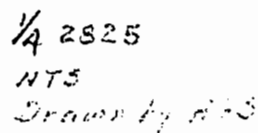


151659

For: David F. and Barbara E. Wrench
3103 N.W. Wilson Street
Portland, Oregon 97210



John M. Long

By _____
City Engineer
Reg. Prof. Engr.

JUN 2 9 24 AM 1981 151650

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

ACCEPTANCE

BY [Signature]

Portland, Oregon, May 28 1981

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. 151650, passed by the Council May 27, 1981, granting a revocable permit to David F. and Chris E. Wrench and John and Patricia Pickett to maintain a planter constructed as a barricade in N. W. 31st Avenue at the north line of N. W. Wilson Street, at a fee of \$10.00,

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,

[Signature]
John Pickett[Signature]
Patricia Pickett

3061 NW Wilson St., Portland, OR 97210

Address

[CORPORATE
SEAL]APPROVED AS TO FORM
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.

JUN 2 9 55 AM 1981

GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

151650

ACCEPTANCE

Portland, Oregon, May 28 1981

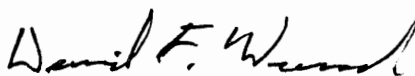
GEORGE YERKOVICH
Auditor of the City of Portland,
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

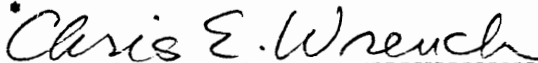
This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 151650, passed by the Council May 27, 1981, granting a revocable permit to David F. and Chris E. Wrench and John and Patricia Pickett to maintain a planter constructed as a barricade in N. W. 31st Avenue at the north line of N. W. Wilson Street, at a fee of \$10.00,

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,



David F. Wrench



Chris E. Wrench

3103 NW Wilson St., Portland, OR 97210

Address

(CORPORATE
SEAL)

APPROVED AS TO FORM

Approved as to form:



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.

ORDINANCE NO. **151630**

An Ordinance granting a revocable permit to David F. and Chris E. Wrench and John and Patricia Pickett to maintain a planter constructed as a barricade in N.W. 31st Avenue at the north line of N.W. Wilson Street, at a fee of \$10.00, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. David F. and Chris E. Wrench, 3103 N.W. Wilson Street, Portland, OR 97210, and John and Patricia Pickett, 3061 N.W. Wilson Street, Portland, OR 97210, have requested permission to maintain a planter which also is a barricade in N.W. 31st Avenue at the north line of N.W. Wilson Street.
2. N.W. 31st Avenue north of N.W. Wilson Street is unimproved and was being used as dump for garden debris.
3. The Wrenches and Picketts cleaned the area and installed the planter, which is constructed of railroad ties, to make the area more pleasing to the eye and also to act as a barricade to prevent any more dumping of debris.
4. This construction also prevented a portion of the area being used as a long period vehicle storage area.
5. The granting of this permit is not detrimental to the public interest under certain conditions:

NOW, THEREFORE, the Council directs:

- a. A revocable permit is granted to David F. and Chris E. Wrench and John and Patricia Pickett, permittees, to maintain an existing planter constructed as a barricade in the street area of N.W. 31st Avenue north of the north line of N.W. Wilson Street and located as shown on the "Exhibit A" attached to and by this reference made a part of this Ordinance subject to the following conditions:
 - (1) The permittees will actively pursue the vacation of N.W. 31st Avenue from the north line of N.W. Wilson Street to 100 feet north.
 - (2) This permit is for the use of the street area only, and shall not exempt the permittees 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.

- (3) 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 permittees any vested or other right. Upon revocation of this permit by the Council, the permittees shall within 30 days remove the planter and restore the street area as required by and to the satisfaction of the City Engineer.
- (4) The permittees shall pay the permit fee of \$10.00 required by Section 17.24.020 of the City Code.
- (5) The permittees 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.
- (6) This permit is personal to the permittees and shall not run with the land.
- (7) The permittees 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.
- (8) The permittees 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, becomes inoperative.

