

ORDINANCE NO. 99060

An Ordinance granting a revocable permit to Sidney B. Freeman and Alene B. Freeman to maintain certain encroachments appurtenant to a dwelling on Terwilliger Boulevard Park property in connection with Lots 5 and 6, Block 130, Caruthers Addition, continued waiver of the Housing Code provisions relating to side yards, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that by Ordinance No. 64220, passed by the Council May 17, 1933, certain exemptions and encroachments on Terwilliger Boulevard Park property were permitted to Frank A. Johnson in connection with Lots 5 and 6, Block 130, Caruthers Addition, City of Portland; that by Ordinance No. 86863, passed by the Council March 11, 1949 said ordinance No. 64228 and certain preceding ordinances were repealed as to said permittee upon his representation that he no longer had an interest in the encroaching property but the exemption from the Housing Code provision in connection with side yards in connection with said dwelling, was enacted; that by Ordinance No. 96140, passed by the Council May 16, 1950 a further permit relating to said encroachments and side yard provisions was again granted by revocable permit to the Portland Investment Company; that said property has since passed to another owner and is now about to be sold to Sidney B. Freeman and Alene B. Freeman, husband and wife, presently residing at 6336 N.E. Tillamook Street, Portland, who are prospective purchasers of Lots 5 and 6, Block 130, Caruthers Addition; that said prospective purchasers have requested a revocable permit to themselves for the continuance of said encroachments and side yard exemptions; that said continuance is reasonable and the public interest will not be adversely affected thereby; now, therefore, a revocable permit be and the same hereby is granted to Sidney B. Freeman and Alene B. Freeman, husband and wife, hereinafter referred to as the grantees, to use, maintain and continue the existing private driveway extending a distance of approximately 300 feet southeast 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; to use, maintain and continue the encroachment of 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

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maintain the dwelling along the west property line of the said tract which is the east property line of Terwilliger Boulevard Park property, and to use and 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; and the side yard provisions contained in Ordinance No. 86820 (Housing Code) hereby are waived as to said dwelling and it is hereby exempted therefrom; 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, **AUG 27 1953**

Lud L. Peterson
Mayor of the City of Portland

Attest:

Will Gibson

Auditor of the City of Portland

Page No.

By

S. B. Secker
CHIEF DEPUTY

Calendar No. 4717

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR	
Bean	ORB
Boody	NAB L
Bowes	WAB L
Earl	
Peterson	FLP

INTRODUCED BY

Commissioner Bean

DRAWN BY

MCR: gm

Date August 26, 1953

NOTED BY THE COMMISSIONER

Affairs

Finance ORB

Safety

Utilities

Works

City Attorney MCR

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By

City Engineer

Date

By

AUG 26 1953

Filed.....

Will Gibson.

Auditor of the CITY OF PORTLAND

By.....
R. S. IVEY
Deputy