

ACCEPTANCE

RECEIVED
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 GEORGE YERKOVICH, AUDITOR
 CITY OF PORTLAND, ORE.
 BY: *[Signature]*

Portland, Oregon, _____ October 19 _____ 19 73

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. 137366, passed by the Council October 18, 1973, granting a revocable permit to Patrick M. Cronin and Sally C. Studdard to maintain an existing concrete loading dock and steel canopy in the street area of NW 13th Avenue between NW Northrup and Marshall Streets, repealing Ordinance No. 112805, 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,

Patrick M. Cronin

 Patrick M. Cronin

[CORPORATE
 SEAL]

Sally C. Studdard

 Sally C. Studdard

Post Office Box 2924, Portland 97208

Address

Approved as to form:

John W. [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.

An ordinance granting a revocable permit to Patrick M. Cronin and Sally C. Studdard to maintain an existing concrete loading dock and steel canopy in the street area of NW 13th Avenue between NW Northrup and Marshall Streets, repealing Ordinance No. 112805, and declaring an emergency.

The City of Portland ordains:

Section 1. It appearing to the Council that Patrick M. Cronin and Sally C. Studdard, P.O. Box 2924, 97208, have applied for permission to maintain an existing concrete loading dock and steel canopy in the street area of NW 13th Avenue between NW Northrup and Marshall Streets adjacent to Block 202, except the west 85 feet of Lots 2 & 3, Couch's Addition; that the applicants have recently purchased said property and wish to maintain the existing loading dock; that granting the desired permission under certain conditions will not be detrimental to the public interest; now, therefore, a revocable permit hereby is granted Patrick M. Cronin and Sally C. Studdard (hereinafter referred to as the grantee) to maintain an existing loading dock in the street area of NW 13th Avenue as described above, subject to the following conditions:

(a) This permit is for the use of street area only and shall not exempt the grantee from taking out any license or permit required by existing ordinances for any construction, 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.

(b) 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 operation, construction and/or maintenance carried on under the permit hereby granted.

(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 thirty (30) days remove the said loading dock from the street area as required by and to the satisfaction of the City Engineer.

(d) The grantee shall protect the City of Portland, its officers, agents and employees by suitable insurance as follows: Bodily Injury \$50,000 for one claimant, \$300,000 from one occurrence. Property Damage \$25,000 for one claimant, \$300,000 one occurrence,

ORDINANCE No.

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 cancelled or for any other reason become inoperative.

(e) 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. Ordinance No. 112805 entitled "An ordinance granting a revocable permit to Rudie Wilhelm Warehouse Company, Inc., 1233 NW 12th Avenue, Portland 9, Oregon, to construct and maintain a concrete loading dock and steel canopy in NW 13th Avenue adjacent to Block 202, Couch's Addition, and declaring an emergency", passed by the Council November 10, 1960 hereby is repealed.

Section 3. The grantee shall file with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.



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 privilege granted herein may be enjoyed without undue delay, therefore, an emergency hereby is declared to exist, and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council,

OCT 18 1973

Commissioner Lloyd E. Anderson
CY:imw
10-9-73

Attest:


Mayor of the City of Portland

Auditor of the City of Portland

Calendar No. 3255

ORDINANCE No. 1127366

Title

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Anderson	1	
Ivancie	1	
McCreedy	1	
Schwab	1	
Goldschmidt	1	

FOUR-FIFTHS CALENDAR	
Anderson	
Ivancie	
McCreedy	
Schwab	
Goldschmidt	

An ordinance granting a revocable permit to Patrick M. Cronin and Sally C. Studdard to maintain an existing concrete loading dock and steel canopy in the street area of NW 13th Avenue between NW Northrup and Marshall Streets, repealing Ordinance No. 112805, and declaring an emergency.

THURSDAY

Filed OCT 11 1973

GEORGE YERKOVICH

Auditor of the CITY OF PORTLAND

By *Donald Chase*
City Clerk

Copy

INTROD CED BY
Commissioner Lloyd E. Anderson

DRAWN BY
GX:ms
Date 10-9-73

NOTED BY THE COMMISSIONER

Affairs
Finance and Administration

Safety

Utilities

Works

City Attorney

NOTED BY THE CITY AUDITOR

APPROVED

Date 10-10-73

By <i>James L. Apperson</i> City Engineer
--

Date

By
