

RECEIVED 130914

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RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

BY RS

ACCEPTANCE

Portland, Oregon, May 22, 1970

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. 130914, passed by the Council May 21, 1970, granting a revocable permit to Southern Pacific Company to construct and maintain an extension to an existing pedestrian bridge and to barricade certain street area adjacent to the Southern Pacific Company tracks crossing S. E. Lafayette Street 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,

SOUTHERN PACIFIC COMPANY

[CORPORATE  
SEAL]

\* BY:

Qu Kilborn

Supt

251 Union Station Address Portland 97209

Approved as to form:

[Signature]

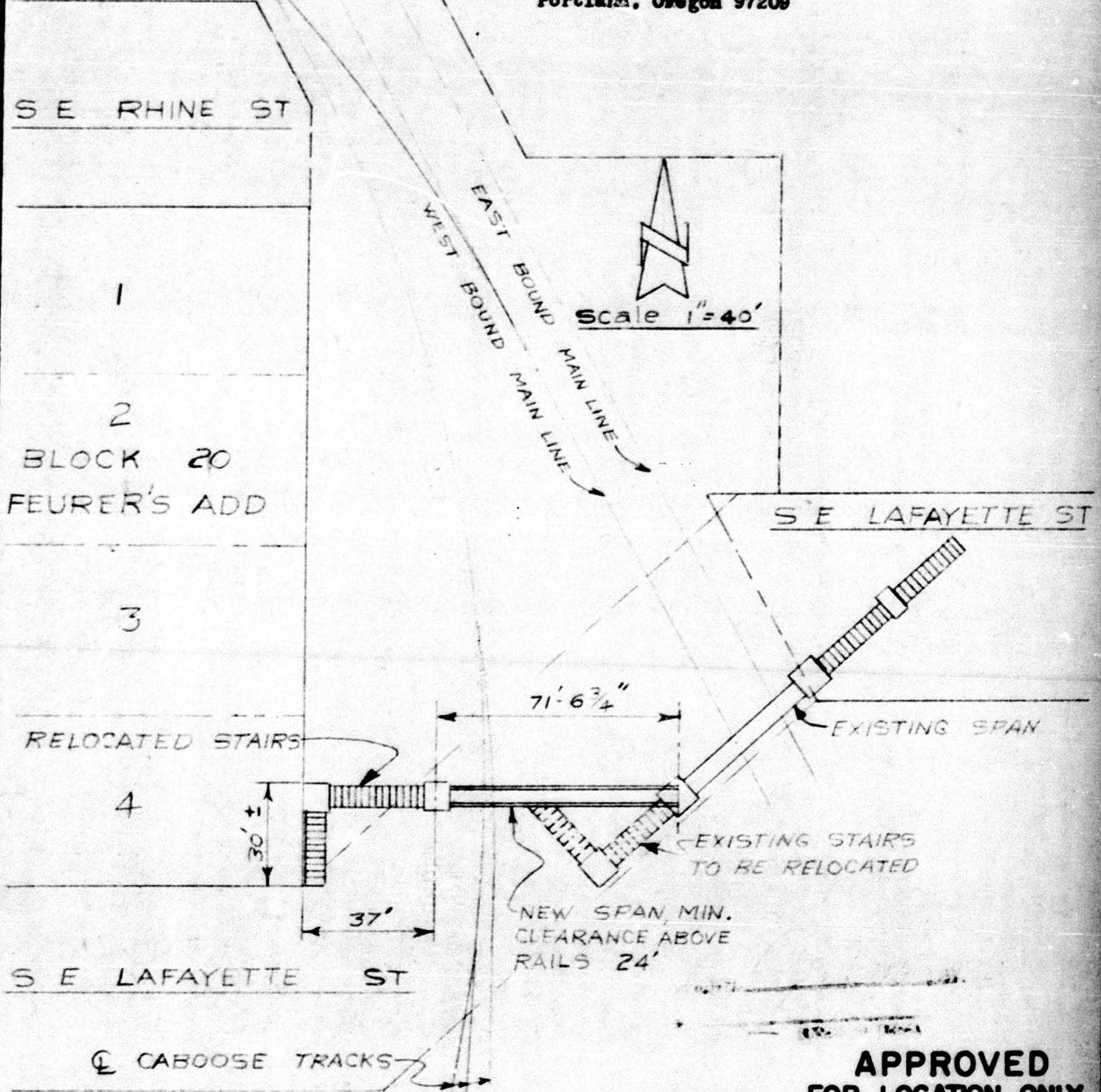
City Attorney

\*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.

