

3/11

# ACCEPTANCE

Portland, Oregon, \_\_\_\_\_ March 25, \_\_\_\_\_ 19<sup>66</sup>

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. 122173 granting a revocable permit to Lanier Brugh, Inc., 315 N.W. 11th Avenue, to join two existing concrete service driveways so as to construct and maintain one 66-foot concrete service driveway in the street area of N.W. Flanders Street, between N.W. 12th Avenue and N.W. 11th Avenue, waiving provisions of the Public Works Code, 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,

LANIER BRUGH, Inc.

\*  
By *Eaul R. Johnson*  
Treasurer

315 N W. 11th Avenue, Portland, Ore. 97209

RECEIVED  
MAR 29 9 03 AM '66  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, OREGON

[CORPORATE  
SEAL]

Approved as to form:

*Alexander H. Brown*  
City Attorney

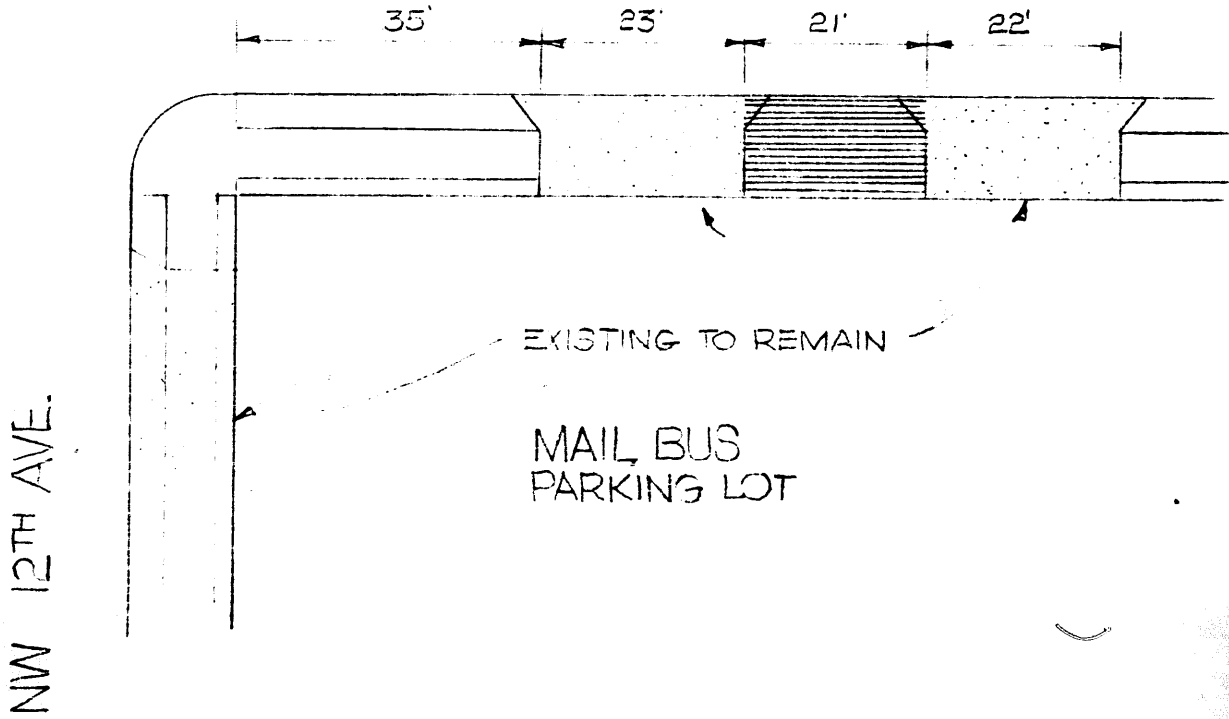
\*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

# EXHIBIT - "A"

To construct and maintain a concrete service driveway joining two existing concrete service driveways so as to make one oversize driveway in the street area of NW Flanders St. between NW 12th Ave. and NW 11th Ave., adjoining Lot 7, Block 78, Couch's Add.  
 For: Lanier Brugh Inc.  
 315 NW 11th Ave.






