

982

ACCEPTANCE

Portland, Oregon, July 7, 1966

RAY SMITH
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. 122822, passed by the City Council July 6, 1966, changing from Zone R5 to Zone R5P, Lot 3, Block 2, North Ivanhoe and the South 150 feet of Tax Lot 50, Section 7, T1S, R2E, W.M., and granting a conditional use for Lots 1 and 2, Block 2, North Ivanhoe, and the northerly portion of Tax Lot 50, Section 7, T1S, R2E, W.M., presently zoned M3, extending the conditional use 5 feet into said R5P zone, all located on the south side of S.E. Powell Boulevard between S.E. 48th and 49th Avenues, under certain conditions, extending setback requirements by 10 feet on S.E. Powell Blvd., petitioned for by East Side Van and Storage Co., and declaring an emergency,

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,

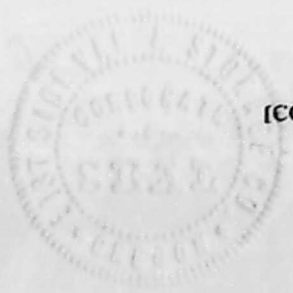
East Side Van & Storage Co.

East Side Van and Storage Co.

L. S. Tufford

By: L. S. Tufford, President

1126 S.E. Division Street, Portland, Ore. 97202



(CORPORATE SEAL)

Approved as to form:

Alexander H. Brown

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.

*Amended by
Ord. 123120*

ORDINANCE NO. 122822

An Ordinance changing from Zone R5 to Zone R5P, Lot 3, Block 2, North Ivanhoe and the South 150 feet of Tax Lot 50, Section 7, T1S, R2E, W.M., and granting a conditional use for Lots 1 and 2, Block 2, North Ivanhoe, and the northerly portion of Tax Lot 50, Section 7, T1S, R2E, W.M., presently zoned M3, extending the conditional use 5 feet into said R5P zone, all located on the south side of S.E. Powell Boulevard between S.E. 48th and 49th Avenues, under certain conditions, extending setback requirements by 10 feet on S.E. Powell Blvd., petitioned for by East Side Van and Storage Co., and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that East Side Van and Storage Co., by L.S. Tufford, President, 1126 S.E. Division Street, Portland, Oregon 97202, has filed a petition to change from Zone M3 and R5 to Zone M2 and R5P, Lots 1, 2 and 3, Block 2, North Ivanhoe, and Tax Lot 50, Section 7, T1S, R2E, W.M., located on the south side of S.E. Powell Blvd., between S.E. 48th and S.E. 49th Avenues, in the City of Portland, County of Multnomah, State of Oregon; that the petition complied in all respects with all the provisions of the Planning and Zoning Code, and petitioner has paid the proper fee to the City Treasurer; that by report dated May 26, 1966 (P.C. No. 4876) and made a part of Council Calendar No. 2523, the City Planning Commission recommended denial of the request; that under date of June 8, 1966, the City Auditor notified all persons of record as owners of real property within 400 feet of the zone change area of a time and place for hearing before the City Council, at 2 P.M., June 22, 1966, in the Council Chambers of the City Hall, in the City of Portland, Oregon, at which time and place said hearing was held; that all remonstrances made or filed against the petition were heard and considered and the Council finds that a rezoning for a portion of the property from R5 to R5P together with a conditional use for the balance of the property and extending the setback requirements on S.E. Powell will not adversely affect the peace, health, safety or convenience of the neighborhood, but will be beneficial to both the neighborhood and to the general public; that all remonstrances at said hearing were overruled and are by this ordinance specifically overruled, and the Council finds that a partial rezoning, with conditional use and setback requirements extended, should be granted; now, therefore, pursuant to the provisions of the Planning and Zoning Code (Ordinance No. 110103), the following described property is changed in zone as follows:

From Zone R5 to Zone R5P, Lot 3, Block 2, North Ivanhoe, and the south 150 feet of Tax Lot 50, Section 7, T1S, R2E, W.M.

ORDINANCE No.

A conditional use for warehouse is granted for Lots 1 and 2, Block 2, North Ivanhoe, and the northerly portion of Tax Lot 50, Section 7, T1s, R2E, W.M., presently zoned M3, with the conditional use extended an additional 5 feet into said R5P Zone, all in the City of Portland, County of Multnomah, State of Oregon.

The change of zone and conditional use set forth herein are granted under the following terms and conditions:

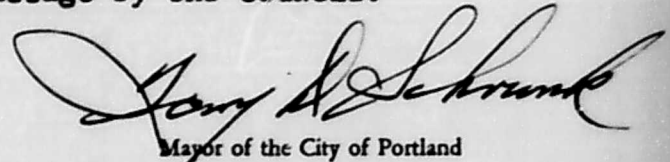
- a. The planned construction of warehouse shall not exceed 14,200 square feet.
- b. There shall be a 10-foot setback on S.E. Powell Boulevard.
- c. All provisions of the Planning and Zoning Code shall be complied with.

Section 2. All the requirements of the Planning and Zoning Code applicable to the proposed use within said new zoning, the provisions of the Building Code, and generally all other applicable code and ordinance provisions and regulations of the City, whether presently existing or hereafter enacted, shall be complied with.

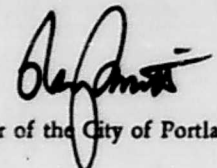
Section 3. In the event of a failure to comply with the terms and provisions herein stated, or any thereof, the Council may in its discretion repeal this ordinance and restore the property to its former zoning or otherwise rezone the same as it may determine. This ordinance shall not be effective and no change shall be made in the zoning maps of the City until the acceptance and recording provided for in Section 6-4101 of said Code shall have been complied with. Thereupon the Auditor hereby is directed to change the maps provided for in Section 6-602 of said Code by designating on said maps said property as being in the new zone set forth in Section 1 hereof.

Section 4. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there may be no delay in the beneficial use of the property; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, JUL 6 - 1966


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 2708

ORDINANCE NO. 122822

Title

An Ordinance changing from Zone R5 to Zone R5P, Lot 3, Block 2, North Ivanhoe and the South 150 feet of Tax Lot 50, Section 7, T1S, R2E, W.M., and granting a conditional use for Lots 1 and 2, Block 2, North Ivanhoe, and the northerly portion of Tax Lot 50, Section 7, T1S, R2E, W.M., presently zoned M3, extending the conditional use 5 feet into said R5P zone, all located on the south side of S.E. Powell Boulevard between S.E. 48th and 49th Avenues, under certain conditions, extending setback requirements by 10 feet on S.E. Powell Blvd., petitioned for by East Side Van and Storage Co., and declaring an emergency.

INTRODUCED BY
Order of Council 1
DRAWN BY
AGB:gm/rf
Date
June 29, 1966

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney *DAE*

NOTED FOR CITY AUDITOR

WVA

mc

APPROVED
Date
By
City Ex
Date
By

THE COMMISSIONERS VOTED AS FOLLOWS:

	Years	Days
Bean	/	
Bowes	/	
Earl	/	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR

Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Filed JUN 30 1966

RAY SMITH

Auditor of the CITY OF PORTLAND

By *Robert C. Boyle* Deputy