

RECEIVED

150852

DEC 30 8 31 AM 1980

ACCEPTANCE

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

BY [Signature]

Portland, Oregon, December 12, 1980 19__

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. 150852, passed by the council December 11, 1980, granting a Revocable Permit to Bud Meadows, Inc., Werner Conn, Secretary-Treasurer, for use of a truck trailer for auto parts storage, in zone M3; located at 1700 SE 82nd Avenue, on Tax Lot 41, Section 4, T1S, R2E, for two years, under certain conditions,

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,

BUD MEADOWS, INC.

[CORPORATE SEAL]

* [Signature]

1700 SE 82nd, Portland, OR 97216

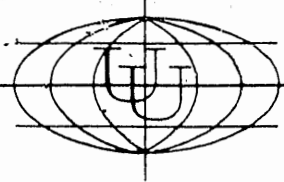
Address

Approved as to form: **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.

UNIVERSAL UNDERWRITERS INS. CO.
1500 N. E. IRVING ST., SUITE 135
PORTLAND, OREGON 97232



Bond# 29150

PERFORMANCE BOND

KNOW ALL MEN BY THE PRESENTS, that we Bud Meadows, Inc., Werner Conn, Secretary-Treasurer as Principal, hereinafter called the Principal, and UNIVERSAL UNDERWRITERS INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Missouri, having its principal place of business at Kansas City, Missouri, as Surety, hereinafter called the Surety, are held and firmly bound unto

The City of Portland

as Oblige, in the penal sum of \$ 1000.00 Dollars, lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden Principal has entered into a certain written contract with the above named Oblige dated the 11th day of December 19 80, which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein for the purpose of explaining but not of varying or enlarging the obligation.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Principal shall well and truly keep, do and perform, each and every, all and singular, the matters and things in said contract set forth and specified to be by the said Principal kept, done and performed at the time and in the manner in said contract specified, and shall pay over, make good and reimburse to the above named Oblige, all loss and damage which said Oblige may sustain by reason of failure or default on the part of said Principal, then this obligation shall be void; otherwise, to be and remain in full force and effect.

PROVIDED, HOWEVER, this bond is executed by the Surety, upon the express condition that no right of action shall accrue upon or by reason hereof, to or for the use or benefit of any one other than the Oblige named herein; and the obligation of the Surety is and shall be construed strictly as one of suretyship only.

Signed and sealed this 23rd day of December 1980.

Seamus L. Kelly
(Witness)

[Signature]
(Principal) (Seal)

[Signature]
(Title)

Shirley Lusher
(Witness)

UNIVERSAL UNDERWRITERS INSURANCE COMPANY
(Surety)
[Signature]
(Title)

ORDINANCE NO. **150852**

An Ordinance granting a Revocable Permit to Bud Meadows, Inc., Werner Conn, Secretary-Treasurer, for use of a truck trailer for auto parts storage, in zone M3; located at 1700 S.E. 82nd Avenue, on Tax Lot 41, Section 4, T1S, R2E, for two years, under certain conditions, with a Variance, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Bud Meadows, Inc., Werner Conn, Secretary-Treasurer, has filed application for a Revocable Permit for use of a truck trailer for auto parts storage, in zone M3; located at 1700 S.E. 82nd Avenue.
2. The legal description of said property is Tax Lot 41, Section 4, T1S, R2E.
3. Applicant has paid the proper fee for the filing of such an application.
4. A duly authorized and conducted public hearing has been held by the City's Hearings Officer on November 17, 1980 (Planning Commission File No 7006R), and the Hearings Officer recommends that a Revocable Permit for use of a truck trailer for auto parts storage be allowed for two years, under certain conditions, and with a Variance.
5. The City Auditor has complied with the notice requirements of the Ordinance for the hearing before the Hearings Officer.

NOW, THEREFORE, the Council directs:

- a. That the facts, findings and recommendation of the Hearings Officer in P.C. File No. 7006R are adopted by City Council.
- b. That a Revocable Permit be granted for use of a truck trailer for auto parts storage be allowed for two years, and that a Variance to increase the allowable front yard fence height from 3½ feet to 6 feet also be granted, in zone M3; located at 1700 S.E. 82nd Avenue, on Tax Lot 41, Section 4, T1S, R2E.
- c. This Revocable Permit is granted under the following conditions:
 - 1) The Revocable Permit will terminate two years after the acceptance and recording of the granting Ordinance.
 - 2) A \$1,000 security bond will be filed with the City of Portland to guarantee removal of the trailer upon expiration of the Revocable Permit. This bond will be forfeited if the trailer is not removed.
 - 3) Building Codes shall be met in accordance with the requirements of the Bureau of Buildings.

ORDINANCE No.

- 4) All setbacks shall be met.
- 5) The applicant shall sign a street waiver with the City Engineer for street improvements.
- 6) A building Permit or an Occupancy Permit must be obtained from the Bureau of Buildings, Room 111, City Hall, 1220 S.W. Fifth Avenue, 248-4241, before carrying out this project in order to assure that all conditions imposed here and all requirements of the pertinent Building Codes are met.
- 7) The Revocable Permit hereby granted is personal to the permittee and may not be transferred, assigned or otherwise disposed of by said permittee.
- 8) The Revocable Permit hereby granted shall be revocable at the pleasure of the City Council and no expenditures of money hereunder or lapse of time or any act or thing shall operate as an estoppel against the City of Portland, or be held to give the permittees any vested or other right.
- 9) Permittee shall comply with the provisions of the Code of the City of Portland, and all other applicable Ordinances, provisions and regulations of the City, whether presently existing or hereafter enacted.
- d. Neither this Ordinance nor any permit issued hereunder shall be effective until accepted, filed and recorded in accordance with law.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **DEC 11 1980**

Mayor Ivancie
November 18, 1980
G.H. Fleerlage/sa

Attest:

George F. Johnson
Auditor of the City of Portland

Calendar No. 4347

ORDINANCE No. 150852

Title

An Ordinance granting a Revocable Permit to Bud Meadows, Inc., Werner Conn, Secretary-Treasurer, for use of a truck trailer for auto parts storage, in zone M3; located at 1700 S.E. 82nd Avenue, on Tax Lot 41, Section 4, T1S, R2E, for two years, under certain conditions, with a Variance, and declaring an emergency.

THURSDAY

Filed DEC. 4 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

Gordon Crall
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Jordan	1	
Lindberg	1	
Schwab		
<i>Ivancie</i>		

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
MAYOR IVANCIE

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL	
Bureau: HEARINGS OFFICE	
Prepared By: G.H. Flerlage/sa	Date: 11/18/80
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head:	

NOTED BY
City Attorney
City Auditor
City Engineer