

Aud. 50-25-640
5-61-2M

ACCEPTANCE

Portland, Oregon, October 15, 19⁶⁴

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. 119291 granting a revocable permit to Olympic Pipe Line Company, a corporation, pending negotiation of a franchise with the City of Portland, to lay, use and maintain pipe lines 14 inches in diameter or less, in, under, along and across streets between N. W. St. Helens Road and the Willamette River and between the city limits and N. W. 35th Avenue, for the purpose of transporting petroleum products under certain conditions, 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,

OLYMPIC PIPE LINE COMPANY

[CORPORATE
SEAL]

By James R. Ball
James R. Ball, Vice President
Post Office Box 733
Bellevue, Washington 98004

Address

Approved as to form:

CHIEF DEPUTY

City Attorney

RECEIVED
OCT 16 9 11 AM '64
RAY SMITH, AUDITOR
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.

BEFORE THE CITY COUNCIL OF THE CITY OF PORTLAND
COUNTY OF MULTNOMAH, STATE OF OREGON

Re Application of OLYMPIC PIPE
LINE COMPANY, a corporation,
for authority to install pipe
lines in, under, along and
across certain streets.

APPLICATION FOR
TEMPORARY PERMIT

Comes now Olympic Pipe Line Company, a corporation, by and
through its attorneys, Koerner, Young, McColloch & Dezendorf, of
Portland, Oregon, and alleges as follows:

I

Olympic Pipe Line Company, a corporation, hereinafter
referred to as "Applicant," was formed under the laws of the State
of Delaware and was and now is authorized to do business in the
State of Oregon. Applicant was formed for the purpose of transporting,
as a common carrier, petroleum and petroleum products in interstate
commerce from Ferndale and Anacortes, Washington, to Portland, Oregon,
its southern terminus.

II

In order to transport the products which it will carry,
applicant must install pipe lines across the states of Washington
and Oregon. The southern terminus of these lines will be within the
City of Portland and it will be necessary to install these lines in,
under, along and across the following public streets: N. W. 113th
Avenue, N. W. Front Street, N. W. 106th Avenue, N. W. 107th Avenue,
N. W. Linnton Lane, N. W. 198th Avenue, N. W. Ferry Street, Kittridge
Avenue and N. W. Yeon Avenue, all as more particularly shown on

Exhibit "A," which is attached hereto.

III

Applicant is willing to negotiate with the City of Portland for a franchise authorizing the use of those streets by applicant. However, because of the time involved in such negotiations and the fact that the lines of applicant are presently being installed and its construction crews will soon be in a position to begin work in the Portland area, applicant desires that it be issued a temporary permit at this time authorizing construction of its pipe lines subject to reasonable conditions governing construction and further conditioned upon a franchise being negotiated and entered into between the parties.

IV

Applicant requests that an emergency ordinance be enacted granting a temporary permit to Olympic Pipe Line Company authorizing it to install its pipe lines, 14 inches in diameter or less, in, under, along and across the following public streets of the City of Portland: N. W. 113th Avenue, N. W. Front Street, N. W. 106th Avenue, N. W. 107th Avenue, N. W. Linnton Lane, N. W. 198th Avenue, N. W. Ferry Street, Kittridge Avenue and N. W. Yeon Avenue, subject to reasonable conditions governing construction and further subject to a condition that the parties enter into a franchise agreement within a reasonable length of time.

Respectfully submitted,

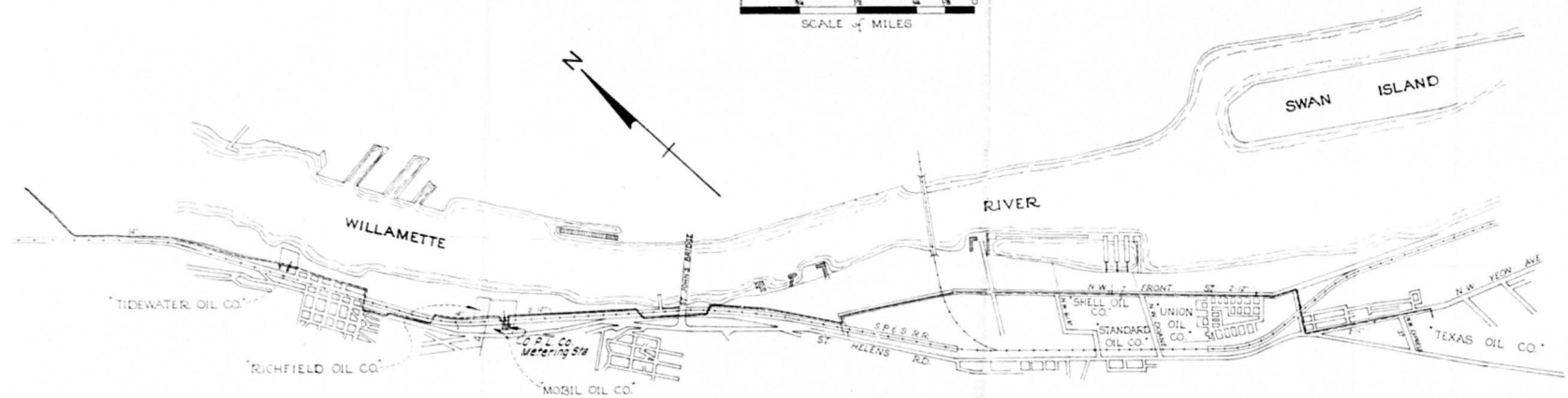
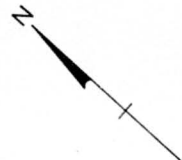
Koerner, Young, McColloch & Dezendorf

