

ORDINANCE No. 91640

An Ordinance granting a revocable permit to Portland Investment Company to maintain a private driveway, posts, garage and encroachments appurtenant to a dwelling on Terwilliger Boulevard Park property in connection with Lots 5 and 6, Block 130, Caruthers Addition and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that by Ordinance No. 64228, passed by the Council May 17, 1933, a permit was granted to Frank A. Johnson to construct and maintain a private driveway, dwelling, garage and concrete posts in connection with Lots 5 and 6, Block 130, Caruthers Addition in the City of Portland, on or encroaching upon Terwilliger Boulevard Park property, and other matters relating thereto; that by Ordinance No. 86863, passed by the Council March 11, 1949, upon the representation of said Frank A. Johnson that he had sold the west half of said Lots 5 and 6, said Ordinance No. 64228 and certain preceding ordinances were repealed as to said permittee but the exemption from the Housing Code provisions relating to side yards in connection with said dwelling, was reenacted; that it now appears that said property has been resold and is again being sold to the Portland Investment Company; that said Portland Investment Company as prospective purchaser has requested through its attorneys that a revocable permit be granted to the Portland Investment Company to maintain and continue said structures and encroachments as originally granted to Frank A. Johnson; that it appears that such revocable permit should be granted; now, therefore a revocable permit be and the same hereby is granted to Portland Investment Company, hereinafter referred to as the grantee, to use, maintain and continue the existing private driveway, extending a distance of approximately 300 feet southeasterly of the east line of Terwilliger Boulevard to a garage erected on Terwilliger Boulevard Park property, appurtenant to Lots 5 and 6, Block 130, Caruthers Addition to the City of Portland, with a wooden stoop and steps projecting 4 feet from the west side of the dwelling on Terwilliger Boulevard Park property, with a cornice projecting 18 inches over the Terwilliger Boulevard Park property, with a driveway on park property on the west side of the dwelling; and to use and maintain the dwelling along the west property line of the said tract which is the east property

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line of Terwilliger Boulevard Park property, and to maintain the one-story concrete garage now erected with a concrete floor on said park property at a distance of approximately 25 feet from the southeast corner of said dwelling; to maintain two concrete posts approximately 8 inches square and 4 feet in height on said park property on either side of the driveway at its intersection with Terwilliger Boulevard and to connect said posts with a chain gate displaying thereon a standard stop and private roadway sign, and to use and maintain the existing concrete driveway approximately 13 feet 9 inches wide, extending from the ground to the level of the attic floor of the dwelling and extending approximately 18 feet from the west side of the dwelling on and over said park property; all under the conditions herein contained.

The permit hereby granted is revocable 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.

This permit shall be deemed personal to the grantee and shall not be assignable to any other person.

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 grantee may have immediate benefit of the privileges hereby conferred; 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, MAY 16 1950

Ormond B. Bean

PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

Attest:

Will Gibson

Auditor of the City of Portland

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Title

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THURSDAY

Filed..... MAY 17 1950.....

Will Gibson.
Auditor of the CITY OF PORTLAND

By..... ROBT L. McCOY
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bowes	/	
Cooper	/	
Peterson	/	
Lee	—	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Cooper	
Peterson	
Lee	

INTRODUCED BY	
Commissioner Bean	
DRAWN BY	
MCR: gja	
Date 5/3/50	
NOTED BY THE COMMISSIONER	
Affair	
Finance	ORB MAG
Safety	
Utilities	
Works	
City Attorney	AGB
NOTED FOR CITY AUDITOR	
FSI	
APPROVED	
Date	
By	Chief Civil Engineer
Date	
By	City Engineer