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ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.BY ec

Portland, Oregon, May 9, 1980

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. 149599, passed by the Council May 8, 1980, granting a revocable permit to William H. Baker to construct and maintain a structural driveway in the street area of NW 4th Street between NW 105th and NW 107th Avenues, at a permit fee of \$225.00, repealing Ordinance No. 149112,

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,

[CORPORATE
SEAL]* William H. Baker

William H. Baker

2000 Jolie Ponte Road, West Linn, OR. 97068

Address

APPROVED AS TO FORM

Approved as to form:

Christopher P. Thomas

CITY ATTORNEY

City Attorney

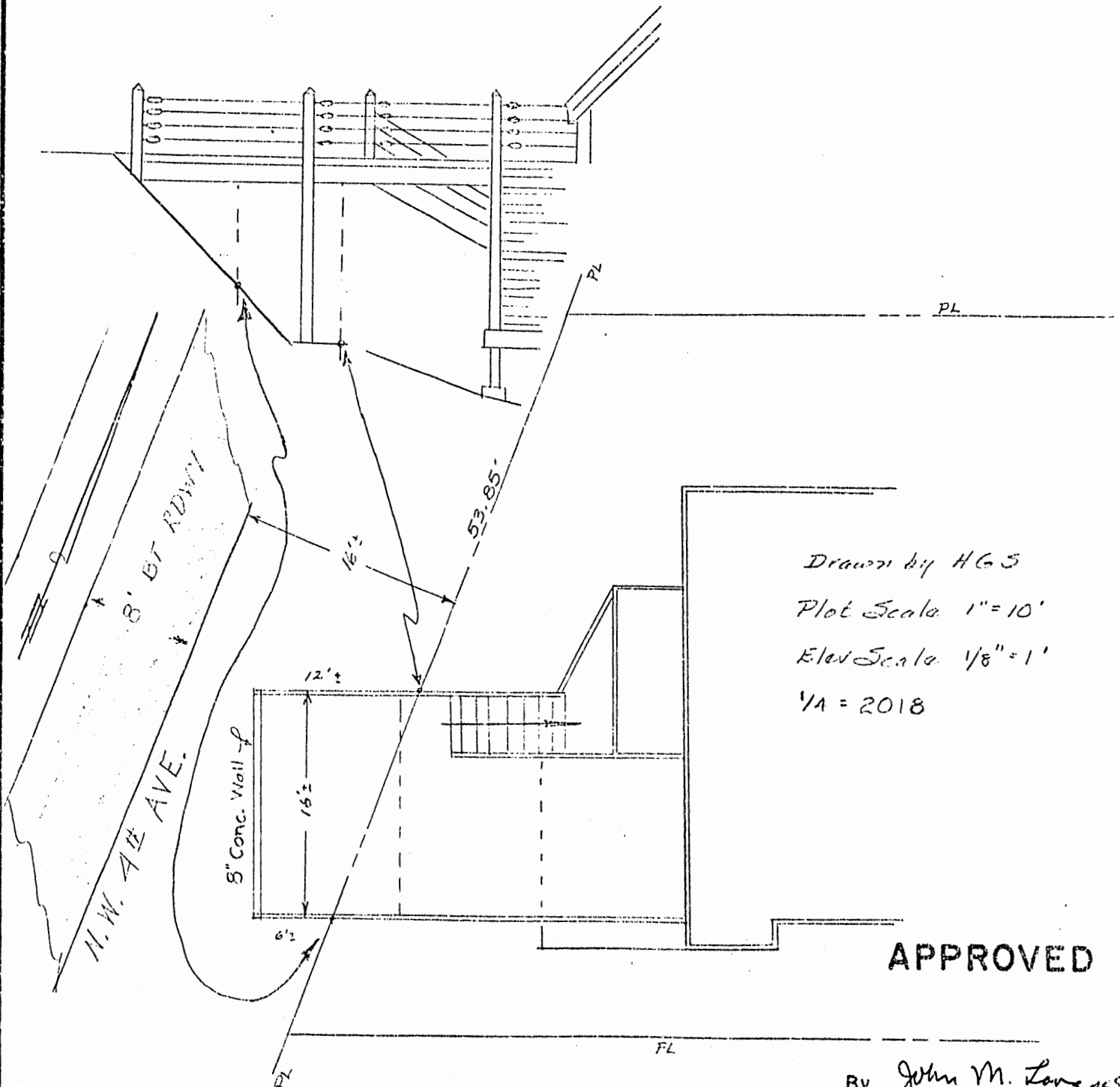
*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

EXHIBIT - "A"

149599

To construct and maintain a structural driveway,
as approved by the City Engineer, in the street
area adjacent to Lot 2, Block 3, Clark Terrace
Addition

For: William H. Baker
2000 Jolie Ponte Road
West Linn, Oregon 97068



Drawn by H.G.S.

