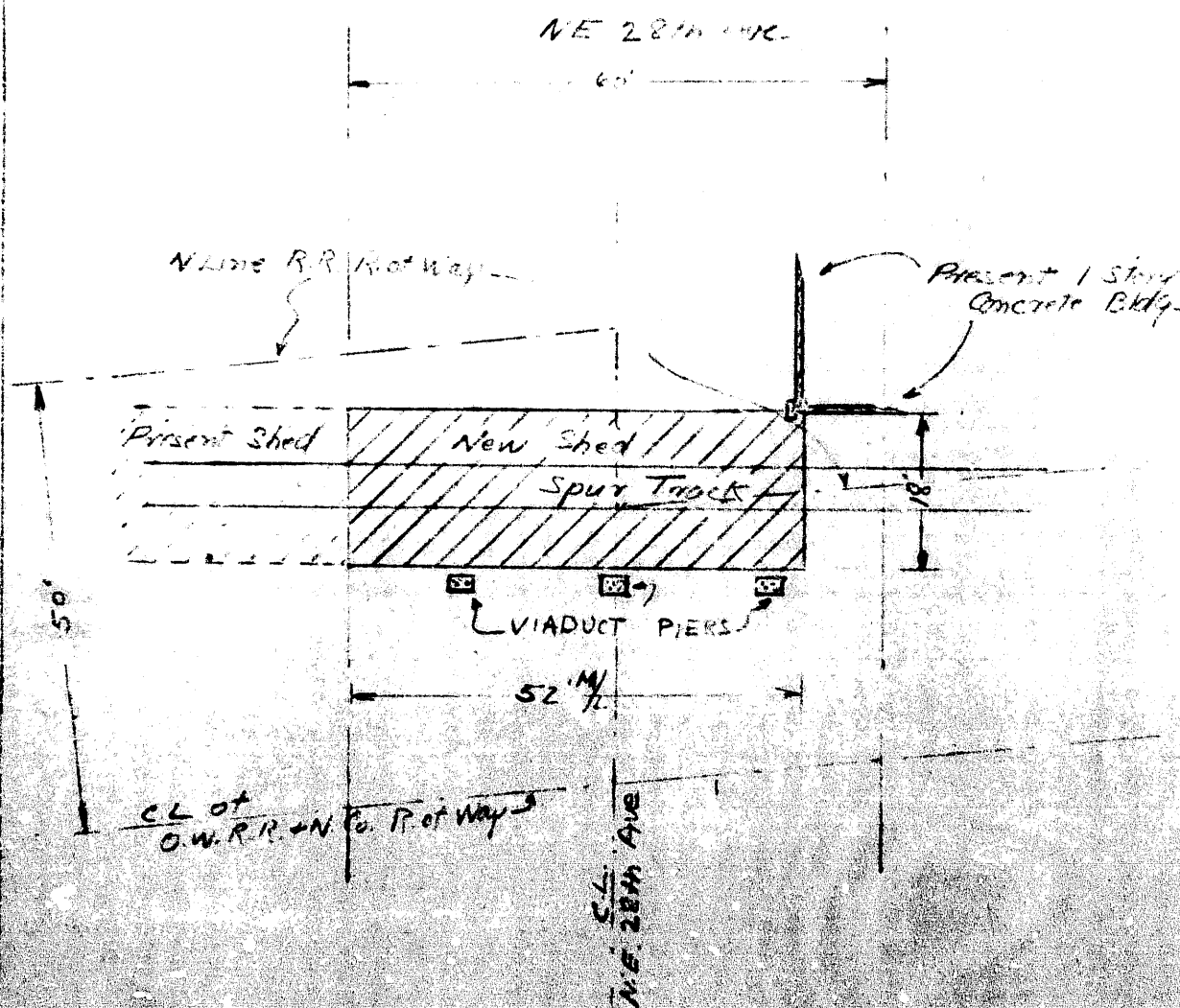


EXHIBIT A

Shed Under NE 28th Ave over Sullivan  
 Sub for  
 Doernbecher Manufacturing Co.



Approved August 18, 1949

[Signature]  
 City Engineer - Reg. Prof. Eng. #1152

Ordinance No. 80230

An Ordinance granting a revocable permit to Doernbecher Manufacturing Company, 1100 N.E. 28th Ave., Portland 12, Oregon, to construct and maintain a shed in N.E. 28th Ave. under the viaduct across the O.W.R.R. & N. Co. right of way in Sullivan's Gulch, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that Doernbecher Manufacturing Company has applied for permission to construct and maintain a shed in N.E. 28th Ave. under the viaduct across the O.W.R.R. & N. Co. right of way in Sullivan's Gulch, the said shed to enclose a spur track serving the said Company, and that the said shed is needed in order that a change may be made in the method of loading and unloading cars which will eliminate considerable manual labor and that the granting of the desired permit under certain conditions will not be detrimental to the public interest; therefore, a revocable permit be and the same is hereby granted to Doernbecher Manufacturing Company (hereinafter referred to as the grantee) to construct and maintain a shed in N.E. 28th Ave. under the viaduct across the O.W.R.R. & N. Co. right of way in Sullivan's Gulch, the said shed to be located over the spur track serving the said grantee as shown on the attached sketch marked Exhibit "A" and made a part of this ordinance, this permit being granted under the following terms and conditions:

(a) This permit is for the use of street area only, and shall not exempt the grantee from taking out a permit from the Bureau of Buildings for the construction of the said shed, or from taking out any licenses or permits required by any existing ordinances for any operation, construction and/or maintenance carried on under the permit hereby granted.

(b) The grantee shall install and maintain in good working condition an automatic sprinkling system under the deck of the N.E. 28th Ave. Viaduct and above the said shed, and under the ceilings or roof of the said shed, to the satisfaction of the Fire Marshal of the City of Portland.

(c) The footings of the said shed shall be no closer than 6 inches from the bridge column footings of the N.E. 28th Ave. Viaduct, and no floor shall be constructed within the said shed. The said shed shall

be constructed in such a manner that none of its weight shall bear on the surface of the ground directly over the water main in N.E. 2<sup>nd</sup> Ave., and in such a manner that access to a manhole leading into the sewer in N.E. Sullivan's Gulch shall not be obstructed.

(d) 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. Within thirty (30) days after the revocation of this permit by the Council, the grantee shall remove the said shed and any other obstructions of whatsoever nature from the street area as required by and to the satisfaction of the City Engineer.

(e) 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 and/or maintenance carried on under the permit hereby granted.

(f) 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 2. 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 the construction of the said shed 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 AUG 24 1944

*R. E. Riley*

Mayor of the City of Portland

Attest:

*John F. McManis*

Auditor pro tem of the City of  
Portland

*W.R.*

Com'g Books  
8-18-44  
C.F. shv

2764

Ordinance No. **80230**

An Ordinance granting a revocable permit to Doernbecher Mfg. Co., 1100 N.E. 28th Ave., Portland 12, Oregon, to construct and maintain a shed in N.E. 28th Ave. under the viaduct across the O.W.R.R. & N. Co. right of way in Sullivan's Gulch, and declaring an emergency.

W.A.B.

Thursday

APPROVED

AUG 18 1944

By Ben S. Morrow

City Engineer

Reg. Prof. Engr. No. 1152

THE FOLLOWING IS THE  
OFFICIAL VERIFICATION  
HEREOF

DONES

COOPER

LEE

PETERSON

RILEY

Filed AUG 25 1944

*Robert G. Roff*  
City Engineer  
of the CITY OF PORTLAND

ELBERT G. ROFF  
Deputy