


RECEIVED

151855

JUL 28 8 41 AM 1981

ACCEPTANCE

GEORGE YERKOVICH
CITY OF PORTLAND

BY 

Portland, Oregon, June 26, 1981

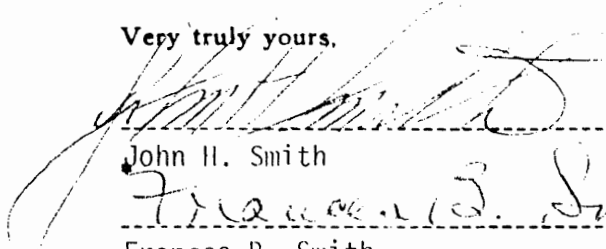
GEORGE YERKOVICH
Auditor of the City of Portland,
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 151855, passed by the Council June 25, 1981, granting a revocable permit to construct, use and maintain a structural driveway and concrete stairs in the street area of SW Dosch Road, at a fee of \$132.17,


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,



John H. Smith

[CORPORATE SEAL]

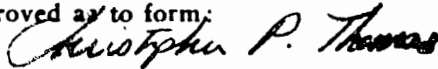


Frances B. Smith
3015 SW Dosch Rd., Portland, OR 97201

Address

APPROVED AS TO FORM

Approved as to form:



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. **151855**

An Ordinance granting a revocable permit to John H. and Frances B. Smith to construct, use, and maintain a structural driveway and concrete stairs in the street area of S.W. Dosch Road, at a fee of \$132.17, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That John H. and Frances B. Smith, 3015 S.W. Dosch Road, Portland, Oregon 97201, have requested permission to construct, use, and maintain a structural driveway and concrete stairs in the street area adjacent to Lot A, Valley View Addition.
2. This request is being made in order to make usable a building site which has a relatively steep slope.
3. That granting of this request will not be detrimental to the public interest under certain conditions.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to John H. and Frances B. Smith, permittees, to construct, use, and maintain a structural driveway and concrete stairs in the street area of S.W. Dosch Road, 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) The plans, specifications, and inspections for the structural driveway and concrete stairs shall be approved by the City Engineer.
 - (2) This permit is for the use of the street area only, and shall not exempt the permittees from obtaining any license or permit required by the City Code or Ordinance 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.
 - (3) 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 permittees any vested or other right. Immediately upon the expiration of this permit, or upon its sooner revocation by the Council, the permittees shall remove said structural driveway and concrete stairs from the street area as directed by and to the satisfaction of the City Engineer.

