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RECEIVED 58

ACCEPTANCE

JAN 17 9 10 AM 1970

RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE 1970

Portland, Oregon, January 9, 1970

RAY SMITH
Auditor of the City of Portland
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 130264, passed by the Council January 8, 1970, granting a revocable permit to Directors, Inc., to extend, use and maintain an existing 4 inch private pressure line in the street area of SE Spokane Street near SE Grand Avenue, repealing Ordinance No. 114178 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,

DIRECTORS, INC.

[Signature]
Sol Director

[CORPORATE SEAL]

804 SW 3rd Ave Address

Approved as to form:

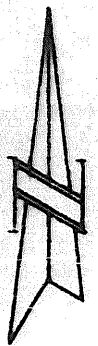
[Signature]
City Attorney

*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"

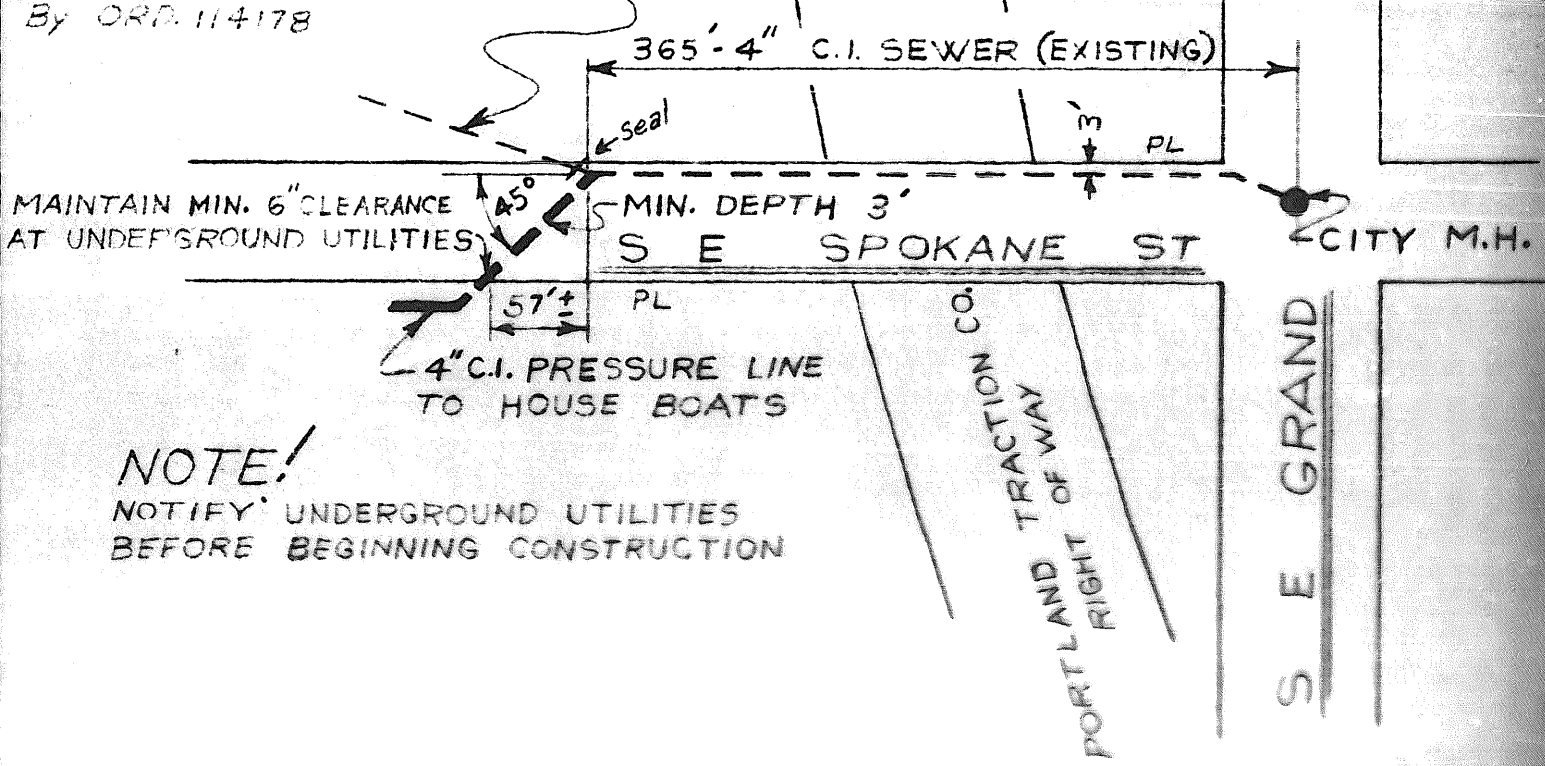
To install use and maintain a private 4in. pressure sewer line, connecting to an existing private pressure sewer line in the street area of S E Spokane St. starting approx. 365ft west of the center line of S E Grand Ave. and crossing S E Spokane St. at 45 degree for approx. 80ft. adjoining Blk. 0, Folklwood, 1984. v. 1/4 Sec. 3830

For. Directors Inc.
804 S W 3rd Ave.
Portland Oregon



Scale 1" = 100'

TO FORMER LOCATION OF THE "RIVER QUEEN" (ABANDONED)
By ORD. 114178




MAINTAIN MIN. 6" CLEARANCE AT UNDERGROUND UTILITIES

MIN. DEPTH 3'

4" C.I. PRESSURE LINE TO HOUSE BOATS

NOTE!
NOTIFY UNDERGROUND UTILITIES BEFORE BEGINNING CONSTRUCTION

DEC 3 1988
APPROVED

By 
City Engineer
Reg. Prof. Eng.

