said permittee.
 - 7) The Revocable Permit hereby granted shall be revocable at the pleasure of the City Council and no expenditures of money hereunder or lapse of time or any act or thing shall operate as an estoppel against the City of Portland, or be held to give the permittees any vested or other right.
 - 8) Permittee shall comply with the provisions of the Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City, whether presently existing or hereafter enacted.
- d. Neither this ordinance nor any permit issued hereunder shall be effective until accepted, filed and recorded in accordance with law.

Calendar No. 2980

ORDINANCE No. 150238

Title

An Ordinance granting a Revocable Permit to the City of Portland, Bureau of Facilities Management, deedholder, to allow for the continued use of an existing six foot chain link fence within a special setback and right-of-way area, in zone M3; located at 1131 S.E. Powell Boulevard, on Lots 1-14, Water Bureau Addition, Lots 10-15 and the West one-half of Lots 16 and 17, Block 9, Tibbetts Homestead Addition, and Tax Lot 29, Section 11, T1S, R1E, for a period of time not to exceed eighteen months, under certain conditions, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
MAYOR MC CREADY

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

BUREAU APPROVAL
Bureau: HEARINGS OFFICE
Prepared By: Paul Norr/sa Date: 7/21/80
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:

NOTED BY
City Attorney
City Auditor
City Engineer

Filed AUG 8 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *Gordon C. Hall*
Deputy

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