

AUG 25 2 27 PM 1981

GEORGE YERKOVICH, AUDITOR  
CITY OF PORTLAND, ORE.

ACCEPTANCE

151949

BY [Signature]

Portland, Oregon, July 16, 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. 151949, passed by the Council July 15, 1981, granting a revocable permit to the Bureau of Maintenance to construct and maintain concrete gravel bins in the street area of N. Fargo Street, at a fee of \$10.00, repealing Ordinance No. 151315,

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,

COMMISSIONER OF PUBLIC WORKS

[CORPORATE SEAL]

[Signature: Mike Lindberg]  
Mike Lindberg

1220 SW 5th Avenue, Portland, OR 97204  
Address

APPROVED AS TO FORM  
Approved as to form:

[Signature: 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.

*[Handwritten notes]*  
11/15/81  
1600 Wagon St. of...  
Rev. Michael...  
[Signature]

amended by  
152378

151949

ORDINANCE NO. 151949

An Ordinance granting a revocable permit to the Bureau of Maintenance to construct and maintain concrete gravel bins in the street area of N. Fargo Street, at a fee of \$10.00, repealing Ordinance No. 151315, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Maintenance, owner of the property at 725 N. Fargo Street, has requested permission to construct and maintain concrete gravel bins in the street area of N. Fargo Street.
2. The purpose of this request is to provide more gravel yard area by constructing said bins out to the existing curblin.
3. This section of N. Fargo Street was closed by Ordinance No. 147347, March 7, 1979, and under certain conditions granting of this permit will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to the Bureau of Maintenance, 2929 N. Kerby Street, permittee, to construct and maintain concrete gravel bins in the street area, adjacent to Lots 1-14, Block 5, Riverview Addition, in accordance with plans and specifications approved by the City Engineer, and located as shown on the plan marked "Exhibit A", attached to this Ordinance and by this reference made part hereof, 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 gravel bins from the street area as directed by and to the satisfaction of the City Engineer.

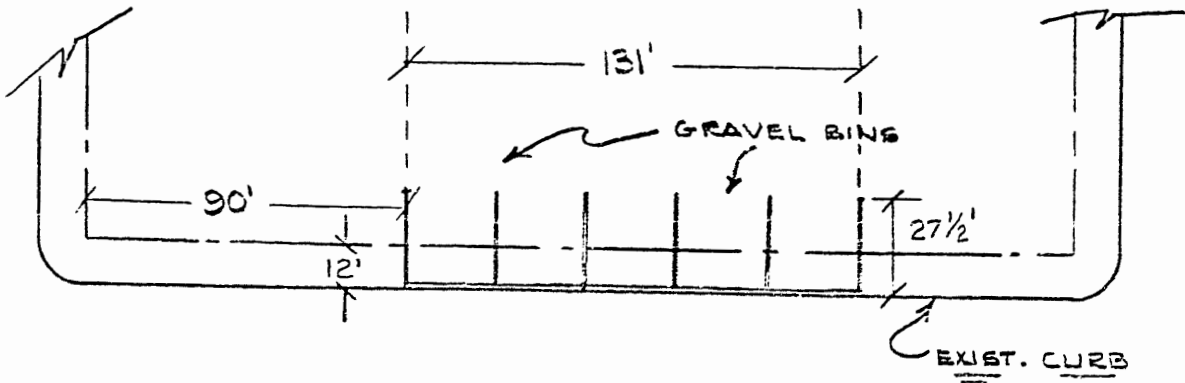
# EXHIBIT - "A"

151949

To construct and maintain concrete gravel bins  
in the street area, adjacent to Lots 1-14, Block 5,  
Riverview Addition, S 2729

For: Bureau of Maintenance  
2929 N. Kerby St.  
Portland, Oregon 97227

N. ALBINA AVE.



N. FARGO ST.

APPROVED

DRAWN BY: JSH  
CHECKED BY: RES  
SCALE: NTS

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

# ORDINANCE No.

151949  
151949

- (3) The permittee shall pay all costs for necessary repairs and/or damage to existing public or private utilities that may result from the placement of all items that are to be installed and maintained by the permittee under this Ordinance.
- (4) The permittee agrees that this section of N. Fargo Street shall be vacated within one year after passage of this Ordinance, or said gravel bin will be removed from the street area.
- (5) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.

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. The City Auditor is hereby directed to notify Michael J. Walker, Chief, Bureau of Maintenance of the passage of this Ordinance and that acceptance of conditions are required.

Section 3. Ordinance No. 151315, entitled "An Ordinance granting a revocable permit to the Bureau of Maintenance to construct and maintain concrete gravel bins in the street area of N. Fargo Street, at a fee of \$10.00, and declaring an emergency." is hereby repealed.

Section 4. 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 a retaining wall; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUL 15 1981**

Commissioner Mike Lindberg  
Larry Barclay:jmh  
June 25, 1981

Attest:

  
Auditor of the City of Portland

Calendar No. 2337

ORDINANCE No. 151319

Title

An Ordinance granting a revocable permit to the Bureau of Maintenance to construct and maintain concrete gravel bins in the street area of N. Fargo Street, at a fee of \$10.00, repealing Ordinance No. 151315, 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 JUL 6 1981

GEORGE YERKOVICH  
Auditor of the CITY OF PORTLAND

By: *George Yerovich*  
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>W.L./M.S.</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Larry Barclay:jmh      Date: 6/25/81
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>