# EXHIBIT - "A"

To construct and maintain an extension to an existing pedestrian bridge adjacent to Southern Pacific Co. Tracks crossing S E Lafayette St.

For. Southern Pacific Company  
251 Union Station,  
Portland, Oregon 97209



NOTE!  
THESE ARE NOT STRUCTURAL  
PLANS. SEE APPROVED PLANS  
ON FILE WITH BUREAU OF DESIGN

DWN by Gy. Ck. by K

**APPROVED  
FOR LOCATION ONLY**

By *[Signature]*  
City Engineer  
Reg. Prof. Engr. **3544**



## ORDINANCE NO. 130914

An Ordinance granting a revocable permit to Southern Pacific Company to construct and maintain an extension to an existing pedestrian bridge and to barricade certain street area adjacent to the Southern Pacific Company tracks crossing SE Lafayette Street and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that Southern Pacific Company has through A. W. Kilborn, Superintendent, 251 Union Station, Portland, Oregon 97209, requested permission to construct and maintain an extension to an existing pedestrian bridge and to barricade certain street area adjacent to Southern Pacific Company tracks crossing SE Lafayette Street, that said existing pedestrian bridge was constructed by a revocable permit granted by Ordinance No. 114184 passed by the Council, September 21, 1961, that said extension will occupy certain street area and also Southern Pacific Company right-of-way, that said pedestrian bridge extension and barricading will be in the interest of pedestrian safety and has been approved by the City Engineer and the Traffic Engineer and that the granting of the desired permission will not be detrimental to the public interest; now, therefore, a revocable permit hereby is granted to Southern Pacific Company (hereinafter referred to as the grantee) to barricade the said street area crossing and to construct and maintain an extension to an existing pedestrian bridge in the street area as heretofore described and as shown on the attached plan marked "Exhibit A", which plan hereby is made a part of this Ordinance, subject to the following conditions:

(a) 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.

(b) This permit shall be revocable at any time at the pleasure of the Council of the City of Portland, and 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. Upon revocation of the permit or removal of the structure by the grantee, the crossing at grade shall be restored, subject to approval of the City Engineer and the Public Utility Commissioner.

(c) The grantee shall hold the City of Portland, its officers, agents and employes free and harmless from any claim for damages to persons or property, including legal fees and costs of defending actions or suits thereon, which may be occasioned by the operation, construction and/or maintenance carried on under the permit hereby granted.

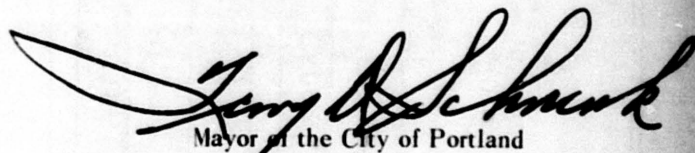
## ORDINANCE No.

Section 2. 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.

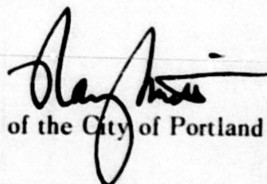
Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that the necessary permission to construct a new pedestrian bridge extension in place of the presently existing overpass and to close certain 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, MAY 21 1970

Lloyd E. Anderson, Commissioner  
5-13-70  
GAG:aw

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

Calendar No. 1823

# ORDINANCE No. 130914

## Title

An Ordinance granting a revocable permit to Southern Pacific Company to construct and maintain an extension to an existing pedestrian bridge and to barricade certain street area adjacent to the Southern Pacific Company tracks crossing SE Lafayette Street and declaring an emergency.

**THURSDAY**

Filed MAY 15 1970

**RAY SMITH**  
Auditor of the CITY OF PORTLAND

By *George Yehornel*  
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Anderson ██████████ ██████████	1	
Grayson	1	
Ivancie McCREADY	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Anderson ██████████	
McCready ██████████	
Grayson	
Ivancie	
Schrunk	

INTRODUCED BY
Lloyd E. Anderson, Comm'r.

DRAWN BY
GAG: aw
Date
5-13-70

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works <i>W. E. ...</i>

City Attorney
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NOTED BY THE CITY AUDITOR
<i>MC</i> <i>gy</i>

APPROVED
Date
5-14-70
By
<i>James L. Apperson</i> City Engineer JAMES L. APPERSON
Date
By