

127601

ACCEPTANCE

Portland, Oregon, September 13, 1968

1442  
RECEIVED  
SEP 23 9 23 AM '68  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.  
BY: ebt

RAY SMITH  
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. 127601, passed by the Council September 12, 1968, granting a revocable permit to Gunderson Brothers Engineering Corporation to construct temporary non-standard improvements in the street area of N. W. Front Avenue, 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,

[CORPORATE  
SEAL]

GUNDERSON BROTHERS ENGINEERING CORP.

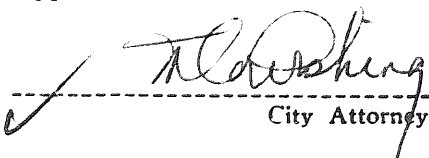
\*

BY:

C. Bruce Ward, President

4700 NW Front Ave Address Portland, Oregon

Approved as to form:

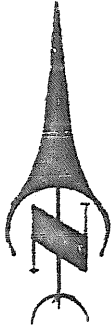
  
City Attorney

\*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.

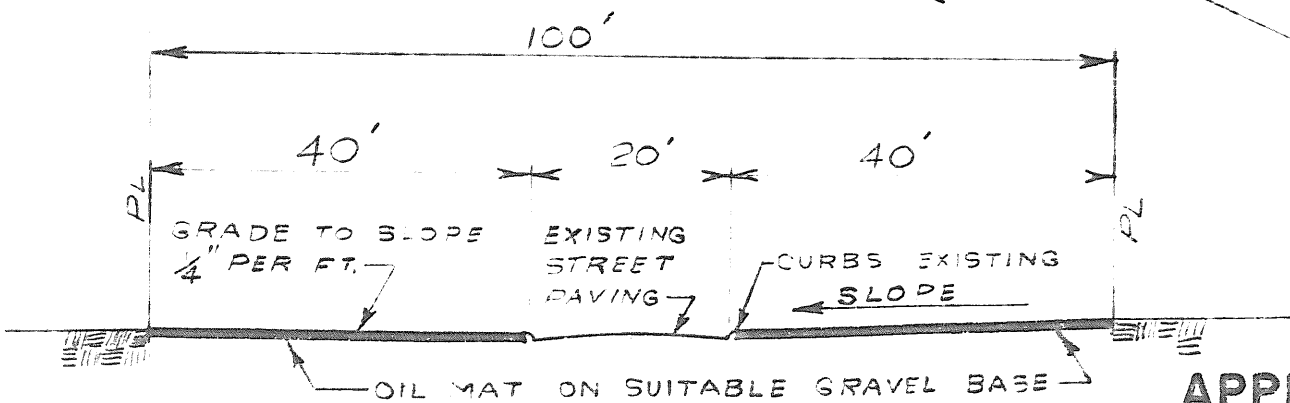
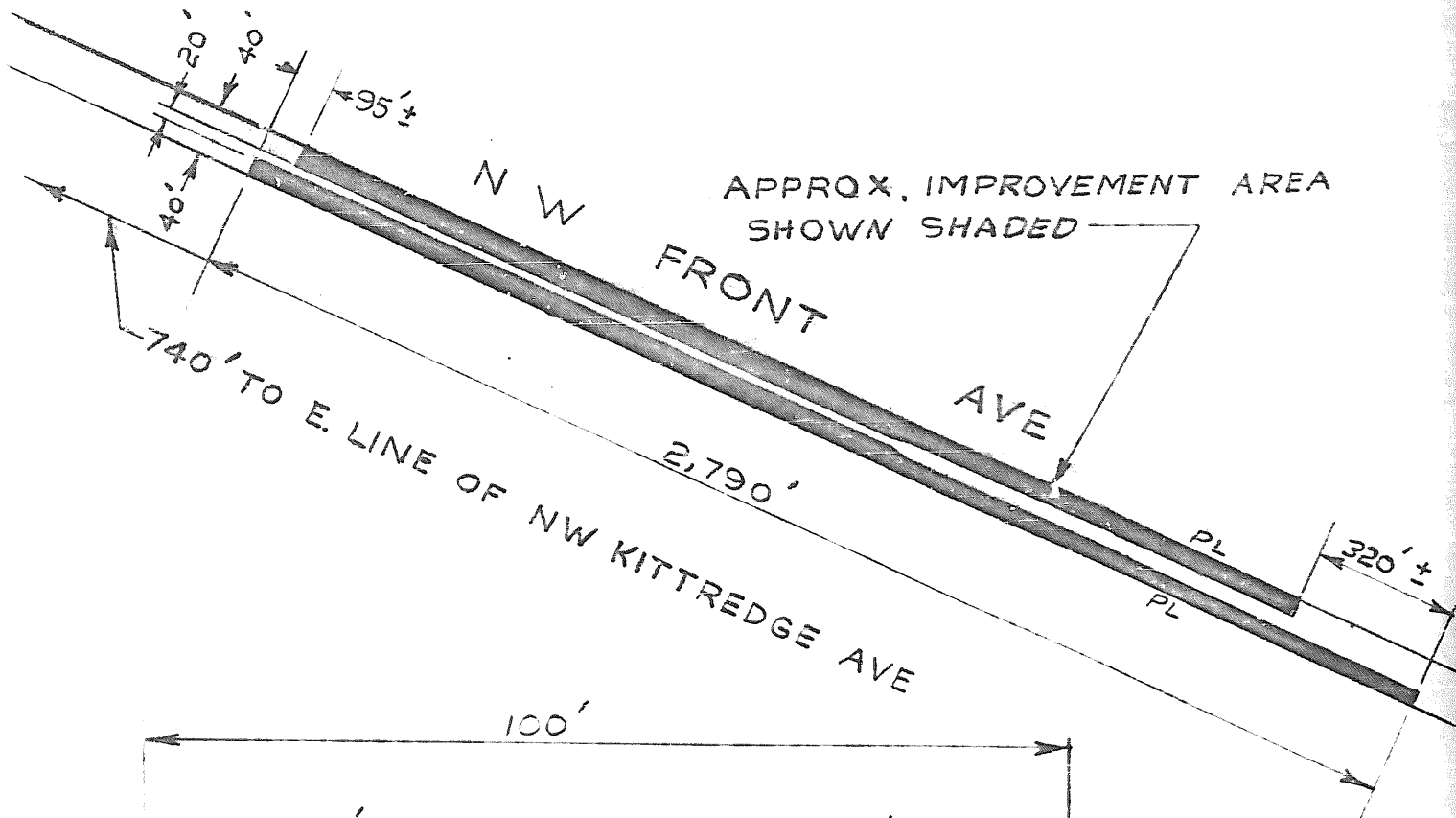
# EXHIBIT - "A"

