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 CLERK CITY OF PORTLAND, ORE.
ACCEPTANCE

Portland, Oregon, June 26 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. 151851, passed by the Council June 25, 1981, granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault in and under the street area of SW Madison Street between SW 2nd Avenue and SW 3rd Avenue, at a fee of \$20.00.

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,

PORTLAND GENERAL ELECTRIC COMPANY

[CORPORATE SEAL]

*
E. J. Wilfong
 Vice President, Division Operations

3700 SE 17th Ave., Portland, OR 97202

Address

APPROVED AS TO FORM
 Approved as to form:

Stephen 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. **151851**

An Ordinance granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault in and under the street area of S.W. Madison Street between S.W. 2nd Avenue and S.W. 3rd Avenue, at a fee of \$20.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Portland General Electric Company, 3700 S.E. 17th Avenue, Portland, Oregon 97202, through David Bouchard, Superintendent, Underground Department, has requested permission under Section 17.56.040 of the City Code to install, occupy and maintain a precast transformer vault in and under the street area of S.W. Madison Street between S.W. 2nd Avenue and S.W. 3rd Avenue.
2. The transformer vault is needed to provide electrical service to the Justice Building.
3. The abutting property owner has given written permission for the placement of the vault in the sidewalk area adjacent to his property.
4. That Portland General Electric Company has provided the City of Portland with a Certificate of Self Insurance that is acceptable to the Bureau of Risk Management.
5. The plan for the transformer vault with sidewalk door and related air vents, attached to this Ordinance as "Exhibit A", has been approved by the City Engineer.
6. The desired vault, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to Portland General Electric Company, permittee, to install, occupy and maintain the precast transformer vault described in Section 1-1 above, and located as shown on the plan marked "Exhibit A" attached to and by 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.

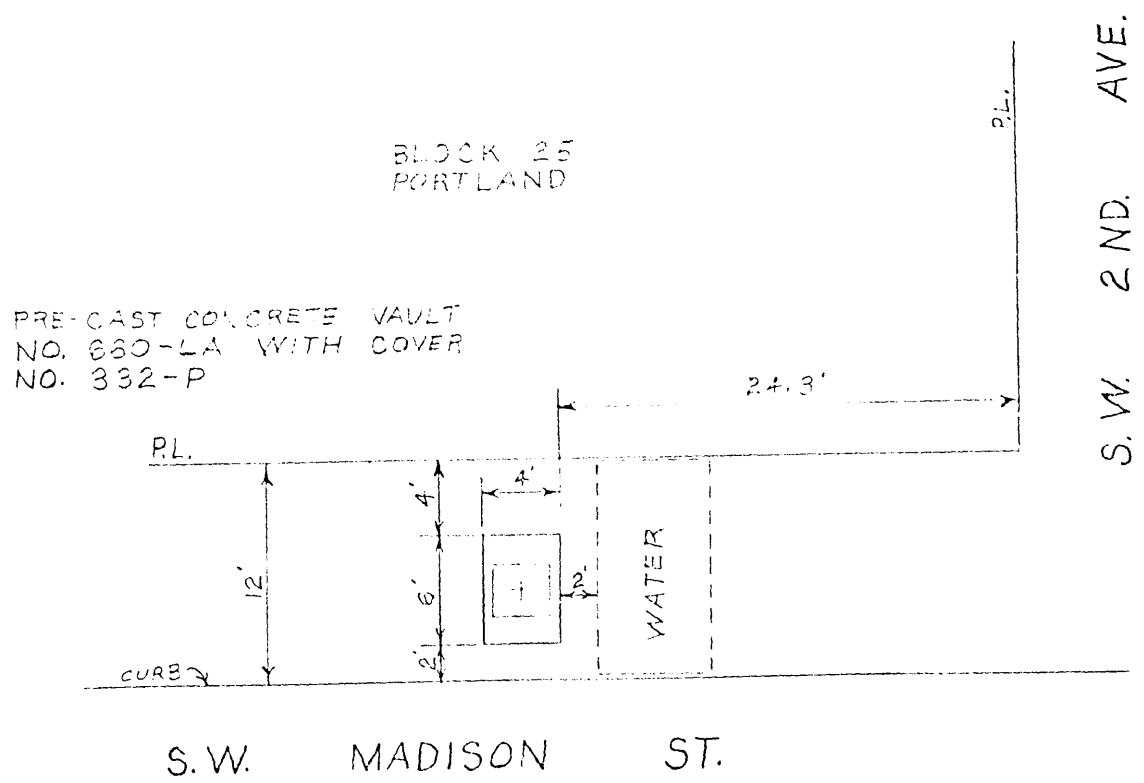
- (2) This permit is revocable at any time at the pleasure of the Council and no expenditure of money or lapse of time, or other act or thing, shall operate as an estoppel against the City of Portland, or be held to give the permittee any vested or other right. Upon revocation of this permit by the Council, the permittee shall within 30 days remove the vault and restore the street area as required by and to the satisfaction of the City Engineer.
- (3) 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.
- (4) In lieu of providing the standard insurance requirements, Portland General Electric Company has supplied a Certificate of Self Insurance that has been accepted by the Bureau of Risk Management, pursuant to the Code; a copy of said Self Insurance Certificate is attached hereto as "Exhibit B".
- (5) The permittee shall pay the permit fee of \$20.00 required by Section 17.24.020 of the City Code.
- (6) Before construction begins, the permittee shall obtain from the City Engineer his requirements as to hours to work, traffic control, and the placing of necessary signs and barricades.
- (7) If, during construction under this permit, it becomes necessary or expedient to modify the location or the plan for the vault, the permittee shall first obtain the approval of the City Engineer on revised plans filed in duplicate with the City Engineer. One copy of the approved plan showing the change shall be filed by the City Engineer with the City Auditor to become a part of this Ordinance.

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.

EXHIBIT - "A"

To construct and maintain a precast transformer vault in S.W. Madison Street west of S.W. 2nd Avenue

For: Portland General Electric Co.
3700 S.E. 17th Avenue
Portland, Oregon 97202



APPROVED

Charles W. ...

By _____
City Engineer
Reg. Prof. Engr.

SCALE 1" = 10'
DRAWN BY L.L.B.
CHECKED BY A.H.H.
1/4 SEC. 2123 , DATE 6-9-81

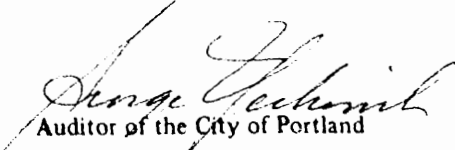
ORDINANCE No.

Section 3. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship on the part of the applicant as to the status of the requested permit for construction of structures in the street area of S.W. Madison Street; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUN 25 1981

Commissioner Mike Lindberg
Harry Hendrickson:jmh
June 9, 1981

Attest:


Auditor of the City of Portland

Calendar No. **2109**

ORDINANCE No. 151851

Title

An Ordinance granting a revocable permit to Portland General Electric Company, a public utility, to install, occupy and maintain a precast transformer vault in and under the street area of S.W. Madison Street between S.W. 2nd Avenue and S.W. 3rd Avenue, at a fee of \$20.00, and declaring an emergency.

THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	/	
LINDBERG	—	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed **JUN 18 1981**

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: *George Yerkovich*
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

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

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Harry A. Hendrickson:jmh Date: 6/9/81
Budget Impact Review: <input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>R. O. Schmidt</i> R. O. Schmidt, Chief

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

NOTED BY
City Attorney
City Auditor
City Engineer Approved: John M. Lang, P.E.
By: <i>R. O. Schmidt</i>