An Ordinance granting a revocable permit to Directors, Inc., to extend, use and maintain an existing 4 inch private pressure line in the street area of SE Spokane Street near SE Grand Avenue, repealing Ordinance No. 114178 and declaring an emergency.

The City of Portland ordains:

Section 1. It appearing to the Council that Directors, Inc., 804 SW 3rd Avenue has through Sol Director made application to extend, use and maintain an existing 4 inch private pressure line in the street area of SE Spokane Street near SE Grand Avenue, that said line when completed will be used to discharge sewage from boat house moored near foot of SE Spokane Street in the Willamette River adjacent to Block C. Sellwood, Sec. 22, T1S R1E W.M., that a revocable permit was granted to an owner of property nearby to install and maintain the existing 4 inch pressure line by Ordinance No. 114178, that said line is not in use at present, that said last mentioned Ordinance should be repealed and that the granting of the desired permission under certain conditions would not be detrimental to the public interest; now, therefore, a revocable permit is hereby granted to Directors, Inc. (hereinafter referred to as the grantee) to extend, use and maintain an existing 4 inch pressure line in the street area of SE Spokane Street as heretofore described and as shown on the attached plan marked "Exhibit A", which plan is hereby made a part of this Ordinance subject to the following conditions:

- (a) Not more than 100 gallons of sewage per minute shall be discharged from said private pressure line into the City sewer.
- (b) The grantee shall warrant that all materials and workmanship under this permit shall comply with all regulations of the City Sewer Department and the City Plumbing Code.
- (c) This permit is revocable at any time 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. Upon revocation the grantee shall within 30 days remove the said pipe line from the street area and restore the said street to a condition comparable to adjacent portions of said street as required by and to the satisfaction of the City Engineer, such removal and restoration to be entirely at the grantee's own expense.
- (d) The grantee shall hereby covenant and agree that since the said permit is strictly revocable and may be cancelled at any time, when a sewer is installed which is designed for furnishing said property or if the sewer to which connection is to be made hereunder becomes overloaded, and as owner of said property, the grantee further agrees that said property shall be counted as in favor of any sewer which shall be planned by the City of Portland for serving the property first above described and further covenants and agrees not to renege against the making of such a sewer and assessing said property for its portion of the cost thereof; the covenants herein contained are to and with the City of Portland, a municipal corporation under the laws of Oregon and said covenants shall be taken and construed as running with the land first above described.

ORDINANCE No.

(e) 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 occasioned by any construction, maintenance or operation of said pipe lines.

(f) The grantee shall maintain the surface of the street area around the said pipe line from settlement and in the event that it shall become necessary for the City of Portland to make street repairs or fills on account of such settlement, the grantee shall agree to reimburse the said City for any cost incurred in connection therewith.

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

(h) This permit is for the use of the street only, and shall not exempt the grantee from taking out any licenses or permits required by any existing ordinances for any operation or maintenance under the permit hereby granted, nor from making arrangements satisfactory to any public utility involved for the use of its facilities or equipment.

Section 2. The grantee shall file with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

Section 3. Ordinance No. 114178 entitled "An Ordinance granting a revocable permit to Walter L. Nutting, dba Sellwood Bridge Marina, 201 SE Spokane Street, Portland, Oregon, to install and maintain a private pressure line under SE Spokane Street near SE Grand Avenue, and declaring an emergency." is hereby repealed.

Section 4. 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 installation of this needed pipe line will be made 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. JAN - 8 1970

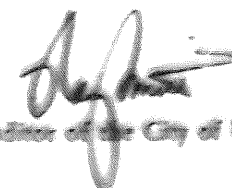
Commissioner of Public Works

GAG:mw

10-27-69


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. 58

ORDINANCE No. 130264

Title

An Ordinance granting a revocable permit to Directors, Inc., to extend, use and maintain an existing 4 inch private pressure line in the street area of SE Spokane Street near SE Grand Avenue, repealing Ordinance No. 114178 and declaring an emergency.

THURSDAY
JAN - 8 1970

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	1	
Earl	1	
Grayson	—	
Ivancie	1	
Schrank	1	

4

FOUR-FIFTHS CALENDAR	
Anderson	
Earl	
Grayson	
Ivancie	
Schrank	

INTRODUCED BY
Lloyd E. Anderson,
Commissioner of Public Works

DRAWN BY
GAG; mw
Date 10-27-69

NOTED BY THE COMMISSIONER

Affairs

Finance and Administration

Safety

Utilities

Works *Lloyd E. Anderson*

City Attorney

NOTED FOR CITY AUDITOR

mc *JL*

APPROVED

Date 12-5-69

By *J.L. Apperson*
City Engineer
J.L. APPERSON

Date

By

Filed JAN 2 1970

RAY SMITH
Auditor of the CITY OF PORTLAND

By *George Johnson*
Deputy