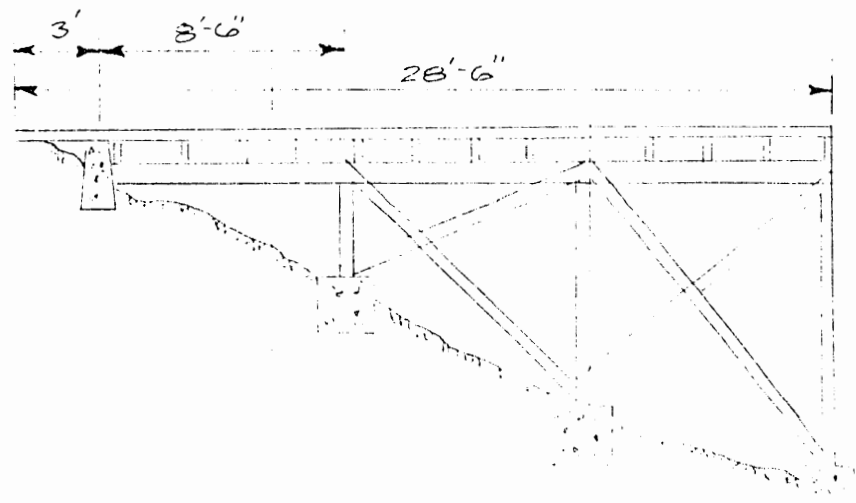
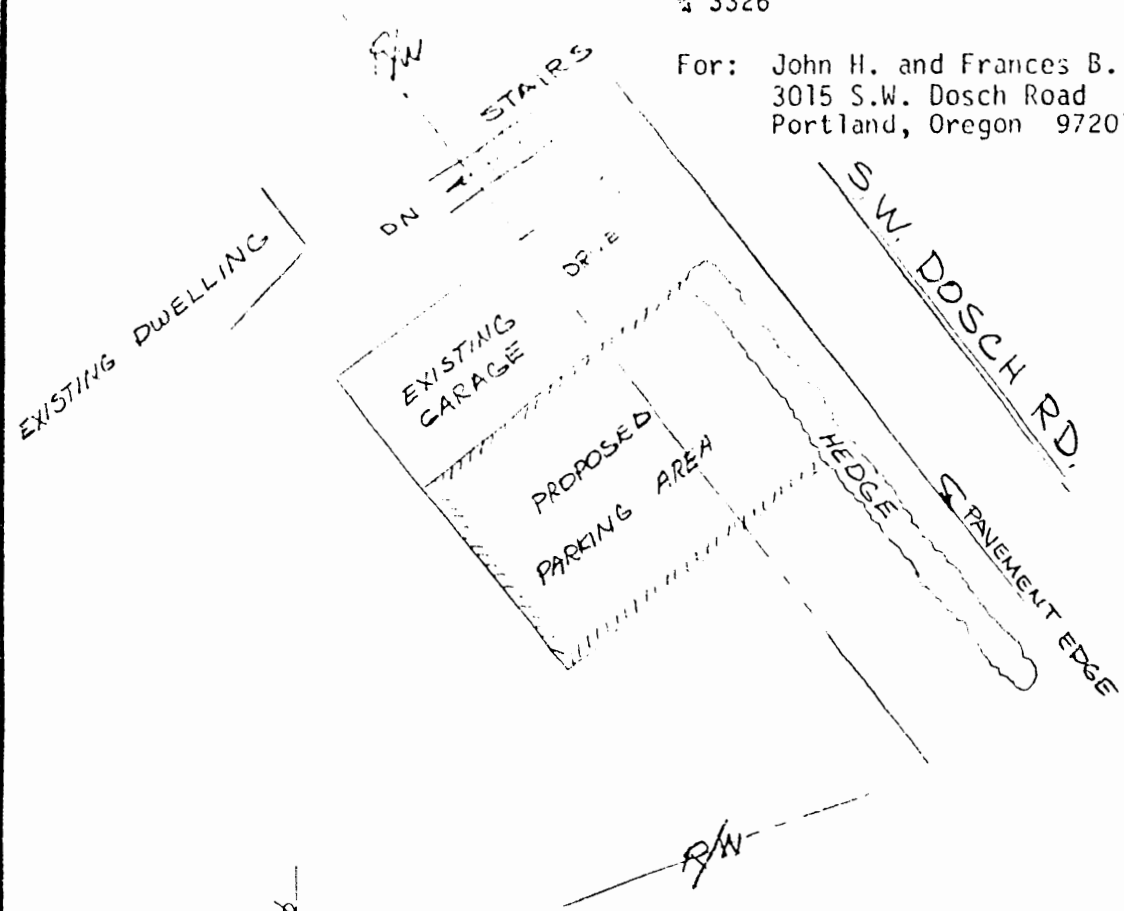
- (4) The permittees shall hold the City of Portland, its officers, agents, and employees free and harmless from any claims for damages to persons or property, including legal fees and costs of defending any actions or suits, including any appeals which may result from the use of the street area under 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 times. 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 ORS 30.270 or as it may be required by subsequent amendment and naming the City, its officers, agents and employees as additional insured.
- (6) The permittees shall pay a permit fee of \$132.17, Section 548.030 of the City Code.
- (7) The permittees shall reimburse the City for the cost of filing, by the City Auditor, a certified copy of this Ordinance with the Records Division of Multnomah County.

Section 2. This Ordinance will not become effective until the permittees have filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council, if the acceptance together with documents and fees required are not on file with the City Auditor within sixty (60) calendar days of the passage of this Ordinance.

EXHIBIT - "A"

John H. and Frances B. Smith have requested permission to construct, use, and maintain a structural driveway and concrete stairs in the street area adjacent to Lot A, Valley View Addition 3326

For: John H. and Frances B. Smith
3015 S.W. Dosch Road
Portland, Oregon 97201



CROSS SECTION - LOOKING SOUTH

DATE: JUNE 10, 1951
DR BY: R/WJ CK BY:

APPROVED

By _____
City Engineer
Reg. Prof. Engr.

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 applicants as to the status of the requested permit to consturct and maintain a structural driveway and concrete stairs in the street area; 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
Steve Hazzard:jmh
June 10, 1981

Attest:

Serge Schmitt
Auditor of the City of Portland

Calendar No. **2113**

ORDINANCE No. 151855

Title

An Ordinance granting a revocable permit to John H. and Frances B. Smith to construct, use, and maintain a structural driveway and concrete stairs in the street area of S.W. Dosch Road, at a fee of \$132.17, and declaring an emergency.

THURSDAY

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN		
LINDBERG	—	
SCHWAB	1	
STRACHAN	1	
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>ML/MS</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Steve Hazzard:jmh Date: 6/10/81
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>