

ACCEPTANCE

798

Portland, Oregon, May 14, 1971

GEORGE YERKOVICH
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. 132685, passed by the Council May 13, 1971, granting a revocable permit to Northwest Marine Iron Works to install and maintain a utility conduit in N.W. 29th Avenue near Industrial Street, 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,

NORTHWEST MARINE IRON WORKS

* BY:

George Grabe
George Grabe - President

P. O. Box 3109, Portland 97208

Address

Approved as to form:

W. H. Shing
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.

ORDINANCE NO. 132685

An Ordinance granting a revocable permit to Northwest Marine Iron Works to install and maintain a utility conduit in NW 29th Avenue near Industrial Street, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Northwest Marine Iron Works, P.O. Box 3109, 97208 has, through Leonard J. Prince, requested permission to install and maintain a 12-inch utility conduit in NW 29th Avenue approximately 390 feet south of the south line of Industrial Street and between Lot 12, Block 3 and Lot 8, Block 4, Industrial Center Addition, that said conduit is needed to provide electrical, gas, water, and phone service between said properties, and that under certain conditions granting of said request will not be detrimental to the public interest; therefore, a revocable permit hereby is granted to Northwest Marine Iron Works (hereinafter referred to as the grantee) to install and maintain a utility conduit, as described above, and as shown on plans filed with the Bureau of Buildings subject to the following conditions:

- (a) This permit is for the location of said conduit only and shall not exempt the grantee from taking out any license or permit required by existing ordinances 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, except as herein stated.
- (b) 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.
- (c) 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.
- (d) The 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 ninety (90) days remove said conduit from the street area, the said removal to be as directed by and to the satisfaction of the City Engineer.

ORDINANCE No.

(e) The grantee shall protect the City of Portland, its officers, agents and employees by suitable insurance in the amount of \$100,000 for any single injury, \$300,000 for any one accident and \$100,000 property damage, said insurance to be kept in full force and effect at all times and this permit revoked without further action by the Council if said insurance is permitted to lapse, or for any reason lapse, or be canceled or for any other reason become inoperative.

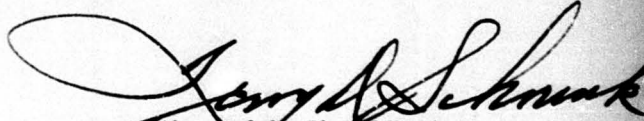
(f) The City Auditor shall cause a certified copy of this ordinance to be recorded by the Department of Records and Elections of Multnomah County in the appropriate record of deeds in their office, and the grantee shall reimburse the City of Portland for the cost of such recording, this permit not to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

Section 2. This permit shall not become effective until the grantee shall have filed with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

Section 3. 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 proceed with plans for said conduit 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, **MAY 13 1971**

Lloyd E. Anderson, Commissioner
JK:bd
5-5-71


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson	1	
Goldschmidt	1	
Ivancie	1	
McCready	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Anderson	
Goldschmidt	
Ivancie	
McCready	
Schrunk	

Calendar No. **1799**

ORDINANCE No. 132685

Title

An Ordinance granting a revocable permit to Northwest Marine Iron Works to install and maintain a utility conduit in NW 29th Avenue near Industrial Street, and declaring an emergency.

THURSDAY

Filed MAY 7 1971

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND
By Gordon Croell
Deputy

INTRODUCED BY	
LLOYD E. ANDERSON, COMM'R.	
DRAWN BY	
JK: bd	
Date	5-5-71
NOTED BY THE COMMISSIONER	
Affairs	
Finance and Administration	
Safety	
Utilities	
Works <i>JK</i>	
City Attorney	
NOTED BY THE CITY AUDITOR	
<i>JC</i>	
<i>MC</i>	
APPROVED	
Date	5-5-71
By	<i>James L. Apperson</i> City Engineer JAMES L. APPERSON
Date	
By	