## NW FLANDERS ST.



 **PLAN**  
 SCALE 1" = 20'

### APPROVED

By   
 City Engineer  
 Reg. Prof. Engr 5466

LEGEND	
	DRIVEWAY TO BE CONSTRUCTED
	DRIVEWAY TO BE RECONSTRUCTED
	EXISTING DRIVEWAY
Drawn by: <u>K.F.P.</u>	
Checked by: <u>MSL</u>	

An Ordinance granting a revocable permit to Lanier Brugh, Inc., 315 N. W. 11th Avenue, to join two existing concrete service driveways so as to construct and maintain one 66-foot concrete service driveway in the street area of N. W. Flanders Street, between N. W. 12th Avenue and N. W. 11th Avenue, waiving provisions of the Public Works Code, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Lanier Brugh, Inc., has, through Earl R. Johnson, made written application to join two existing concrete service driveways so as to construct and maintain one 66-foot concrete service driveway in the street area of N. W. Flanders Street between N. W. 12th Avenue and N. W. 11th Avenue adjacent to Lot 7, Block 78, Couch's Addition, that said 66-foot driveway violates provisions of Section 5-902 of the Public Works Code, which provisions should be waived, that the said driveway is needed for proper access to a parking lot for trucks and Highway Post Office Busses, and that the granting of the desired permission under certain conditions will not be detrimental to the public interest; now, therefore, a revocable permit is hereby granted to Lanier Brugh, Inc., (hereinafter referred to as the grantee) to join two existing concrete service driveways so as to construct one 66-foot concrete service driveway in the street area of N. W. Flanders Street as previously set forth and as shown on the attached plan marked "Exhibit A", which plan is hereby made a part of this Ordinance, waiving certain provisions of the Public Works Code, this permit being subject to the following conditions:

(a) That this permit is revocable at any time at the pleasure of the Council, and no expenditure of money hereunder, 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 grantee any vested or other right. Upon revocation, the grantee shall within thirty (30) days discontinue the use of said driveway and reconstruct the sidewalk and curb as required by and to the satisfaction of the City Engineer.

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

(c) The grantee shall pay to the credit of the General Fund an Engineering Fee of \$12.60 as provided for by Ordinance No. 76971.

ORDINANCE No.

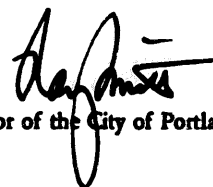
(d) This Ordinance shall not become effective until the grantee shall have filed with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

Section 2. 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 the said driveway may be constructed without undue delay; therefore, an emergency is hereby declared to exist, and this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAR 24 1966

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No.

1111

INTRODUCED BY  
Commissioner Boves

# ORDINANCE NO. 199173

Title

An Ordinance granting a revocable permit to Lanier Brugh, Inc., 315 N.W. 11th Avenue, to join two existing concrete service driveways so as to construct and maintain one 66-foot concrete service driveway in the street area of N. W. Flanders Street, between N. W. 12th Avenue and N. W. 11th Avenue, waiving provisions of the Public Works Code, and declaring an emergency.

THURSDAY

### THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boves	/	
Earl	/	
Grayson	/	
Schrunk	/	

### FOUR-FIFTHS CALENDAR

Bean	
Boves	
Earl	
Grayson	
Schrunk	

RAY SMITH

Auditor of the CITY OF PORTLAND

By.....

*Robert Decker*  
Deputy

Filed..... MAR 18 1966

DRAWN BY  
GAG/cl

Date 3/14/66

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works *WAB*

City Attorney

NOTED FOR CITY AUDITOR

*MC*

APPROVED

Date *3/17/66*

By *R. E. DUNN*  
R. E. DUNN  
City Engineer

Date

By