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ACCEPTANCE

RAY SMITH AUDITOR
CITY OF PORTLAND, ORE.

BY rls

Portland, Oregon, October 17, 1969

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. 129903, passed by the Council October 16, 1969, granting a revocable permit to the First National Bank of Oregon to construct driveways, walls and ramps within the sidewalk area of SW Jefferson and SW Columbia Streets, 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,

FIRST NATIONAL BANK OF OREGON

* BY: Leland H. Johnson
Leland H. Johnson

Executive Vice President
400 SW 6th Ave. Address

[CORPORATE SEAL]

Approved as to form:

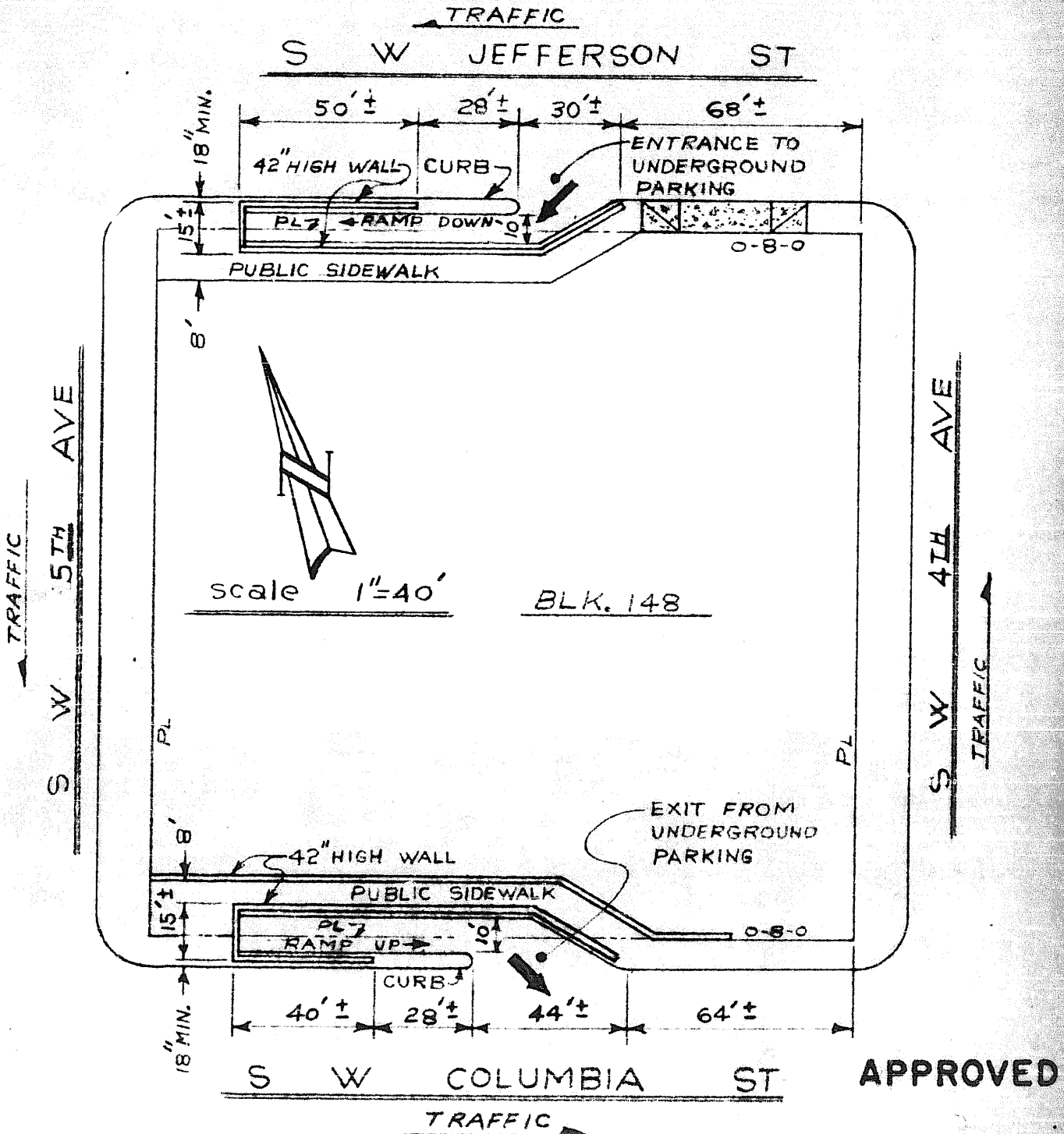
W. Chisholm
City Attorney

*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, concrete driveways and ramps within the sidewalk area of S W Jefferson and S W Columbia Streets, between S W 4th Ave. and S W 5th Ave. adjoining block 148, Portland $\frac{1}{4}$ Sec. 3129

FOR; First National Bank of Oregon
P. O. Box 3151, 97208



APPROVED

By *[Signature]*
City Engineer
Reg. Prof. Eng.

