

\$0  
150840

RECEIVED

CLAIM RELEASE - DAMAGES

DEC 30 8 38 AM 1980

(Individual)

GEORGE W. SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

City of Portland, Oregon

BY [Signature]

KNOW ALL MEN, THAT I, Maurice Williams

living and residing at 7710 SW 40th Ave.  
Portland, Oregon 97219 in consideration of the sum of \$104.75

\_\_\_\_\_, lawful money of the United States heretofore paid to me by the City of Portland, Oregon, the receipt whereof is hereby acknowledged, do hereby remise, release and forever discharge the said City of Portland, its officers, agents, and employes of and from all, and all manner of, action and actions, cause and causes of action, suits, debts, sums of money, claims and demands whatsoever, in law or in equity against the said City of Portland, its officers, agents and employes, that I, the undersigned ever had, now have, or that my heirs, executors, or administrators hereafter can or may have by reason of any matter, cause or thing whatsoever in anywise arising out of the incidents, matters, or things mentioned and referred to in Ordinance No. 150840, of December 10, 1980, a copy of which is hereto annexed.

It is understood and agreed that this settlement is the compromise of a doubtful and disputed claim, and that the payment made is not to be construed as an admission of liability on the part of the parties hereby released, and that said releasee(s) deny/denies liability therefore and intend(s) merely to avoid litigation and buy peace thereby.

THE UNDERSIGNED HAS READ THE FOREGOING PROPERTY CLAIM RELEASE, fully understands that no other consideration or payment will be given and that this Property Claim Release contains the entire agreement between the parties hereto and that there is no other agreement, promise or inducement for this payment other than as expressed by this Agreement.

IN WITNESS WHEREOF, I have hereunto caused this release to be executed in the City of Portland, Multnomah County, Oregon, on this 29th day of December, 1980.

Maurice Williams (SEAL)  
Maurice Williams (SEAL)

7710 SW 40th Ave. Portland, OR 97219  
Address

WITNESS:

Alice Dieck  
421 D.W. Ave, Portland, OR 97204  
Address

APPROVED AS TO FORM

Christina P. Thomas  
City Attorney

EVER APPROVED

Maurice Williams

AC 02278

\$104.75

12-80

150840

ORDINANCE NO. **150840**

An Ordinance authorizing payment of \$104.75 to Mr. Maurice Williams, owner of Lot 6, Block 1, Pastoral View #2, from the 1980-81 budget of the Bureau of Street and Structural Engineering, as compensation for a defective driveway apron constructed under a prior LID street improvement, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Mr. Maurice Williams' property was assessed for the LID improvement of SW Canby Street and the construction of a concrete driveway apron adjacent to his property.
2. Prior to arranging for bonding the assessment, Mr. Williams reported a defect in the driveway wing and requested the problem be remedied.
3. The City Maintenance Bureau has attempted to repair the cracked driveway, but without complete success. The Maintenance Bureau has made an offer to the Bureau of Street and Structural Engineering to remove and replace the broken portion for a price of \$104.75, but Mr. Williams feels the repair would be unsightly, and prefers cash reimbursement as settlement in lieu of the repair.
4. Funds are available in the 1980-81 budget of the Bureau of Street and Structural Engineering.
5. Payment of the settlement in lieu of repair has been recommended and approved by the Commissioner in charge.

NOW, THEREFORE, the Council directs:

- a. The Mayor and the Auditor are hereby authorized to draw and deliver to Mr. Maurice Williams, 7710 SW 40th Avenue, Portland, Oregon, a warrant in the amount of \$104.75 chargeable to the 1980-81 budget of the Bureau of Street and Structural Engineering, BUC No. 15900300, Project No. 0031, Object Code 630; said amount to be paid in full settlement of any and all claims by Mr. Williams arising from the defective driveway construction, the same being acknowledged by Mr. Williams signing a "Claim Release - Damages" form, supplied by the City Auditor.

# ORDINANCE No.

Section 2. The Council declares that an emergency exists because a delay in payment of the settlement would unnecessarily deprive Mr. Williams of an equitable, prompt settlement; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

ORDINANCE NO. 150840

Calendar No. 4817

This

An ordinance authorizing payment of street improvements and declaring an emergency.

DEC 7 1980

GEORGE J. APPROACH

Passed by the Council,

DEC 10 1980

Commissioner Mike Lindberg  
Terrence L. Bray:mh  
December 1, 1980  
BUC No. 15900300

Attest:

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

Calendar No. 4317

ORDINANCE No. 150840

Title

An Ordinance authorizing payment of \$104.75 to Mr. Maurice Williams, owner of Lot 6, Block 1, Pastoral View #2, from the 1980-81 budget of the Bureau of Street and Structural Engineering, as compensation for a defective driveway apron constructed under a prior LID street improvement, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	1	
Lindberg	1	
Schwab	1	
Ivancie	1	

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

INTRODUCED BY
Commissioner Mike Lindberg

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

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: <i>TAL</i> Date: 12/1/80
Terrence L. Bray
Budget Impact Review:
<input checked="" 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
John M. Lang
By: <i>[Signature]</i>

Filed DEC 4 1980

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By: *Gordon Crall*  
Deputy