

RECEIVED

152868

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ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY [Signature]

Portland, Oregon, February 19 1982

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. 152868, passed by Council February 18, 1982, granting a revocable permit to Warehouse Investment Corp. to construct, use and maintain a covered stairway through the vaulted sidewalk on the north sidewalk of N. Interstate Avenue south of N. Russell Street, at a fee of \$10.00,

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,

WAREHOUSE INVESTMENT CORPORATION

[Signature] - 3-11-82

111 S.W. Columbia St., Portland, OR 97201

Address

(CORPORATE SEAL)

Approved as to form:

[Signature]
Deputy 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. 152868

An Ordinance granting a revocable permit to Warehouse Investment Corp. to construct, use, and maintain a covered stairway through the vaulted sidewalk on the north sidewalk of N. Interstate Avenue south of N. Russell Street, at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. That Neil Farnham, Architect, 124 S.W. Yamhill Street, Portland 97204, has requested on the behalf of Warehouse Investment Corp., owners of the property at 2424 N. Interstate Avenue, permission to construct, use, and maintain a covered stairway through the vaulted sidewalk adjacent thereto.
2. The purpose of this request is to provide ingress and egress from street level to the basement of their building and thereby providing better usability.
3. The granting of the requested permission will not be detrimental to the public interest under certain conditions.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is hereby granted to Warehouse Investment Corp., 111 S.W. Columbia Street, Portland, OR 97201, permittee, to construct, use, and maintain a covered stairway in the vaulted sidewalk adjacent to Tax Lot 4 of Blocks 53 and 54, Albina Addition, 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 at the pleasure of the Council and no expenditure of money or 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. Upon revocation of this permit by the Council, the permittee shall within 90 days remove said stairway and restore the sidewalk area as required by and to the satisfaction of the City Engineer.

- (3) The permittee 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.
- (4) 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 O.R.S. No. 30.270 or as it may be required by subsequent amendment and naming the City, its officers, agents, and employees as additional insured.
- (5) That the plans for construction of the stairway be reviewed by the Bureaus of Fire, Planning, Police, and Traffic Engineering and their requirements be incorporated into the plans.
- (6) That the plans for the construction of the stairway and protective cover be approved by the Bureau of Buildings and the City Engineer.
- (7) 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.
- (8) The permittee shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.
- (9) The permittee shall obtain a street vacation petition and actively seek to vacate that portion of the dedicated street lying between the westerly property line of the property herein described and the back of the east sidewalk of N. Interstate Avenue.