Koerner, Young, McColloch & Dezendorf
Attorneys for Olympic Pipe Line Company

LEGEND

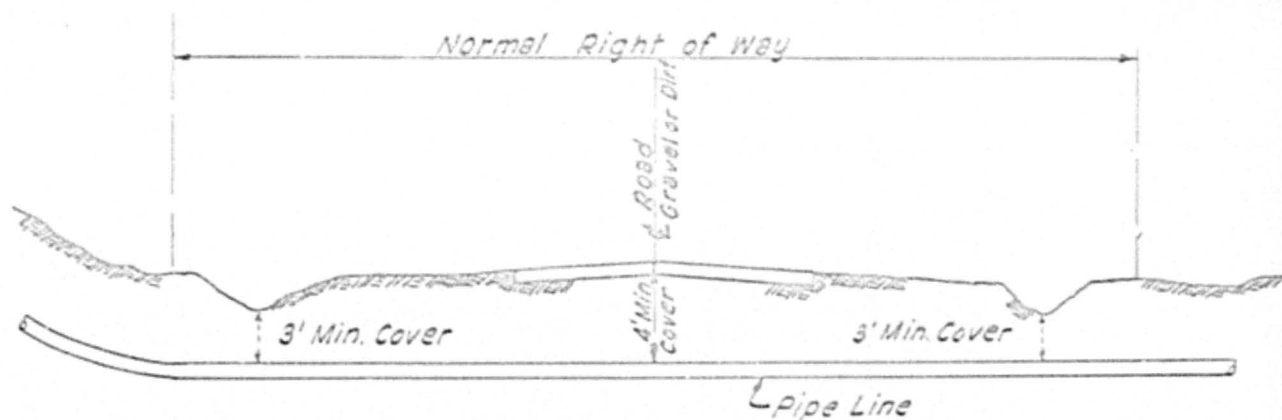
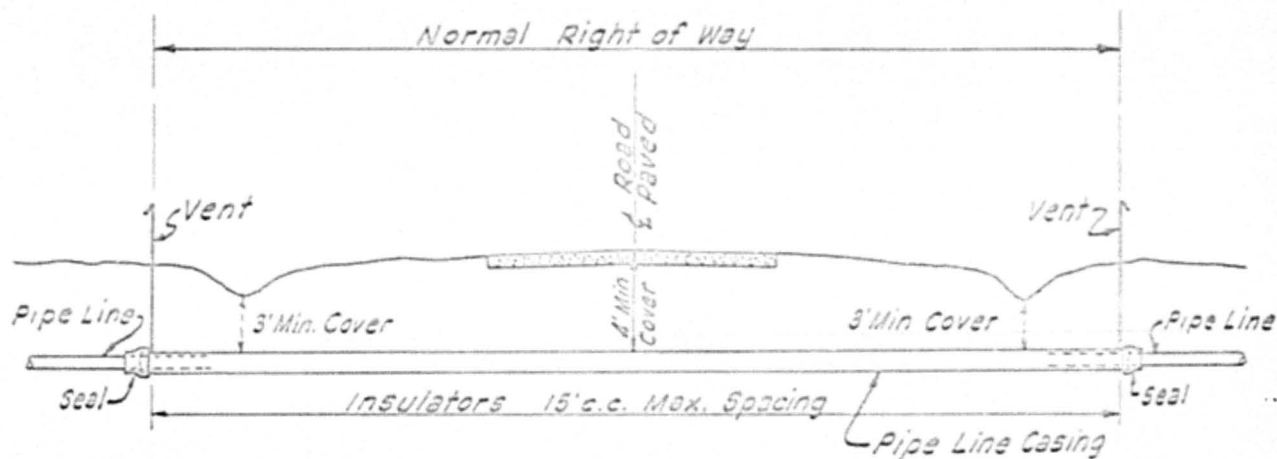
- 1 - 14" OD. Products Pipe Line
From Fernvale, Wash. to O.P.L. Co.
Metering Sta. at Mobil Oil Co. Sta.
in Portland, Ore.
- 2 - 14" Products Delivery Pipe Lines
From O.P.L. Co. Metering Sta. to
Shell Oil Co. & Texas Oil Co.