DWN by Gy, CR by JK

ORDINANCE NO.

An Ordinance granting a revocable permit to the First National Bank of Oregon to construct driveways, walls, and ramps within the sidewalk area of SW Jefferson and SW Columbia Streets, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that the First National Bank of Oregon, 400 SW Sixth Avenue, P. O. Box 3131, 97208, has through Leland H. Johnson, Executive Vice President, applied for permission to construct entrance and exit ramps, driveways and walls on SW Jefferson and Columbia Streets within the sidewalk area adjacent to Block 148, Portland, for underground parking to be constructed with the Bank's proposed buildings on Blocks 147 and 148, Portland; that said construction will contribute to the public safety in that pedestrians will not cross where cars are entering or leaving the parking area; that the Bank will provide and maintain at least an equal width continuous unobstructed sidewalk area on their property; therefore, a revocable permit is hereby granted to the First National Bank of Oregon (hereinafter referred to as the grantee) to construct driveways, walls, and ramps as mentioned above and as shown on the attached plan marked "Exhibit A", and hereby made a part hereof by reference, subject to the following conditions:

(a) This permit is for the use of the street area only, and shall not exempt the grantee from taking out any license or obtaining any permit required by existing City Codes or Ordinances for any operation or maintenance performed under the permit hereby granted, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated.

(b) This permit is revocable at any time 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 of this permit by the Council, the grantee shall within thirty (30) days remove the said driveways, walls, and ramps from within the street area as required by and to the satisfaction of the City Engineer.

(c) The grantee shall protect 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 thereon, including any appeals therefrom, which may result from the granting of this permit.

(d) The grantee shall protect the City of Portland, its officers, agents and employees by suitable insurance in the amount of \$100,000 for any single injury, \$300,000 for any one accident and \$50,000 property damage, said insurance to be kept in full force and effect at all times and this permit revoked without further action by the Council if said insurance is permitted to lapse, or for any reason lapse, or be cancelled or for any other reason become inoperative.

ORDINANCE No. 129903

(e) The grantee shall restore to the satisfaction of the City Engineer all portions of SW Columbia and Jefferson Streets which may be disturbed during the construction of the said ramps, and shall assume any additional cost of construction, reconstruction, altering, repairing and maintaining any utility installation now existing in said street which may have been disturbed during the construction and/or maintenance of said ramps. The equitable amount of such cost will be determined by the City Engineer.

(f) If at any time the public sidewalk area shown on said Exhibit "A" is obstructed by or through the grantee, the permit granted by this Ordinance shall be revoked.

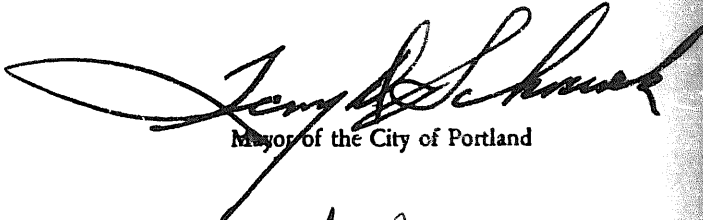
(g) Grantee shall maintain in good repair all the installations permitted hereunder, including all walls, curbs and public sidewalk area at its own expense. Upon any failure so to do, City may perform the maintenance work required as the City Engineer may find necessary and appropriate and charge the cost thereof to grantee, and grantee hereby agrees to pay such costs, together with administrative expenses imposed pursuant to general ordinance.

Section 2. This permit 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.

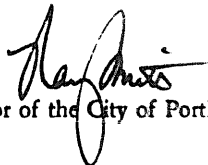
Section 3. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the privileges herein granted may be available to the grantee without undue delay; therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, OCT 16 1969

Commissioner Bowes
JJK:t1
10-6-69


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 12994

ORDINANCE No. 129903

Title

An Ordinance granting a revocable permit to the First National Bank of Oregon to construct driveways, walls and ramps within the sidewalk area of SW Jefferson and SW Columbia Streets, and declaring an emergency.

THURSDAY

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

FOUR-FIFTHS CALENDAR	
Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

INTRODUCED BY
Wm. A. Bowes, Commissioner

DRAWN BY
JKK:tl
Date 10-6-69

NOTED BY THE COMMISSIONER

Affairs
Finance and Administration
Safety
Utilities
Works *10/6/69*

City Attorney

NOTED FOR CITY AUDITOR
mc

APPROVED

Date *10/6/69*

By *[Signature]*
City Engineer

Date N. R. DRULARD

By

RAY SMITH
Auditor of the CITY OF PORTLAND

Filed OCT 10 1969

By *[Signature]*
Deputy