

ACCEPTANCE

158753
RECEIVED
JUL 21 1986

OFFICE OF THE
CITY AUDITOR

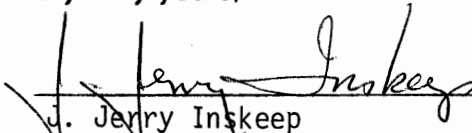
Portland, Oregon July 14, 19 86

JEWEL LANSING
Auditor of the City of Portland
Room 202, City Hall
Portland, Oregon 97204

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 158753, passed by the Council July 10, 1986, being "An Ordinance granting a revocable permit to J. Jerry Inskeep to install and maintain a gabion wall in the street area of SW 16th Avenue southerly of SW Myrtle Street, at a fee of \$172.25",

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,


J. Jerry Inskeep

2323 SW 15th Avenue
Portland, OR 97201

Address

Approved as to form:

APPROVED AS TO FORM


City Attorney

CITY ATTORNEY

*When an acceptance is signed by an officer of a firm or corporation, his or her official title must be stated.

ORDINANCE NO.

158753

An Ordinance granting a revocable permit to J. Jerry Inskeep to install and maintain a gabion wall in the street area of SW 16th Avenue southerly of SW Myrtle Street, at a fee of \$172.25, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. J. Jerry Inskeep, 2323 SW 15th Avenue, Portland, Oregon 97201, has requested permission to construct and maintain a gabion wall in the street area of SW 16th Avenue southerly of SW Myrtle Street adjacent to Lots 5 & 6, Block 298, Portland Add.
2. The plan for construction of the gabion wall attached to this Ordinance as "Exhibit A" has been approved by the City Engineer.
3. The proposed gabion wall is for the purpose of slope retention on the permittee's property so the sidewalk will not be covered with debris.
4. The granting of said permission, under certain conditions, will not be detrimental to the public interest.

NOW, THEREFORE, the Council directs:

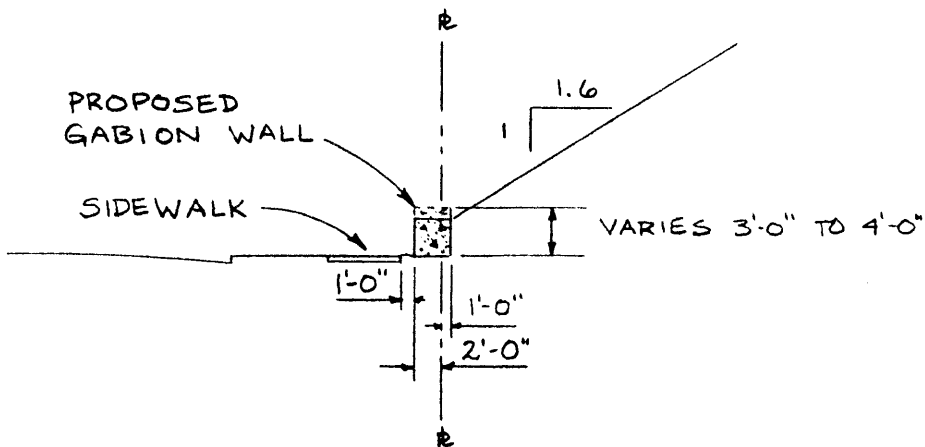
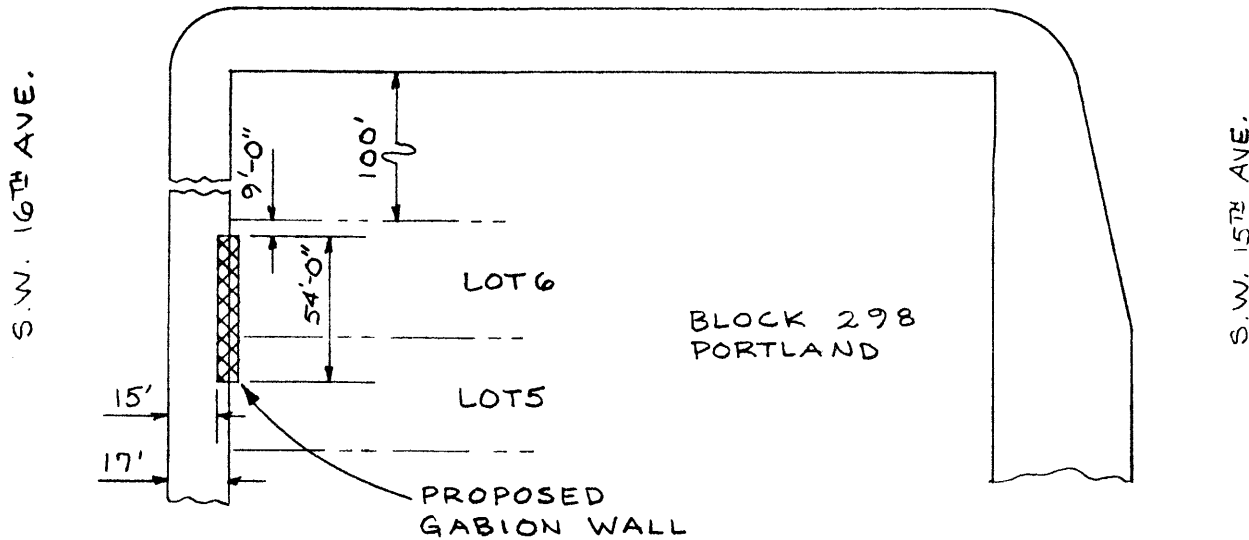
- a. A revocable permit to run with the land is granted to J. Jerry Inskeep, permittee, to construct and maintain the gabion wall in the street area of SW 16th Avenue described in Section 1-1 above, and located as shown on the map marked "Exhibit A" attached to and by this reference made a part of this ordinance, subject to the following conditions:
 - (1) The gabion wall shall be constructed according to the plans and specifications approved by the City Engineer.
 - (2) The permittee shall notify the Structural/Maintenance Engineering (796-7059) for inspection by the City inspector at wall completion for approval of construction.
 - (3) Before the installation begins, the permittee shall obtain from the Traffic Engineer his requirement as to hours of work, traffic control, and the placing of necessary signs and barricades.
 - (4) 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.
 - (5) 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 gabion wall from the street area as directed by and to the satisfaction of the City Engineer.