SCALE OF MILES



				DESIGN ENGR.	PORTLAND DELIVERY FACILITIES OLYMPIC PIPE LINE COMPANY SEATTLE, WASHINGTON
				DRAWN O.R.B.	
				CHECKED	
				APPROVED DATE	
NO.	REVISION	DATE	CHK'D.	APP'D.	SCALE AS SHOWN
					DRAWING NO. D-149

119291

PROFILE - UNCASSED ROADPROFILE CASSED ROAD

				----	DESIGN ENGR.	TYPICAL - CASSED & UNCASSED ROAD CROSSING DETAILS	
				----	DRAWN HV 9/19/64		
				----	CHECKED		
				----	APPROVED DATE		
				----		OLYMPIC PIPE LINE COMPANY SEATTLE, WASHINGTON	

NO.	REVISION	DATE	CHK'D	APP'D.		SCALE None	DRAWING NO. A-178

ORDINANCE NO. 119291

An Ordinance granting a revocable permit to Olympic Pipe Line Company, a corporation, pending negotiation of a franchise with the City of Portland, to lay, use and maintain pipe lines 14 inches in diameter or less, in, under, along and across streets between N. W. St. Helens Road and the Willamette River and between the city limits and N. W. 35th Avenue, for the purpose of transporting petroleum products under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Olympic Pipe Line Company, a corporation, has, through its attorneys, Koerner, Young, McColloch & Dezendorf, applied for permission to lay, use and maintain pipe lines 14 inches or less in diameter, in, under and across public streets in the area for the purpose of transporting petroleum products from Anacortes and Ferndale in the State of Washington to Portland, Oregon; that such an operation should be on a franchise basis; that the negotiation of a franchise will require several months; that the applicant desires to lay the needed pipe lines during favorable construction weather, and is now in the process of laying portions of its line on privately owned land within the city limits and that the granting, under certain conditions, of a revocable permit for construction, subject to the negotiation of a franchise, will not be detrimental to the public interest; now, therefore, a revocable permit is hereby granted the Olympic Pipe Line Company, a corporation (hereinafter referred to as "grantee"), subject to the negotiation of a franchise with the City of Portland, to lay, use and maintain pipe lines 14 inches or less in diameter, in, under, along and across public streets in the area as shown on the plan marked "Exhibit A," and attached to this ordinance, and, also on detailed supplemental maps which are to be filed with the City Engineer, on the following conditions:

(a) This permit is revocable at the pleasure of the Council and no expenditure of money hereunder or lapse of time or 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 is, within 120 days after such revocation, to remove its pipe lines from the street area and reconstruct any affected areas to the satisfaction of the City Engineer.

(b) This permit is granted subject to the negotiation of a franchise with the City of Portland, and the failure to satisfactorily negotiate such a franchise within a year after the effective date of this ordinance or such further extension as the Council may grant, shall automatically constitute the revocation of this permit, and the grantee shall immediately proceed to remove the said pipe lines as set forth in paragraph (a) above.

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

(d) The amount of open trench is at no time to exceed 800 feet, this distance to include the trenching, pipelaying, welding, backfill and tamping. The fill above the highest position of any pipe to be installed shall be at least 30 inches below normal ground level. Compacting must be such as to permit the least possible amount of subsequent settlement. Any excess fill, debris, waste or refuse of any sort shall be cleared daily from the roadway immediately after the backfilling operations have been completed. During the time of construction it is required that traffic will be kept open on the streets, with flagmen present, if necessary. In any situation where sufficient traffic lanes cannot be kept open on the surface, because of the pipelaying operations, then grantee is required to have that much of the street area excavated by tunneling. No work shall be commenced on any of the streets without first working out a plan for handling the traffic which shall be satisfactory to and approved by the City Traffic Engineer.

(e) It is understood and agreed by the grantee that any open trench shall be properly barricaded at all times, with lights or flares placed at nights and flagmen used whenever and wherever necessary and such signs and other facilities used as may be needed to safeguard and direct the traveling public.

(f) Where it is necessary to cut through existing asphaltic or concrete pavement, on any streets or roads covered hereunder, said pavement shall be sawed, the trench shall be backfilled to a depth of one foot above the pipe line with

sand and the balance of the trench up to the paving depth with minus 3 inch plus 1-1/2 inch crushed rock, the entire backfill to be compacted and paved with 4 inches of asphaltic concrete as directed by and to the satisfaction of the City Engineer.

