

122181

MAR-30-66 11 30320

VIA

6.00

RECEIPT

No. 51111

OFFICE OF
SI COHN, COUNTY CLERK
MULTNOMAH COUNTY, OREGON

RECORDING DEPARTMENT

NAME

City Aud.

FILE NO.

| DOCUMENT | PARTIES | | |
|------------|--|----------|--|
| <i>o/c</i> | <i>Ord 122181</i> | <i>6</i> | |
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| | <i>Record 3-30-66 Book 480 page 38</i> | | |
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399

ACCEPTANCE

Portland, Oregon, March 25, 1966

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. 122181 granting a revocable permit to Freightliner Corporation, P. O. Box 3591, Portland, Oregon 97208, to place, use and maintain a 4-inch cast iron sanitary pressure sewer line in the street area of N. Emerson Street near N. Basin Avenue, 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,

FREIGHTLINER CORPORATION
*
By Kenneth W. Self
Kenneth W. Self, President

P. O. Box 3591, Portland, Oregon 97208



[CORPORATE SEAL]

Approved as to form:

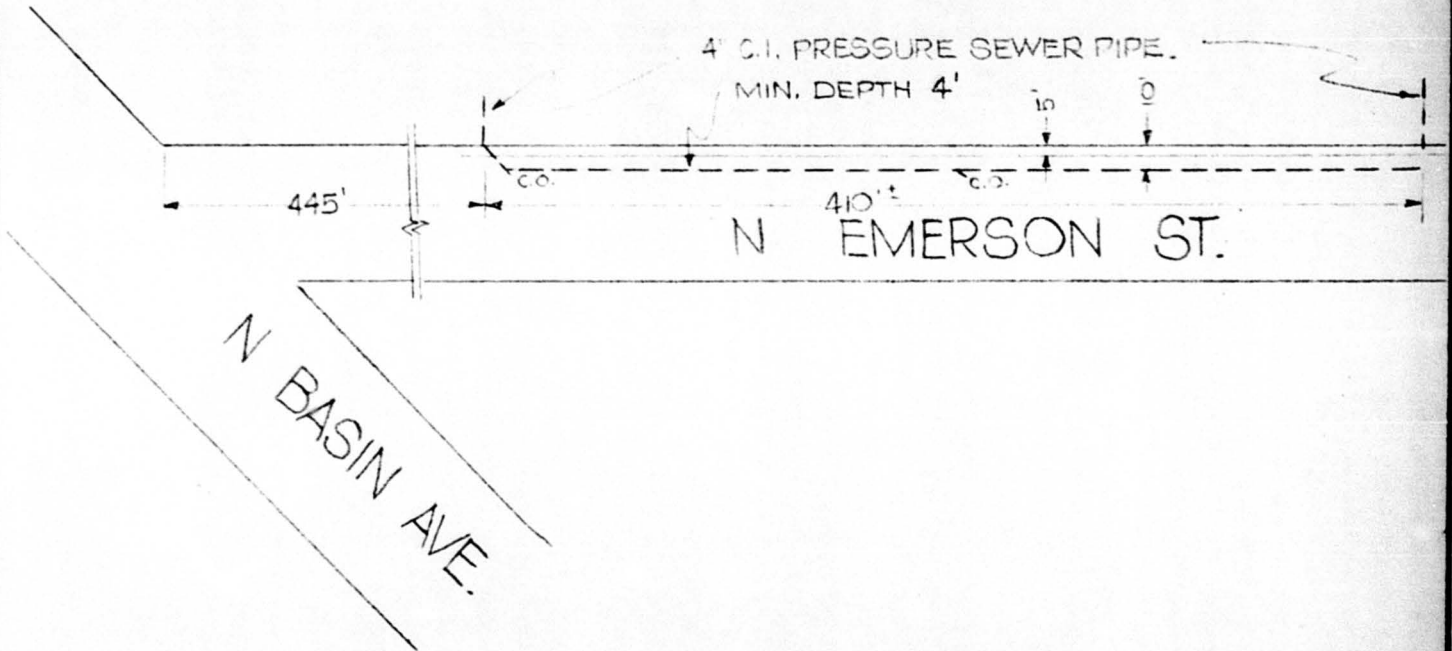
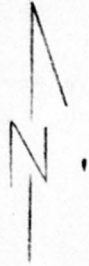
Alexander H. Brown
City Attorney

RECEIVED
MAY 29 9 04 AM '66
RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.

*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.

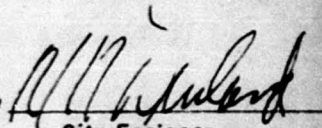
EXHIBIT - "A"

To construct and maintain a 4-in. cast iron sanitary pressure sewer line in the street area of N Emerson St. B between N Basin Ave. and the Union Pacific R.R. R/W., adjoining Tax Lot 56, Sec. 21, 1N., 1E.
For: Freightliner Corporation
5400 N Basin Ave.



PLAN
SCALE 1"=80'

APPROVED

By 
City Engineer
Reg. Prof. Engr. 5466

DRWG. BY: KFP CHKD. BY: USL

ORDINANCE NO. 122181

An Ordinance granting a revocable permit to Freightliner Corporation, P. O. Box 3591, Portland, Oregon 97208, to place, use and maintain a 4-inch cast iron sanitary pressure sewer line in the street area of N. Emerson Street near N. Basin Avenue, and declaring an emergency.