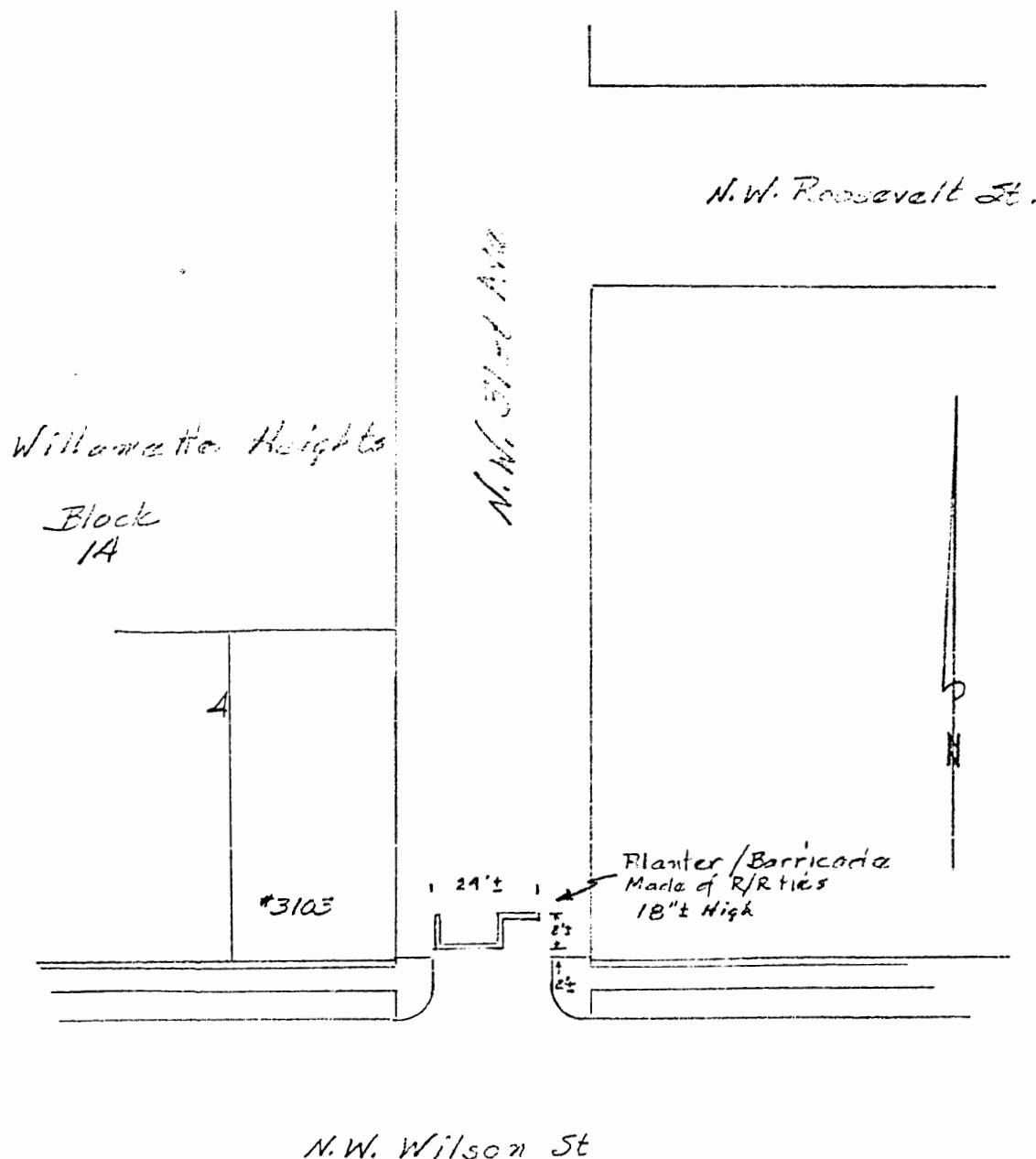
Section 2. This Ordinance will not become effective until the permittees have filed with the City Auditor a document, which has been approved by the City Attorney, accepting the terms and conditions hereof. This Ordinance shall be automatically revoked without further consideration by the Council if the acceptance together with documents and fees required are not on file with the City Auditor within sixty (60) calendar days of the passage of this Ordinance.

EXHIBIT - "A"

151650

To maintain an existing planter constructed
as a barricade in the street area of N.W.
31st Avenue north of N.W. Wilson Street.

For: David F. and Barbara E. Wrench
3103 N.W. Wilson Street
Portland, Oregon 97210



1/4 2825
NTS
Drawn by HSS

APPROVED

By Charles W. Clancy
City Engineer
Reg. Prof. Engr.

ORDINANCE No.

Section 3. 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; therefore, this Ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **MAY 27 1981**

Commissioner Mike Lindberg
Harlan G. Scott:jmh
May 4, 1981

Attest:


Auditor of the City of Portland

| THE COMMISSIONERS VOTED AS FOLLOWS: | | |
|--|----------|------|
| | Yeas | Nays |
| JORDAN | <u>1</u> | |
| LINDBERG | <u>1</u> | |
| SCHWAB | <u>1</u> | |
| STRACHAN | <u>1</u> | |
| IVANCIE | <u>1</u> | |

| FOUR-FIFTHS CALENDAR | |
|----------------------|--|
| JORDAN | |
| LINDBERG | |
| SCHWAB | |
| STRACHAN | |
| IVANCIE | |

Calendar No. **1695**

ORDINANCE No. 151650

Title

An Ordinance granting a revocable permit to David F. and Chris E. Wrench and John and Patricia Pickett to maintain a planter constructed as a barricade in N.W. 31st Avenue at the north line of N.W. Wilson Street, at a fee of \$10.00, and declaring an emergency.

Filed MAY 19 1981

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By Frank Dufay Deputy

| | |
|---|--|
| INTRODUCED BY | |
| COMMISSIONER MIKE LINDBERG | |
| NOTED BY THE COMMISSIONER | |
| Affairs | |
| Finance and Administration | |
| Safety | |
| Utilities | |
| Works <u>ML/MS</u> | |
| BUREAU APPROVAL | |
| Bureau: | |
| Street & Structural Engineering | |
| Prepared By: | Date: |
| Harlan G. Scott:jmh | 5/4/81 |
| Budget Impact Review: | |
| <input type="checkbox"/> Completed | <input checked="" type="checkbox"/> Not required |
| Bureau Head: <u>R.O. Schmidt</u> | |
| R. O. Schmidt, Chief | |
| CALENDAR | |
| Consent | Regular <u>X</u> |
| NOTED BY | |
| City Attorney | |
| City Auditor | |
| City Engineer Approved: <u>John M. Lang, P.E.</u> | |
| By: <u>R.O. Schmidt</u> | |