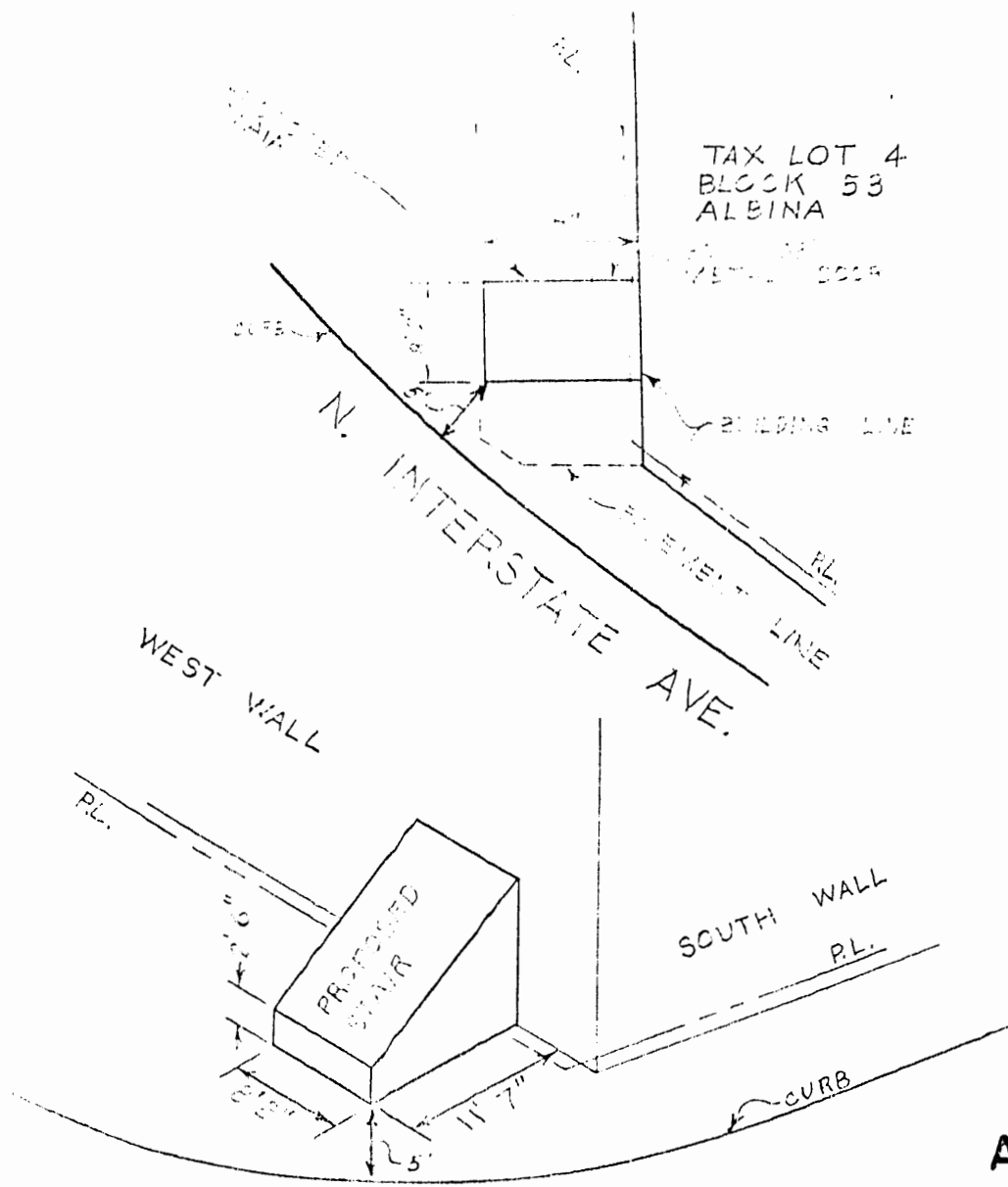
Section 2. This Ordinance will not become effective until the permittee has filed with the City Auditor a document which has been approved by the City Attorney accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council if the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

EXHIBIT - "A"

152868

To construct, use, and maintain a covered stairway
in the vaulted sidewalk adjacent to Tax Lot 4 of
Blocks 53 and 54, Albina Addition

For: Warehouse Investment Corp.
111 S.W. Columbia Street
Portland, Oregon 97201



APPROVED

NONE
BY LLB
2829

DATE OCT. 6 1981

By John M. [Signature]
City Engineer
Reg. Prof. Engr.

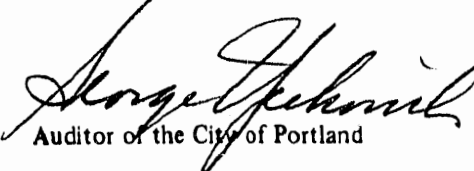
ORDINANCE No.

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 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, FEB 18 1982

Commissioner Mike Lindberg
Harlan G. Scott:jmh
December 23, 1981

Attest:


Auditor of the City of Portland

Calendar No. 413

ORDINANCE No. 152868

Title

An Ordinance granting a revocable permit to Warehouse Investment Corp. to construct, use, and maintain a covered stairway through the vaulted sidewalk on the north sidewalk of N. Interstate Avenue south of N. Russell Street, at a fee of \$10.00, and declaring an emergency.

THURSDAY

Filed FEB 11 1982

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By: Gordon [Signature]
Deputy

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

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>m j l m s</i>

BUREAU APPROVAL
Bureau: Street & Structural Engineering
Prepared By: Harlan G. Scott:jmh Date: 12/23/81
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>