

RESOLUTION NO. 596-12

RESOLUTION AUTHORIZING A REVOCABLE PERMIT TO ALLOW INSTALLATION OF A PUBLIC INFORMATION KIOSK IN THE LANDSCAPED AREA ADJACENT TO PERMITTEE'S ENTRY WALKWAY LOCATED IN THE TUALATIN WHITE PARKING LOT

WHEREAS the attached Revocable Permit is for the purpose of allowing installation of a public information kiosk in the landscaped area adjacent to permittee's entry walkway located in the Tualatin White Parking Lot; and

WHEREAS the Tualatin Development Commission owns the property the permittee is requesting to install the public information kiosk; and

WHEREAS the permittee, the Tualatin Chamber of Commerce, requests the installation of the public information kiosk.

BE IT RESOLVED BY THE TUALATIN DEVELOPMENT COMMISSION, THE URBAN RENEWAL AGENCY OF THE CITY OF TUALATIN, OREGON, that:

Section 1. The attached Revocable Permit is approved and the Chairman is authorized to sign the permit for the purposes stated in this Resolution.

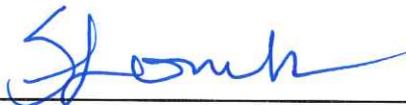
Section 2. This Revocable Permit will be automatically revoked after the Public Information Kiosk is complete.

INTRODUCED AND ADOPTED this 23<sup>rd</sup> day of April, 2012.

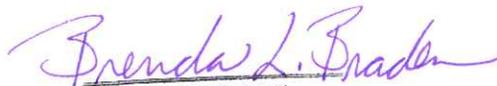
TUALATIN DEVELOPMENT COMMISSION, the  
Urban Renewal Agency of the City of Tualatin

BY  \_\_\_\_\_  
Chairman

ATTEST:

BY  \_\_\_\_\_  
Administrator

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY

## REVOCABLE PERMIT

The TUALATIN DEVELOPMENT COMMISSION, the Urban Renewal Agency of Tualatin, Oregon ("Owner") grants to the Tualatin Chamber of Commerce ("Permittee"), a revocable permit to use the real property located in the City of Tualatin, Washington County, State of Oregon, for the purposes and subject to the conditions stated:

See Exhibits "A" (Assessor's Map showing Subject portion of ROW) and "B" (Assessors Map) that are attached and incorporated by this reference.

The general location of the area is shown on Exhibit "C" (Vicinity Map). This permit is granted to the Permittee for the specific and limited purpose of the installation of a public information kiosk in the landscaped area adjacent to Permittee's entry walkway as generally depicted in Exhibit "D" (Site Plan; Elevation Plan).

This permit is granted subject to the following conditions:

(1) Permittee shall not construct, place or locate or allow others to construct, place or locate any structures within the permit area described in Exhibits "A", "B" and "D-Staff Report and Site Plan" except for improvements approved by City;

(2) Permittee shall keep and maintain the areas free from all conditions that create a risk of injury or damage to those lawfully using the area, and shall indemnify and hold the City, its officers, agents and employees harmless from any claims for injury, damage or loss of whatsoever nature arising out of or related to the use of the permit area.

(3) At all times during the term of this permit, Permittee shall obtain and continue to carry public liability and property damage insurance in a responsible company with limits of not less than \$500,000.00 for injury to one person, \$1,000,000.00 for injury to two or more persons in one occurrence, and \$100,000.00 for damage to property (or, a single premium and limits policy providing the same coverages) issued by a company or companies authorized to issue such policies in Oregon and naming the City as an insured on said policy or policies of insurance. Certificates evidencing such insurance and bearing endorsements requiring ten (10) days written notice to City prior to any change or cancellation shall be furnished to the City prior to Permittee's occupancy of the permit area.

(4) Permittee shall obtain building permits and other applicable permits for the kiosk structure and paver surface depicted on Exhibit "D" at Permittee's expense.

(6) Permittee shall provide all necessary maintenance and repair of the walkways, landscaping, and irrigation located adjacent to and within the Revocable Permit area during construction and during on-going maintenance of the kiosk and paver surfaces to the satisfaction of the City.

(7) Permittee shall provide Owner with a minimum of 30 days notice of Permittee's leaving its tenant space at 18791SW Martinazzi Avenue and shall remove the subject kiosk and paver pad and restore landscaping as approved by the Owner.

This Permit may be revoked by the City upon:

(1) A determination of the Development Commission that the Permittee has violated or failed to satisfy any of the conditions of this permit, or

(2) Upon determination by the Development Commission that the permit area is required for public purposes, the City Council shall provide written notice of revocation that shall be effective, without further action of either party, 120 days after the date of the notice.

If the Development Commission declares a revocation of this permit under subparagraph (1), the written declaration shall be mailed to Permittee at the Permittee's address shown on the records of the Washington County Department of Assessment and Taxation. The revocation shall be effective ten (10) days after the date of the written declaration. All rights and interests of the Permittee shall automatically terminate upon the effective date of the revocation.

Prior to the effective date of revocation of this permit, the Permittee, at its expense, shall cause all improvements to be removed from the permit area if so requested in the Declaration of Revocation and re-establish area to its pre-existing condition.

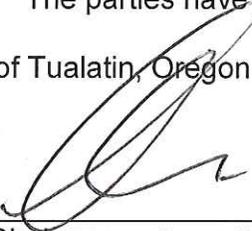
This Permit is granted for the benefit of and the heirs, successors in interest and assigns of the Permittee who shall be bound by the conditions of this Permit.

The parties have executed this permit on the date indicated below.

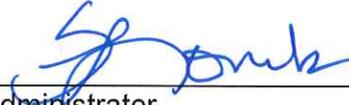
City of Tualatin, Oregon

Name

Tualatin Chamber of Commerce

BY  4-23-2012  
Chairman, Lou Ogden Date

BY \_\_\_\_\_  
Date

BY  4-23-2012  
Administrator Date

APPROVED AS TO LEGAL FORM

  
CITY ATTORNEY