

AUD 50-25-640

RECEIVED
JUL 27 9 18 AM 1981
GENERAL CITY AUDITOR
CITY OF PORTLAND, ORE.

151953

BY [Signature] ACCEPTANCE

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. 151953, passed by the Council July 15, 1981, granting a revocable permit to McCracken Motor Freight Inc. to construct and maintain two oversize driveways by enlarging two existing driveways on the south side of NW Front Avenue, at a fee of \$187.00,

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,

MCCRACKEN MOTOR FREIGHT, INC.

[Signature: Curtis McCracken] President

3147 NW Front Ave., Portland, OR 97210

Address

[CORPORATE SEAL]

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.

ORDINANCE NO. 151953

151953

An Ordinance granting a revocable permit to McCracken Motor Freight Inc. to construct and maintain two (2) oversized driveways by enlarging two (2) existing driveways on the south side of N.W. Front Avenue, at a fee of \$187.00, 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. McCracken Motor Freight Inc., owner of the property at 3147 N.W. Front Avenue, Portland, Oregon, 97210, has requested permission to construct and maintain an oversized concrete service driveway in the street area adjacent thereto.
3. That the applicant has applied for a permit to build an additional loading dock, Building Permit Application No. 1922.
4. That the proposed oversized driveways under certain conditions 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 McCracken Motor Freight Inc., permittee, to construct and maintain an oversized concrete service driveway in the street area adjacent to Tax Lot 58, Section 28, 1 north, 1 east, and located as shown on the plan marked "Exhibit A" attached to and by this 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 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 oversized driveway from the street area as directed by and to the satisfaction of the City Engineer.

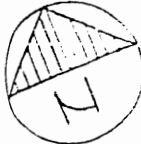
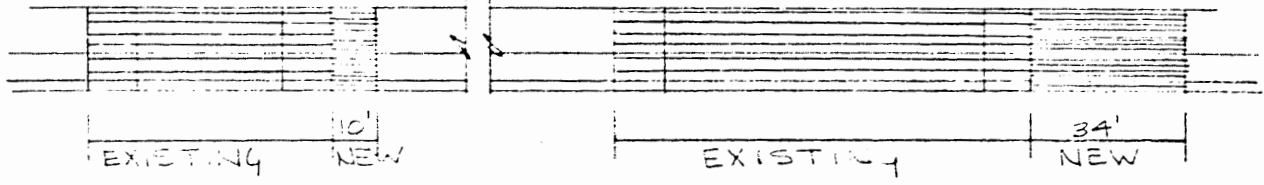
EXHIBIT - "A"

151053

A revocable permit to construct and maintain two oversize driveways by adding onto two existing driveways adjacent to Tax Lot 58, Section 28, 1 North, 1 East, 1/4 2727

For: McCracken Motor Freight Inc.
3147 N.W. Front Avenue
Portland, Oregon 97210

N.W. FRONT AVE



APPROVED

Charles W. Clough

DRAWN BY JAH
CHECKED BY
1/4 SEC 2727
7 JULY 1981

By _____
City Engineer
Reg. Prof. Engr.

ORDINANCE No.

- (3) The permittee shall pay the permit fee of \$187.00 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. 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.

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; 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
Steve Hazzard:jmh
July 7, 1981

Attest:


Auditor of the City of Portland

Calendar No. **2341** :

ORDINANCE No. 151953

Title

An Ordinance granting a revocable permit to McCracken Motor Freight Inc. to construct and maintain two (2) over-size driveways by enlarging two (2) existing driveways on the south side of N.W. Front Avenue, at a fee of \$187.00, 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 10 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>YML/MS</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Steve Hazzard:jmh Date: 7/7/81
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>