The City of Portland ordains:

Section 1. It appearing to the Council that Freightliner Corporation has, through its president, Kenneth W. Self, made written application to place, use and maintain a 4-inch cast iron sanitary pressure sewer line in the street area of N. Emerson Street near N. Basin Avenue, adjoining Tax Lot 56, Section T. 1N. 1E. W.M., said sanitary pressure sewer line to connect the Greightliner Corporation plant with an existing sewer line; that said pressure sewer line would extend for a distance of approximately 410 feet in the street area of North Emerson Street, that said sanitary pressure sewer line would serve a new addition to the Freightliner plant and that under certain conditions the granting of the desired permission will not be detrimental to the public interest; now, therefore, a revocable permit is hereby granted to Freightliner Corporation (hereinafter referred to as the grantee) to place, use and maintain a 4-inch cast iron sanitary pressure sewer line in the street area of N. Emerson Street as previously set forth and as shown on the attached plan marked "Exhibit A", said plan is hereby made a part of this Ordinance, this permit being granted subject to the following conditions:

(a) Grantee hereby covenants and agrees that said property owned by it shall be counted in favor of any sanitary sewer which shall be planned by the City of Portland for serving the property described above, and further covenants and agrees not to remonstrate against the construction of any such sanitary sewer and the assessment of said property for its proportionate portion of the cost thereof.

(b) This permit is for the use of street area only and shall not exempt the grantee from taking out any license or permit required by existing ordinance for any operation or maintenance under the permit hereby granted, nor shall this permit waive the provisions of any general ordinance of the City or its Charter.

(c) The type, location, and suitability of the pumping system adopted by the grantee shall be subject to approval by the Plumbing Division of the Bureau of Buildings and by the City Engineer.

(d) The laying and joining of said sewer pipe and the backfilling and resurfacing of any portion of said sewer line within street area shall be as directed by and to the satisfaction of the City Engineer. Any maintenance required by any portion of said sewer line within street area shall be attended to by the grantee immediately at his own cost as directed by and to the satisfaction of the City Engineer.

ORDINANCE No.

(e) This permit is personal to the grantee, and does not run with the land, nor may the same be transferred, assigned or otherwise disposed of by said grantee.

(f) The grantee shall hold the City of Portland, the City Engineer and each and all of the officers and employees of said City free and harmless from any claims for damages to persons or property which may be occasioned by any construction, maintenance and/or use of street area under the permit hereby granted.

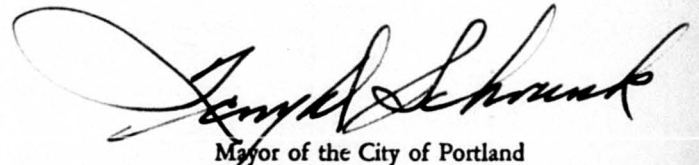
(g) This permit is revocable at any time at the discretion of the Council, and no expenditure of money hereunder, or lapse of time or other thing shall operate as an estoppel against the City of Portland or be held to give the grantee any vested or other right. Upon revocation of this permit by the Council, the grantee shall, within thirty (30) days, remove said sewer from the street area, said removal to be as directed by and to the satisfaction of the City Engineer.

(h) The City Auditor shall cause a certified copy of this ordinance to be recorded by the County Clerk of Multnomah County in the appropriate record of deeds in his office, and the grantee shall reimburse the City of Portland for such recording, this permit not to be effective until such reimbursement of cost has been made.

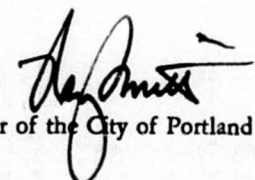
(i) This permit shall not become effective until the grantee shall have filed with the City Auditor a document satisfactory to the City Auditor accepting the terms and conditions hereof.

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 needed sewer may be constructed 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, **MAR 24 1966**


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. **1121**

ORDINANCE No. 122181

Title

An Ordinance granting a revocable permit to Freightliner Corporation, P. O. Box 3591, Portland, Oregon, 97208, to place, use and maintain a 4-inch cast iron sanitary pressure sewer line in the street area of N. Emerson Street near N. Basin Avenue, and declaring an emergency.

| THE COMMISSIONERS VOTED AS FOLLOWS: | | |
|-------------------------------------|------|------|
| | Yeas | Nays |
| Bean | 1 | |
| Bowes | 1 | |
| Earl | 1 | |
| Grayson | 1 | |
| Schrunk | 1 | |

| FOUR-FIFTHS CALENDAR | |
|----------------------|---------|
| Bean | |
| Bowes | WAB |
| Earl | SWE RST |
| Grayson | MCGN |
| Schrunk | TB 42 |

Filed **MAR 23 1966**

RAY SMITH
Auditor of the CITY OF PORTLAND
 By *Robert W. Lyle*
 Deputy

INTRODUCED BY
 Commissioner Bowes

DRAWN BY
 GAG/t1
 Date 3-18-66

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works *WAB*

City Attorney

NOTED FOR CITY AUDITOR
 R. C. H.
SL

APPROVED

Date *3/21/66*

By *N. R. DeLard*
 N. R. DE LARD, P.E.
 City Engineer

Date

By