

Aud. 50-25-640
10-59-2M

ACCEPTANCE

Portland, Oregon, ~~September 26,~~ 1960

RAY SMITH
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 112569 changing from Zone ALD to C2D, all of Block 74, except Tax Lot 2, and all of Block 75, except Tax Lots 5 and 8, Caruthers Addition to Caruthers, located on the west side of S.W. Barbur Boulevard between S.W. Hooker Street and Duniway Park, under special conditions, and waiving certain provisions of Ordinance No. 110103 (Planning and Zoning Code), 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,

Mrs. L.E. Cornelius

Mrs. L.E. Cornelius, General Partner
*

[CORPORATE
SEAL]

Portland's West Hills Lodge

4948 S.W. Barbur Boulevard

Approved as to form:

[Signature]

CHIEF DEPUTY City Attorney

RECEIVED
OCT 3 AM 1960
RAY SMITH, AUDITOR
CITY OF PORTLAND, OREGON

*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.

116000

ORDINANCE NO. 112569

An Ordinance changing from Zone A1 D to C2 D, all of Block 74, except Tax Lot 2, and all of Block 75, except Tax Lots 5 and 8, Caruthers Addition to Caruthers, located on the west side of S. W. Barbur Boulevard between S. W. Hooker Street and Duniway Park, under special conditions, petitioned for by Portland's West Hills Lodge, by Mrs. L. E. Cornelius, General Partner, waiving certain provisions of Ordinance No. 110103 (Planning and Zoning Code), and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Portland's West Hills Lodge, by Mrs. L. E. Cornelius, 4948 S. W. Barbur Boulevard, General Partner, has filed a petition to change from Zone A1 D to C2 D, all of Block 74, except Tax Lot 2, and all of Block 75, except Tax Lots 5 and 8, Caruthers Addition to Caruthers, in the city of Portland, Multnomah County, Oregon; that said petition complied in all respects with all requirements of the Planning and Zoning Code, and petitioner has paid the proper fee to the City Treasurer; that the City Planning Commission by report dated August 12, 1960 (PC #3270), and made a part of Council Calendar No. 3427 (1960), recommended that the petition be granted subject to special conditions, and with the provision that subsection (a) of Section 6-2110, relating to front yard requirements, of Ordinance No. 110103, the Planning and Zoning Code, be waived; that the City Auditor under date of August 24, 1960, notified all persons of record as owners of real property within 300 feet of the zone change area that the time for hearing before the City Council was fixed for 9:30 a.m., September 7th, 1960, in the Council Chambers of the City Hall in the city of Portland, Oregon, at which time and place a hearing was held, and all remonstrances made or filed against said zone change were heard and considered by the Council and were overruled, and are by this Ordinance specifically overruled, and the Council finds that a rezoning as herein stated will not adversely affect the peace, health, safety or convenience of the neighborhood, but will be beneficial to both the neighborhood and the general public, and a rezoning as herein stated should be made; now, therefore, pursuant to the Planning and Zoning Code (Ordinance No. 110103), and subject to the special conditions hereinafter set forth, the following described property hereby is changed from Zone A1 D to C2 D, to-wit:

(Zone Change No. 1709) All of Block 74, except Tax Lot 2, and all of Block 75, except Tax Lots 5 and 8, Caruthers Addition to Caruthers, in the city of Portland, county of Multnomah, state of Oregon.

Section 2. That the provisions of subsection (a) of Section 6-2110, relating to front yard requirements, of Ordinance No. 110103, the Planning and Zoning Code, hereby are waived as to this ordinance only.

Section 3. The change of zone provided for in Section 1 hereof is granted subject to the following special conditions as provided in Section 6-4101 of said Planning and Zoning Code:

- (a) No wall of any structure hereafter erected on the zone change area shall be constructed closer than 20 feet to the north property line, nor closer than 6 feet to the west property line, which property lines adjoin Duniway Park, nor closer than 5 feet to S. W. Hooker Street;
- (b) Ingress and egress from the above-mentioned property to S. W. Barbur Boulevard shall be confined to a location satisfactory to the Traffic Engineer's Office, and the property owner shall bear all expenses of the necessary channelization to be installed by the city of Portland.

Section 3. All the requirements of said Planning and Zoning Code applicable to the proposed use within said Zone C2 D, the provisions of the Building Code, and generally all other applicable code and ordinance provisions and regulations of the city of Portland, whether presently existing or hereafter enacted, shall be complied with.

Section 4. 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 Zone A1 D, 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 in Section 6-4101 of said Planning and Zoning Code shall have been complied with. Thereupon, the Auditor hereby is directed to change the maps provided for in Section 6-602 of said Planning and Zoning Code by designating on said maps said property as being in Zone C2 D.

ORDINANCE No.

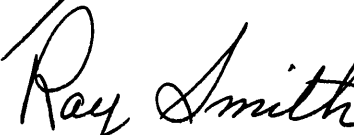
Section 5. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the city of Portland in this: In order that there may be no unnecessary delay in the beneficial use of the above-described property; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, SEP 21 1960

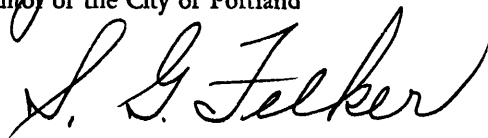

Mayor of the City of Portland

Attest:

3.


Auditor of the City of Portland

Page No.

By 
CHIEF DEPUTY

Calendar No. 3625

ORDINANCE No. 112569

Title

An Ordinance changing from Zone A1 D to C2 D, all of Block 74, except Tax Lot 2, and all of Block 75, except Tax Lots 5 and 8, Caruthers Addition to Caruthers, located on the west side of S. W. Barbur Boulevard between S. W. Hooker Street and Duniway Park, under special conditions, petitioned for by Portland's West Hills Lodge, by Mrs. L. E. Cornelius, General Partner, waiving certain provisions of Ordinance No. 110103 (Planning and Zoning Code), and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	—	
Bowes	/	
Earl	/	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Filed SEP 13 1960

RAY SMITH

Auditor of the CITY OF PORTLAND

By *R. S. Jacey* Deputy

INTRODUCED BY
Order of Council

DRAWN BY
MCR: dh
Date September 12, 1960

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety
Utilities
Works

City Attorney <i>WCR</i>

NOTED FOR CITY AUDITOR
<i>[Signature]</i>

APPROVED
Date
By <i>City Engineer</i>
Date
By