To construct and maintain a temporary non-standard improvement (oil mat over suitable gravel base) in the street area of N W Front Ave., starting approx. 740ft easterly of E line of N W Kittredge Ave. and extending easterly for approx. 2,790ft.  $\frac{1}{4}$  Sec. 2524

For: Gunderson Brothers Engineering Corp.  
4700 N W Front Ave.



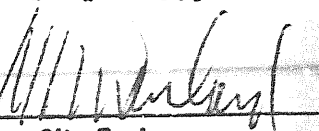
scale 1" = 400'



STREET CROSS SECTION  
scale 1" = 20'

**APPROVED**

SEP 6 1968

By   
City Engineer  
Reg. Prof. Engr.

DWN. by Gy, CK. by K

## ORDINANCE NO. 127601

An Ordinance granting a revocable permit to Gunderson Brothers Engineering Corporation to construct temporary non-standard improvements in the street area of NW Front Avenue, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Gunderson Brothers Engineering Corporation, 4700 NW Front Avenue, 97208, has, through Mr. C. Bruce Ward, President, applied for permission to place an oil mat paving in the area between the curb and property line in NW Front Avenue adjacent to and opposite their property, said paving to begin approximately 740 feet easterly of the east line of NW Kittridge and extend approximately 2790 feet farther easterly; that the paving is desirable to provide easier maintenance and that because Front Street will be widened in this area when funds are available a standard concrete paving is not feasible, therefore, a revocable permit is hereby granted to Gunderson Brothers Engineering Corporation (hereinafter referred to as the grantee) to place oil mat paving in the street area of NW Front Avenue as described above and as shown on attached plan marked "Exhibit A", and made a part hereof by reference subject to the following conditions:

(a) The grantee shall pave the said street areas with asphalt oil mat in accordance with plans approved by the City Engineer and shall, for as long as this permit is in force, adequately maintain the condition of the surface of said paved area.

(b) The grantee is aware of proposed improvements for this area and agrees that any loss of said paving or gravel base as a result of sewer construction or any other City improvement will be replaced by the grantee to the satisfaction of the City Engineer.

(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 cease to use such property for parking and shall entirely at his expense remove all paving and other improvements, or any installations of whatever nature which may have been placed in said street area, and restore the area to its original condition as required by and to the satisfaction of the City Engineer.

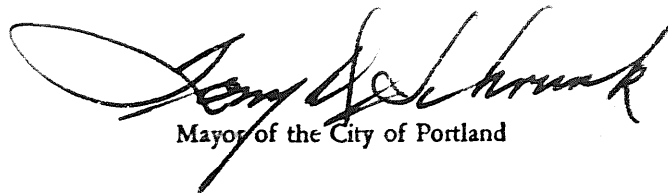
(d) The grantee shall hold the City of Portland, the City Engineer, and each and all of the officers and employes of said city, free and harmless from any claims for damages to persons or property, or from any liability of any character whatsoever arising or growing out of the use of the street area authorized by this permit.

## ORDINANCE No.

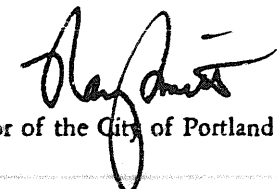
(e) The grantee shall file with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

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 privileges herein granted may be available to the grantee 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, SEP 12 1968

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. **4158**

# ORDINANCE No. 127601

## Title

An Ordinance granting a revocable permit to Gunderson Brothers Engineering Corporation to construct temporary non-standard improvements in the street area of NW Front Avenue, and declaring an emergency.

**THURSDAY**

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bowes	/	
Earl	/	
Grayson		
Ivancie	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bowes	
Earl	
Grayson	
Ivancie	
Schrunk	

Filed **SEP 6 1968**

**RAY SMITH**  
Auditor of the CITY OF PORTLAND  
By *Robert Hyle*  
Deputy

INTRODUCED BY
Wm. A. Bowes, Commissioner

DRAWN BY
JJK:tl
Date 9-4-68

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>WAB</i>

City Attorney
---------------

NOTED FOR CITY AUDITOR
<i>MC</i>
<i>R. C. H.</i>

APPROVED
Date <i>9/4/68</i>
By <i>N. R. Drulard</i> City Engineer
Date N. R. DRULARD
By