

RECEIVED

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150886

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY

Portland, Oregon, January 2, 1981 19__

GEORGE YERKOVICH

Auditor of the City of Portland,

Room 202, City Hall

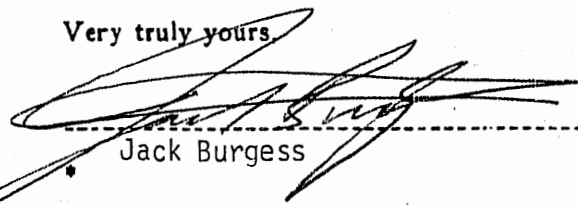
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 150886, passed by the Council December 31, 1980, granting a revocable permit to Jack Burgess to construct and maintain a parking area in NW St. Helens Road lying between the roadway and the property to the south and westerly of NW Groce Street,

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,

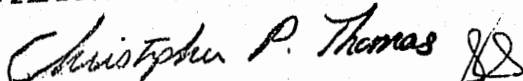

 Jack Burgess
[CORPORATE
SEAL]

1220 SW Columbia, St., Portland, OR 97201

Address

APPROVED AS TO FORM

Approved by me



CITY CLERK

*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. **150886**

An Ordinance granting a revocable permit to Jack Burgess to construct and maintain a parking area in N.W. St. Helens Road lying between the roadway and the property to the south and westerly of N.W. Groce Street at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Storch Corporation/Engineers have requested on behalf of Jack Burgess, owner of Lot 88, Blythswood Addition, located at the southwesterly corner of the intersection of N.W. St. Helens Road and N.W. Groce Street, permission to utilize the right of way area immediately adjacent to Lot 88 and outside the roadway of N.W. St. Helens Road as a parking area.
2. The appropriate maintenance unity of the Highway Division of the Oregon Department of Transportation has reviewed this proposal and has no objections under certain conditions.
3. The use of the above described area as a parking area will not be detrimental to the public interest under certain conditions.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Jack Burgess, c.o. Joel K. Dean, Storch Corporation/Engineers, 1220 S.W. Columbia Street, Portland, Oregon 97201, to construct and maintain a paved parking area in the right of way of N.W. St. Helens Road adjacent to and westerly of N.W. Groce Street 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) 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, except as herein stated.
 - (2) The permittee shall build the parking lot authorized by this Ordinance in accordance with plans and specifications approved by the City Engineer, Bureau of Buildings, and Department of Transportation, Highway Division, Region 1, 9002 S.E. McLoughlin Blvd., Milwaukie, Oregon 97222.

- (3) 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 permittee any vested or other right. Upon revocation of this permit by the Council, the permittee shall within 30 days remove said parking area and restore the street area as required by and to the satisfaction of the City Engineer and/or State Highway Engineer.
- (4) 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:
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 time. 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.
- (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) Nothing in this Ordinance shall be construed to imply that the City is relinquishing any of its street rights. This permit will not allow the permittee to assign parking spaces, collect a fee, restrict access or in any way control parking in the area covered by this permit.
- (7) In agreeing to the conditions of this permit, the permittee shall acknowledge the jurisdiction the Oregon Department of Transportation through its Highway Division has over N.W. St. Helens Road and conform to any requirements of said Highway Division.
- (8) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.

19.04'

112.93'

10' (6)

80.47'

N.W. GROCE ST.

150.88'

2727'

2728'

2723'

10'

128.8'

88'

131.9'

PROPOSED PARKING AREA

115'

151.22'

96.50'

N.W. ST. HELENS ROAD

RD.

2663'

2643'

36'

120'

53.023'

25'

10.9'

(61)

(60)

2630'

APPROVED

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

ORDINANCE No.

Section 2. This Ordinance will not become effective until the permittee 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 to construct and maintain a parking area; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

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[Faint handwritten notes]

...continued to challenge me and to encourage me to develop my own ideas to present to the community. I was able to present at the conference and to lead a workshop and to give a keynote address to the audience. I was able to give a keynote address to the audience. I was able to give a keynote address to the audience.

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Passed by the Council,

DEC 3 1 1980

Commissioner Mike Lindberg
Harlan Scott:jmh
December 9, 1980

Attest:

Auditor of the City of Portland

Calendar No. 4482

ORDINANCE No. 150886

Title

An Ordinance granting a revocable permit to Jack Burgess to construct and maintain a parking area in N.W. St. Helens Road lying between the roadway and the property to the south and westerly of N.W. Groce Street at a fee of \$10.00, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Jordan		
Lindberg		
Schwab		
Ivancie		

FOUR-FIFTHS CALENDAR

Jordan	
Lindberg	
Schwab	
Ivancie	

Filed DEC 23 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Frank Touhy
Deputy

INTRODUCED BY

COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

Works

BUREAU APPROVAL

Bureau:

Street & Structural Engineering

Prepared By:

Date:

Harlan Scott:jmh

12/9/80

Budget Impact Review:

☐ Completed

☒ Not required

Bureau Head:

David J. Vargas, Acting Chief

CALENDAR

Consent

x

Regular

NOTED BY

City Attorney

City Auditor

City Engineer

Approved:

John M. Lang, P.E.

By:

David J. Vargas