

9/35

ACCEPTANCE

Portland, Oregon, September 29, 1961

RAY SMITH
Auditor of the City of Portland,
Room 202, City Hall
Portland 4, Oregon
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 114184 granting a revocable permit upon certain conditions to the Southern Pacific Company to construct a new foot bridge across S.E. Lafayette Street to replace an existing pedestrian bridge and to barricade certain street area adjacent to its main track crossing S.E. Lafayette Street, 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.

IN DUPLICATE Very truly yours,

[CORPORATE
SEAL]

W. J. [Signature]
Vice President, Southern Pacific Co.

* 65 Market Street

San Francisco, California

Address

Approved as to form:

Alexander G. Brown
City Attorney

RECEIVED
1961 DEC 13 AM 9 01
RAY SMITH, AUDITOR
CITY OF PORTLAND, ORE.

*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.

Design Diagram

ORDINANCE NO. 114184

An Ordinance granting a revocable permit upon certain conditions to the Southern Pacific Company to construct a new foot bridge across S.E. Lafayette Street to replace an existing pedestrian bridge and to barricade certain street area adjacent to its main track crossing S.E. Lafayette Street, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Southern Pacific Company was granted a revocable permit by Ordinance No. 78688 to barricade certain street area adjacent to its main track crossing S.E. Pershing Street, S.E. Haig Street and S.E. Lafayette Street, and to construct a pedestrian bridge crossing said main track over S.E. Lafayette Street; that the Southern Pacific Company has now applied for a permit to construct a new pedestrian bridge in the same general location to replace the older structure and has requested that the permission granted by Ordinance No. 78688 to barricade certain street area be continued; that such proposed plan has been reviewed and approved by the City Engineer and the Traffic Engineer who have recommended granting such permit; now, therefore, Southern Pacific Company hereby is granted a revocable permit to barricade such street area against both vehicular and pedestrian traffic, the designated street area being shown on the sketch attached to the original of this ordinance marked Exhibit "A" and by this reference made a part hereof. This permit shall be subject to the following conditions and requirements:

1. Permittee shall at its own cost and expense barricade each of such streets as shown in Exhibit "A" with at least two barricades, meeting the approval of the City Engineer.

2. The proposed pedestrian bridge to replace the existing pedestrian bridge shall be in accordance with plans and specifications which shall first have been submitted to and approved by the City Engineer.

3. This permit shall be revocable at any time at the pleasure of the Council of the City of Portland, and no expenditure of money hereunder or lapse of time or other act or thing shall act as an estoppel against the City of Portland, or shall confer unto grantee any vested right or privilege.

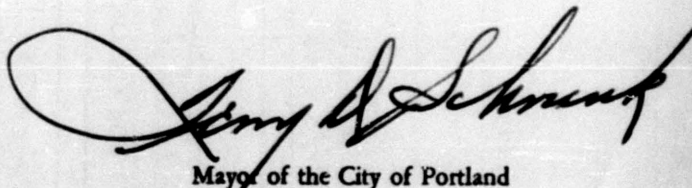
ORDINANCE No.

4. The grantee shall hold the City of Portland, its officers, agents and employees free and harmless from any claim for damages to persons or property which may be occasioned by the operation, construction and/or maintenance carried on under the permit hereby granted.

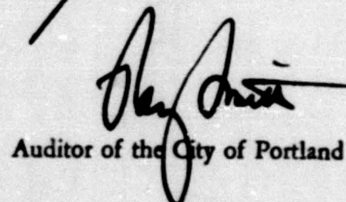
5. This permit shall not be effective until the grantee shall have filed with the City Auditor an acceptance of the terms of this ordinance in a form approved by the City Attorney.

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 necessary permission to construct a new pedestrian overpass in place of the presently existing overpass and to close certain street area in interests of the public safety may be granted without unnecessary 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, SEP 28 1961


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Calendar No. **3213**

ORDINANCE No. 114184

Title

An Ordinance granting a revocable permit upon certain conditions to the Southern Pacific Company to construct a new foot bridge across S.E. Lafayette Street to replace an existing pedestrian bridge and to barricade certain street area adjacent to its main track crossing S.E. Lafayette Street, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Bowes	/	
Earl	—	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR

Bean	OK Bo
Bowes	WAB
Earl	
Grayson	MS
Schrunk	TDSB

Filed **SEP 27 1961**

RAY SMITH

Auditor of the CITY OF PORTLAND

By *R. S. Dwy* Deputy

INTRODUCED BY

Commissioner Bowes

DRAWN BY

RLH:gm

Date **9-27-61**

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works *WAB*

City Attorney *MS*

NOTED FOR CITY AUDITOR

RLH
MC

APPROVED

Date

By

City Engineer

Date

By