

617

102369

ORDINANCE ACCEPTANCE RECEIVED

1955 JUL 13 AM 8 July 15 19 55  
Portland, Oregon  
WILL GIBSON, AUDITOR  
CITY OF PORTLAND, ORE.  
BY

WILL GIBSON,  
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. 102369, passed by the City Council July 14, 1955 changing from Zone I to Zone III, Lot 21, Block 18, Wellesley, under certain terms and conditions, petitioned for by Russell D. and Viretta M. Ward,

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,

*Russell D. Ward*  
Russell D. Ward  
\* *Viretta M. Ward*  
Viretta M. Ward

[CORPORATE SEAL]

1731 N. E. 45th Avenue

Address

Approved as to form:

*Alexander H. Brown*  
City Attorney

283 ✓

\*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.

JUL 19 55 440980

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102369

No 12677

RECEIPT

OFFICE OF  
SI COHN, COUNTY CLERK  
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

*City of Beav*

DOCUMENT NO.

DOCUMENT

PARTIES

*Ord*

*Ord. #102369*

*225*

*Recorded  
Book  
page*

*7/19/55  
1734  
130*

*JK*

## ORDINANCE No. 102369

An Ordinance changing from Zone I to Zone III, Lot 21, Block 18, Wellesley, under certain terms and conditions, petitioned for by Russell D. and Viretta M. Ward, 1731 N. E. 45th Avenue, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Russell D. and Viretta M. Ward, 1731 N. E. 45th Avenue, Portland, Oregon, have filed a petition to change from Zone I to Zone III, Lot 21, Block 18, Wellesley, being a 25 foot by 100 foot lot on the east side of N. E. 74th Avenue between N. E. Fremont and N. E. Sandy Boulevard, in the City of Portland, Multnomah County, Oregon, and the City Planning Commission has recommended that the petition be granted under certain conditions, which conditions have been accepted in writing by the petitioner; that all remonstrances made or filed against said zone change have been considered by the Council at a hearing held on July 6, 1955, and have been overruled and are by this ordinance specifically overruled, and the Council finds that a rezoning as herein provided will not adversely affect the peace, health, safety or convenience of the neighborhood, but will be beneficial to both the neighborhood and the general public and a rezoning as herein stated should be made; now, therefore, subject to the conditions herein named and pursuant to the Planning and Zoning Code (Ordinance No. 77953) the following described property hereby is changed from Zone I to Zone III, to-wit:

(Zone Change No. 1352) Lot 21, Block 18, Wellesley, being a lot 25 feet by 100 feet located on the east side of N. E. 74th Avenue between N. E. Fremont and N. E. Sandy Boulevard, in the City of Portland, County of Multnomah, State of Oregon.

The change of zone is granted upon the following conditions:

1. One off-street parking space of 250 square feet shall be provided for every 250 square feet of ground floor area in buildings hereafter constructed on the zone change area. Such off-street parking spaces shall be paved with a dust-proof material.

## ORDINANCE No. 102369

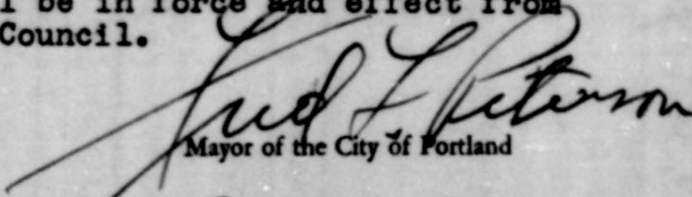
2. There shall be a screen immediately provided and thereafter maintained along the property lines separating the parking lot from the adjacent residential areas. This screen shall be a masonry wall, a lattice fence with openings not less than 30 per cent nor more than 50 per cent, a woven wire fence with evergreen vines or an evergreen hedge. Such wall, fence, or hedge shall be at least 5 feet and not more than 6 feet high.
3. That the provisions of the Building Code and generally all other applicable code and ordinance provisions and regulations of the City of Portland, whether presently existing or hereafter enacted, be complied with.

In the event of a failure to comply with the terms and provisions herein stated, or any thereof, the Council may in its discretion repeal this ordinance and restore the property to Zone I, or otherwise rezone the same as it may determine. This ordinance shall not be effective and no change shall be made in the zoning maps of the City until a certified copy of this ordinance shall have been recorded in the appropriate deed record file in the office of the County Clerk of Multnomah County. No recording shall be effected until the petitioners 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 and shall have paid the required fee for filing. The Auditor hereby is directed to change the maps provided for in Section 6-601 of the Planning and Zoning Code by designating on said maps said property as being in Zone III.

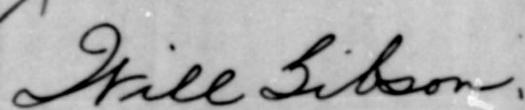
Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there may be no delay in the beneficial use of the above-described property; therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

JUL 14 1955

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. 2983

ORDINANCE No. 102369

Title

An Ordinance changing from Zone I to Zone III, Lot 21, Block 18, Wellesley, under certain terms and conditions, petitioned for by Russell D. and Viretta M. Ward, 1731 N. E. 45th Avenue, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

Filed JUL 8 - 1955

Phile Siborn,  
Auditor of the CITY OF PORTLAND

By *R. S. Levy* Deputy

INTRODUCED BY

Order of Council 11

DRAWN BY

AGB:dh

Date July 7, 1955

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

NOTED FOR CITY AUDITOR

APPROVED

Date

By

City Engineer

Date

By