Plot Scale 1" = 10'

Elev Scale 1/8" = 1'

1/4 = 2018

APPROVED

By John M. Long
ACTING City Engineer
Reg. Prof. Engr.

ORDINANCE NO. **149599**

An Ordinance granting a revocable permit to William H. Baker to construct and maintain a structural driveway in the street area of N.W. 4th Street between N.W. 105th and N.W. 107th Avenues, at a permit fee of \$225.00, repealing Ordinance No. 149112, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Section 17.44.010 of the City Code requires Council approval for construction of any structure constructed in the street right of way that exceeds the dimensions of those that the City Engineer is authorized to grant by permit.
2. William H. Baker, who is the owner of the property at 10512 and 10514 N.W. 4th Street, has requested permission to construct and maintain a structural driveway in the street area adjacent thereto.
3. The reason for said driveway is to provide access to the dwelling to be built at said address.
4. The proposed driveway, under certain conditions, will not be detrimental to the public interest.
5. A change in the dwelling designed for the property described herein requires a change in location of the structural driveway previously authorized.

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to William H. Baker, 2000 Jolie Ponte Road, West Linn, Oregon 97068, permittee, to construct and maintain a structural driveway, as approved by the City Engineer, in the street area adjacent to Lot 2, Block 3, Clark Terrace Addition, and located as shown on the plan marked "Exhibit A" attached to and by this reference made a part of this Ordinance, subject to the following conditions:
 - (1) This permit is for the use of the street area only, and shall not exempt the permittee from obtaining any license or permit required by the City Code or Ordinances for any act to be performed under this permit, nor shall this permit waive the provisions of any City Code, Ordinance, or the City Charter, except as herein stated.

- (2) This permit is revocable at any time at the pleasure of the Council and no expenditure of money 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 permittee any vested or other right. Upon revocation of this permit by the Council, the permittee shall within 30 days remove the driveway and restore the street area as required by and to the satisfaction of the City Engineer.
- (3) The permittee shall pay the permit fee of \$225.00 required by Section 17.24.020 of the City Code.
- (4) The permittee shall reimburse the City for the cost of filing by the City Auditor of a certified copy of this Ordinance with the Records Division of Multnomah County.
- (5) This permit is personal to the permittee and shall not run with the land.
- (6) The permittee shall hold the City of Portland, the City Engineer, and each and all of the officers and employees of the 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 the street area under the permit hereby granted.
- (7) The permittee shall protect the City of Portland, its officers, agents, and employees by providing insurance as follows:
Bodily injury \$100,000 for one claimant, \$300,000 for one occurrence. Property damage \$50,000 for one claimant, \$300,000 for one occurrence, 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 be cancelled or, for any other reason, become inoperative.

Section 2. Ordinance No. 149112 entitled "An Ordinance granting a revocable permit to William H. Baker to construct and maintain a structural driveway in the street area of N.W. 4th Street between N.W. 105th and N.W. 107th Avenues, at a permit fee of \$225.00, and declaring an emergency.", passed by the Council January 31, 1980, is hereby repealed.

Section 3. This Ordinance will not become effective until the permittee has filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof.

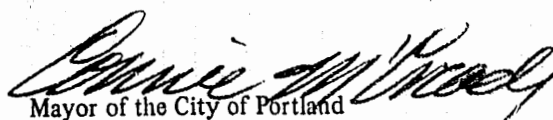
ORDINANCE No.

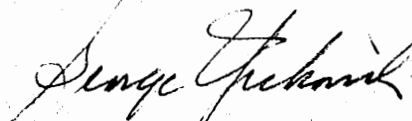
Section 4. The Council declares that an emergency exists because delay in the enactment of this Ordinance will result in an unnecessary hardship of uncertainty on the part of the applicant as to the status of the requested permit for construction of a structural driveway; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAY 8 1980**

Commissioner Mike Lindberg
Harlan Scott:jmh
April 24, 1980

Attest:


Mayor of the City of Portland


Auditor of the City of Portland

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab	1	
McCready		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

Calendar No.1600

ORDINANCE No. 149599

Title

An Ordinance granting a revocable permit to William H. Baker to construct and maintain a structural driveway in the street area of N.W. 4th Street between N.W. 105th and N.W. 107th Avenues, at a permit fee of \$225.00, repealing Ordinance No. 149112, and declaring an emergency.

THURSDAY

Filed MAY 2 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon Chell
Deputy

INTRODUCED BY
COMMISSIONER MIKE LINDBERG

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>ML/SA</i>

BUREAU APPROVAL
Bureau:
Street & Structural Engineering
Prepared By: Harlan Scott:jmh
Date: 4/24/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head: <i>David J. Vargas</i>
David J. Vargas, Acting Chief

NOTED BY
City Attorney
City Auditor
City Engineer Approved: <i>John M. Lang</i>
By: <i>David J. Vargas</i>