

RECEIVED
FEB 24 8 45 AM 1981
GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.
BY _____

151082

ACCEPTANCE

Portland, Oregon, February 13, _____ 1981

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. 151082, passed by the Council February 12, 1981, granting a revocable permit to Bitar Brothers, Inc. to construct and maintain an oversize driveway in the street area adjacent to 215 N Page Street, at a fee of \$300.00,

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,

BITAR BROTHERS, INC.

[CORPORATE
SEAL]

* William F. Bitar Pres.

2929 E. Burnside Street, Portland, OR 97214

Address

APPROVED AS TO FORM
Approved as to form:

Christopher P. Thomas

CITY ATTORNEY

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. 151082

RECORDED: Mar. 2, 1981
BOOK: 1506
PAGE: 1496

An Ordinance granting a revocable permit to Bitar Brothers, Inc. to construct and maintain an oversize driveway in the street area adjacent to 215 N. Page Street, at a fee of \$300.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Section 17.28.110 of the City Code requires Council approval for construction of a driveway larger than the limits set forth therein.
2. Bitar Brothers, Inc., who are the owners of the property at 215 N. Page Street, have requested permission to construct and maintain an oversize concrete service driveway in the street area adjacent thereto.
3. That said driveway is to provide access to a new warehouse complex.
4. That the proposed oversize driveway would not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

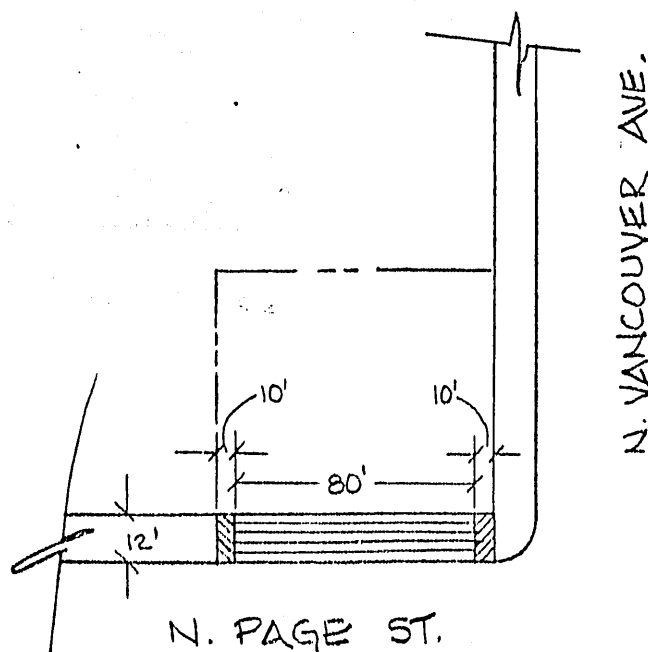
- a. A revocable permit to run with the land is granted to Bitar Brothers, Inc., 2929 E. Burnside Street, Portland, 97214, permittee, to construct and maintain an oversize concrete service driveway in the street area adjacent to Lots 10 and 11, Block 35, Albina Addition, and as located on the plan marked "Exhibit A" attached to and by this reference made 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) This permit is revocable at any time in the event the public's need requires it and no expenditure of money hereunder, 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. Immediately upon the expiration of this permit, or upon its sooner revocation by the Council, the permittee shall remove said driveway from the street area as directed by and to the satisfaction of the City Engineer.

EXHIBIT - "A"

151082

To construct and maintain an oversize driveway
adjacent to Lots 10 and 11, Block 35, Albina
Addition, $\frac{1}{4}$ 2830

For: Bitar Brothers, Inc.
2929 E. Burnside Street
Portland, Oregon 97214



DRAWN BY: SSH
CHECKED BY: HGS
SCALE: N.T.S.

APPROVED

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

ORDINANCE No.

- (3) The permittee shall pay the permit fee of \$300.00 required by Section 17.24.020 of the City Code.
- (4) The permittee shall reimburse the City for the cost of filing by the City Auditor of a certified copy of this Ordinance with the Records Division of Multnomah County.

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 for construction of an oversize driveway; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, FEB 12 1981

Commissioner Mike Lindberg
January 26, 1981
Steve Hazzard:jmh

Attest:

Serge G. Gilbert
Auditor of the City of Portland

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

Calendar No. ⁴⁰⁴~~341~~

ORDINANCE No. 151082

Title

An Ordinance granting a revocable permit to Bitar Brothers, Inc. to construct and maintain an oversize driveway in the street area adjacent to 215 N. Page Street, at a fee of \$300.00, and declaring an emergency.

THURSDAY

FEB 5 1981

CONTINUED TO

FEB 12 1981

Filed JAN 29 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

George Yerkovich
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

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

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: Steve Hazzard:jmh
Date: 1/26/81
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>David J. Vargas</i>
David J. Vargas, Acting Chief

CALENDAR
Consent <input checked="" type="checkbox"/> Regular

NOTED BY
City Attorney
City Auditor
City Engineer
Approved: John M. Lang, P.E.
By: <i>David J. Vargas</i>