EXHIBIT A

To construct and maintain a gabion wall in the street area of SW 16th Avenue southerly of SW Myrtle Street.

For: J. Jerry Inskeep
2323 SW 15th Avenue
Portland, Or 97201

S.W. MYRTLE ST.



APPROVED

DRAWN BY: JER
CHECKED BY: HAH
DATE 20 JUNE 86

1/4 SEC. 3227



BY R. O. Schmidt
City Engineer

ORDINANCE No.

(6) The permittee shall hold the City of Portland, the City Engineer, and each and all of the officers and employees of the City free and harmless from any claims for damages to persons or property, which may be occasioned by any construction, maintenance and/or use of the street under the permit hereby granted.

(7) The permittee shall protect the City of Portland, its officers, agents, and employees by providing insurance 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.

(8) 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 ORS 30.270 or as it may be required by subsequent amendment and naming the City, its officers, agents and employees as additional insured.

(9) Each new property owner or owners shall be required to provide insurance to the City Auditor, on assumption of Title, as referenced in clauses (6), (7), and (8) above.

(10) The permittee shall pay the permit fee of \$172.25 required by Section 17.24.020 of the City Code.

(11) 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 on the part of the applicant as to the status of the requested permit for construction and maintenance of the gabion wall; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **JUL 10 1986**

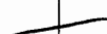




Commissioner Margaret D. Strachan
Harry A. Hendrickson/sdg
June 24, 1986
15983442/0126/834

Jewel Lansing

Auditor of the City of Portland

By

Dore E. Olessey
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
BOGLE		
LINDBERG		
SCHWAB		
STRACHAN		
CLARK		

FOUR-FIFTHS CALENDAR	
BOGLE	
LINDBERG	
SCHWAB	
STRACHAN	
CLARK	

Calendar No. **1396**

ORDINANCE No. **158753**

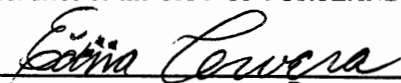
Title

An Ordinance granting a revocable permit to J. Jerry Inskeep to install and maintain a gabion wall in the street area of SW 16th Avenue southerly of SW Myrtle Street, at a fee of \$172.25, and declaring an emergency.

JUL 1 1986

Filed _____

JEWEL LANSING
Auditor of the CITY OF PORTLAND

By 
Deputy

INTRODUCED BY

Commissioner Margaret D. Strachan

NOTED BY THE COMMISSIONER

Affairs

Finance and
Administration

Safety

Utilities

MDS/JP

Works

BUREAU APPROVAL

Bureau:

Transportation Engineering

Prepared By:

Date:

Harry A. Hendrickson 6/24/86

Budget Impact Review:

☐ Completed

☒ Not required

Bureau Head:

R. O. Schmidt
R. O. Schmidt, P.E.

CALENDAR

Consent

XXX

Regular

NOTED BY

City Attorney

City Auditor

City Engineer

Approved:

Richard O. Schmidt, P.E.

By:

R. O. Schmidt