(g) Where the 14-inch pipe line crosses roads or streets which handle heavy traffic, the pipe shall be placed within 18 inch steel casing pipes as shown on Drawing A-178, which is marked "Exhibit B" and attached to the original hereof. The space for the pipes shall be bored under such highways with said boring operations to be performed from locations outside the roadway section. All area disturbed by the boring operation shall be restored as directed by and to the satisfaction of the City Engineer.

(h) The grantee herein, or its contractor, shall protect the City of Portland, its officers, agents and employees by providing suitable liability insurance in the amount of \$100,000.00 for any single injury, \$300,000.00 for any single accident and \$500,000.00 property damage, said insurance to be kept in full force and effect at all times. This permit shall be deemed revoked without further action by the Council if said insurance is permitted to lapse or for any other reason lapses, is cancelled or becomes inoperative.

(i) The grantee herein, or its contractor, to assure full compliance with all of the terms, conditions and obligations of this permit, shall furnish for the period of time required to complete the installation of the pipe lines referred to herein, including the repair and restoration of street and highway facilities, and also during such periods of time when future maintenance may be performed upon these pipe lines, a bond or cash deposit in the amount of \$50,000.00. If a bond is furnished it must be written by a surety company duly qualified and licensed to do business in the State of Oregon and in a form satisfactory to the City Attorney. No work shall be commenced under this permit until the said bond has been submitted to and approved by the City Attorney, or the cash deposit received by the City Treasurer and notification of such deposit given to the City Engineer.

(j) No construction shall be undertaken by the grantee or its contractor without giving two days advance notice to the City Engineer and the City Traffic Engineer, and without receiving the approval of both to begin such construction. This permit is further conditioned upon the grantee's submitting to the City Engineer, for his approval, detailed plans and drawings showing the proposed final location of the pipe lines and no construction shall be permitted hereunder until said drawings and plans are approved by the City Engineer.

ORDINANCE No.

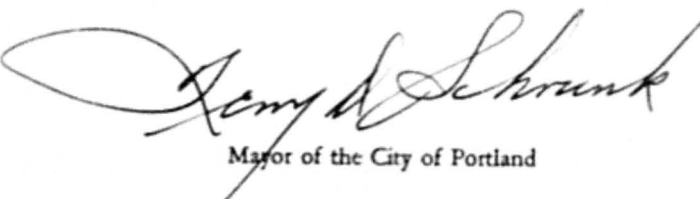
(k) In the event construction plans need to be revised or changed in the judgment of the City Engineer, after having been approved by him, in order to afford protection to existing utility lines, discovered to be located near, by or adjacent to the pipe lines permitted hereunder, the City Engineer in concurrence with the engineers in charge of such utility lines may approve changes in the construction plans of the grantee and such changes shall be shown on detailed supplemental maps and drawings which shall be filed with the City Engineer and which may be substituted, upon the approval of the City Engineer, for the detailed maps and drawings mentioned in paragraph (j) hereof.

(l) In the event relocation of the pipe lines is necessary due to construction, reconstruction or repair of streets, highways, sewers or other facilities of the City of Portland or the Oregon State Highway Department, the grantee agrees to perform such needed relocation of its lines at its own expense and promptly upon written notice from either authority to do so.

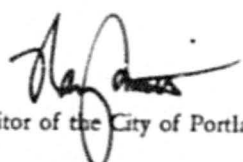
(m) This permit ordinance shall not become effective until the grantee files with the City Auditor a document in writing, approved as to form by the City Attorney, accepting the terms and conditions hereof.

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 essential construction within certain street areas may be undertaken 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 14 1964
RV


 Mayor of the City of Portland

Attest:


 Auditor of the City of Portland

Calendar No. 3922

ORDINANCE No. 119291

Title

An Ordinance granting a revocable permit to Olympic Pipe Line Company, a corporation, pending negotiation of a franchise with the City of Portland, to lay, use and maintain pipe lines 14 inches in diameter or less, in, under, along and across streets between N. W. St. Helens Road and the Willamette River and between the city limits and N. W. 35th Avenue, for the purpose of transporting petroleum products under certain conditions, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	1	
Bowes	—	
Earl	1	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Bean	
Bowes	
Earl	
Grayson	
Schrunk	

OCT 14 1964
Filed.....

RAY SMITH
Auditor of the CITY OF PORTLAND
By *[Signature]* Deputy

INTRODUCED BY Commissioner Grayson

DRAWN BY MCR/fg
Date October 13, 1964

NOTED BY THE COMMISSIONER
Affairs
Finance
Safety <i>[Signature]</i>
Utilities <i>[Signature]</i>
Works

City Attorney <i>[Signature]</i>

NOTED FOR CITY AUDITOR <i>[Signature]</i>
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APPROVED
Date
By City Engineer
Date
By