

ACCEPTANCE

Portland, Oregon, ----- September 16, ----- 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. 112546 granting a revocable permit to Samson, Inc. and Danner Shoe Shop to construct a sign not exceeding 40 square feet, and a fence not exceeding 6 feet in height, in the setback area on Lot 6, Block 10, Terrace Park Addition, on the east side of S.E. 82nd Avenue between S.E. Ankeny Street and S.E. Ash Street, under certain terms and conditions, 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,

William J. Ellis

William J. Ellis, Vice-President
* Samson, Incorporated

[CORPORATE
SEAL]

3241 N.E. U.S. Grant Place
Address

Approved as to form:

W. H. Rushing

City Attorney
CHIEF DEPUTY

RECEIVED
1960 SEP 23 PM 2:15
RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.
BY *[Signature]*

*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.

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Very truly yours,

Danner Shoe Mfg. Co.

[CORPORATE
SEAL]

* *William C. Danner*

Partner

Address

*110 S.E. 82nd Ave
Portland, Oregon*

Approved as to form:

[Signature]

City Attorney

~~CITY DEPUTY~~

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.
[Signature]

1960 OCT 12 AM 9 54

RECEIVED

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OCT-13-60 965717

VII B

4.50

RECEIPT

N^o 120411

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Auditor

FILE NO.

DOCUMENT	PARTIES		
<i>Ord</i>	<i>1/2 Ord # 112546</i>		<i>4.50</i>
	<i>Rec'd 10/13/60</i> <i>Back 2032</i> <i>page 523</i>		

5

ORDINANCE NO. 112546

An Ordinance granting a revocable permit to Sampson, Inc. and Danner Shoe Shop to construct a sign not exceeding 40 square feet, and a fence not exceeding 6 feet in height, in the setback area on Lot 6, Block 10, Terrace Park Addition, on the east side of S. E. 82nd Avenue between S. E. Ankeny Street and S.E. Ash Street, under certain terms and conditions, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Sampson, Inc. by William J. Ellis, Vice-President, 3241 N.E. U.S. Grant Place, and Danner Shoe Shop, by Alex Pierce, Architect, 4073 N. Williams Avenue, have made application to use and occupy certain setback area on the east side of S.E. 82nd Avenue, between S.E. Ankeny Street and S.E. Ash Street, being a part of Lot 6, Block 10, Terrace Park Addition; and the Council further finds that Ordinance No. 110507, passed August 5, 1959, established a setback line on N.E. and S.E. 82nd Avenue from N.E. Prescott Street to S.E. Flavel Street, and the setback between S.E. Ankeny Street and S.E. Ash Street is 10 feet from the property line, and that said Sampson, Inc. and Danner Shoe Shop in connection with the construction of an unilluminated or illuminated but non-flashing sign less than 40 square feet in area, said sign to be supported by two I-beams and the bottom of said sign except for the supporting I-beams shall be not less than 10 feet above the ground, and not to overhang public right-of-way, and the construction of a wooden fence not to exceed 6 feet in height and to extend not more than 2 feet into the setback area seeks to utilize the setback area for the said sign and fence; that the same has been approved by the Street Committee of the Planning Commission of the City of Portland, and that it is in the public interest to grant a revocable permit permitting such use; now, therefore, Sampson, Inc. by William J. Ellis, Vice-President, 3241 N.E. U.S. Grant Place, and Danner Shoe Shop, by Alex Pierce, Architect, 4073 N. Williams Avenue, are granted a revocable permit to use and occupy the 10 foot setback area on the east side of S.E. 82nd Avenue between S.E. Ankeny Street and S.E. Ash Street, being a part of Lot 6, Block 10, Terrace Park Addition, for the purpose above described, and under the following terms and conditions:

- (a) The revocable permit hereby granted may not be transferred, assigned or otherwise disposed of by said permittee, except as hereinafter provided, and this permit is limited to the use of the setback area for the construction of unilluminated or illuminated but non-flashing sign and its supports and the wooden fence not exceeding the above-described limitations as to dimensions and clearance.

- (b) The revocable permit hereby granted shall be revocable at the pleasure of the Council and no expenditure of money hereunder or lapse of time or any 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;
- (c) Upon revocation of this ordinance by the Council or upon any street widening proceeding, the permittee shall without-cost to the City, remove any and all improvements located within the setback area and any claim of damages against the City is specifically waived by the permittee by the acceptance of this ordinance, such waiver being on its own behalf and upon behalf of any successor in interest in said property.
- (d) Any conveyance of title to or interest in said property shall contain a covenant reciting the terms and conditions of this ordinance set forth above;
- (e) The revocable permit provided by this ordinance shall not become effective until the permittee shall have filed with the City Auditor, in form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance;
- (f) Upon the filing of such acceptance, the City Auditor shall, at the expense of the permittee, record the same in the Deed Records of the County Clerk of Multnomah County;
- (g) The provisions of the Building Code, and generally all other applicable code and ordinance provisions and regulations of the City, whether presently existing or hereafter enacted, shall be complied with;
- (h) The permittee must provide in the plans for said construction a practical way of removing the 10 foot portion of the structure within the setback area, without adversely affecting the structural strength thereof, in the event N.E. or S.E. 82nd Avenue is required by the Council to be widened.

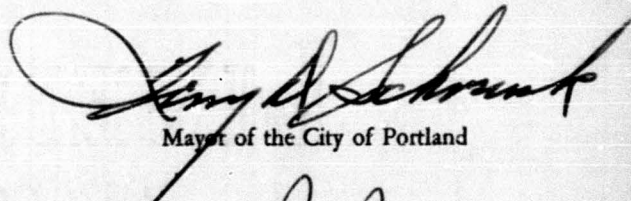
This ordinance shall not be deemed to waive any right of permit or permit fee contained in any of the codes and ordinances of the City of Portland

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of

ORDINANCE No.

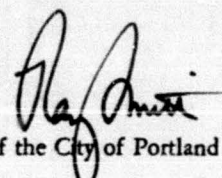
the City of Portland in this: In order that there may be no delay in making available the utilization of certain setback area; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, SEP 15 1960



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. 35725

ORDINANCE NO. 112546

Title

An Ordinance granting a revocable permit to Samson, Inc. and Danner Shoe Shop to construct a sign not exceeding 40 squarefeet, and a fence not exceeding 6 feet in height, in the setback area on Lot 6, Block 10, Terrace Park Addition, on the east side of S.E. 82nd Avenue between S.E. Ankeny Street and S.E. Ash Street, under certain terms and conditions, and declaring an emergency.

THURSDAY

INTRODUCED BY
Order of Council

DRAWN BY
EJC:gm
Date 9-9-60

NOTED BY THE COMMISSIONER

Affairs
Finance
Safety
Utilities
Works

City Attorney *[Signature]*

NOTED FOR CITY AUDITOR
[Signature]

APPROVED

Date
By
City Engineer
Date
By

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yes	Nays
Bean	1	
Bowes	1	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR

Bean	
Bowes	
Earl	
Grayson	
Schrunk	

Filed SEP 9 - 1960

RAY SMITH
Auditor of the CITY OF PORTLAND

By *[Signature]*
Deputy