

ACCEPTANCE

RECEIVED JUL 5 9 45 AM 1981  
GEORGE YERKOVICH  
AUDITOR OF PORTLAND, ORE.  
BY \_\_\_\_\_

Portland, Oregon, July 2, 1981

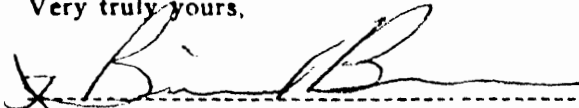
GEORGE YERKOVICH  
Auditor of the City of Portland,  
Room 202, City Hall  
Portland, Oregon 97204

Dear Sir

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 151864, passed by the Council July 1, 1981, changing the zoning for Lot 12, Block 2, Williams Addition, from R5 to R1, located on SE Francis, west of SE 37th Avenue,

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,



Billie L. Barger

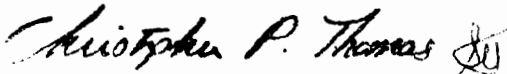


9530 SE Wooded Hills Ct., Portland, OR 97236

Address

[CORPORATE SEAL]

APPROVED AS TO FORM



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. **151864**

An Ordinance changing the zoning for Lot 12, Block 2, Williams Addition, from R5 to R1, located on SE Francis, west of SE 37th Avenue, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The applicants, Billie L. and Cheryl Barger, deedholders, seek a zone change from R5 to R1 for Lot 12, Block 2, Williams Addition, located on SE Francis, west of SE 37th Avenue.
2. A petition complying in all respects with all requirements of Title 33, Planning and Zoning, of the Code of the City of Portland and seeking such a zone change has been received.
3. Applicants have paid the proper fee for the filing of such petition.
4. The city's Hearings Officer by report and recommendation dated March 31, 1981 (Planning Commission File No. 7042), after and as a result of a duly authorized and conducted public hearing held March 30, 1981, on said proposal, has recommended that the zone change be granted.
5. On April 17, 1981, the City Auditor received the appeal of Edward J. Marihart, Vice chairperson of the Creston-Kenilworth Neighborhood Association, against the Hearings Officer's decision of approval of a zone change from R5 to R1 in compliance with the comprehensive plan designation.
6. The Planning Commission members were sent a copy of the Hearings Officer's decision and a copy of the appeal. No requests for Planning Commission consideration were received.
7. On June 10, 1981, the City Council, after due deliberation in open session, denied the appeal of Edward J. Marihart, of the Creston-Kenilworth Neighborhood Association, against the Hearings Officer's decision of approval of the zone change and approved the request of Billie L. and Cheryl Barger for a zone change from R5 to R1 for Lot 12, Block 2, Williams Addition.
8. The City Auditor has complied with the notice requirements before the Hearings Officer and the City Council.
9. This rezoning is in conformance with enacted elements of a comprehensive plan for the city, is in accordance with generally accepted land-use planning standards and with applicable city and state legislative enactments as indicated in the report of the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings, conclusions, and recommendation of the Hearings Officer in PC File 7042 are adopted by City Council.
- b. The zone of Lot 12, Block 2, Williams Addition, is changed to R1, located on SE Francis, west of SE 37th Avenue.
- c. This order shall not be effective and no change shall be made to the zoning maps until acceptance and recording has taken place as provided in Section 33.102.010.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore, this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 1 1981

Commissioner Schwab  
R. Austin/jlu  
June 19, 1981

Attest:

  
Auditor of the City of Portland

Calendar No. **2144**

**ORDINANCE No. 151864**

**Title**

An Ordinance changing the zoning for Lot 12, Block 2, Williams Addition, from R5 to R1, located on SE Francis, west of SE 37th Avenue, and declaring an emergency.

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

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

Filed       **JUN 23 1981**      

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By *Gordon Croell*  
Deputy

INTRODUCED BY	
Commissioner Schwab	
NOTED BY THE COMMISSIONER	
Affairs <i>[Signature]</i>	
Finance and Administration	
Safety	
Utilities	
Works	
BUREAU APPROVAL	
Bureau: Planning	
Prepared By: R. Austin/jlu	Date: 6/19/81
Budget Impact Review:	
<input type="checkbox"/> Completed <input type="checkbox"/> Not required	
Bureau Head: Terry Sandblast <i>[Signature]</i>	
CALENDAR	
Consent <input checked="" type="checkbox"/>	Regular <input type="checkbox"/>
NOTED BY	
City Attorney <i>[Signature]</i>	
City Auditor	
City Engineer	