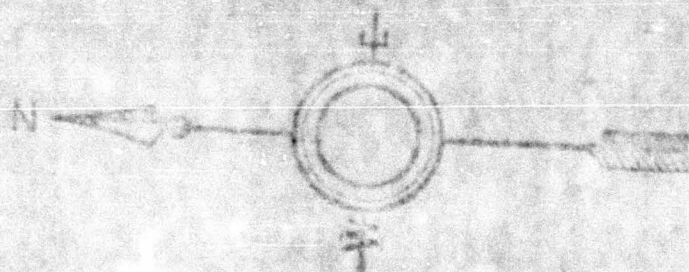


Proposed T.R. To General Electric Co. Apparatus Div.



331.38 - To West Line - N.W. 20th Ave

25

N.W. INDUSTRIAL

N.W. 30<sup>TH</sup> AVE.

APPROVED

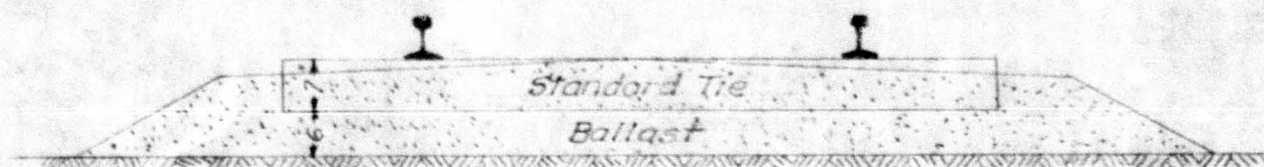
DEC 1 1952

By J. G. Lipperton  
City Engineer  
Reg. Prof. Engr. 219

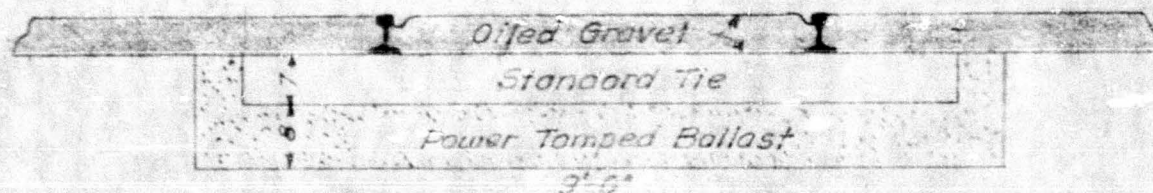
EXHIBIT A

S. P. & S. Ry.  
PORTLAND

Office of Chief Engineer  
Date 11-6-52 Scale 1"=50'



TYPICAL SECTION IN UNIMPROVED STREET



TYPICAL SECTION IN OILED GRAVEL STREET

EXHIBIT B

S. P. & S. Ry.  
TYPICAL TRACK SECTIONS  
Office of Chief Engineer  
Jan 11-6-52 Scale 1/2"=1 ft.



## ORDINANCE No. 97599

An Ordinance granting a revocable permit to Spokane, Portland & Seattle Railway Company, c/o E. B. Stanton, American Bank Building, Portland 5, Oregon, its successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. Industrial Street at N.W. 30th Avenue, imposing conditions, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. That a revocable permit is hereby is hereby granted to Spokane, Portland & Seattle Railway Company, its successors, lessees and assigns (hereinafter referred to as the grantee) to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. Industrial Street at N.W. 30th Avenue in the City of Portland, Multnomah County, Oregon, insofar as it will be located within the street area, the center line of said spur track being more particularly described as follows:

Beginning at a point that is 399.75 ft. westerly from the west line of N.W. 29th Avenue when measured along the north line of N.W. Industrial Street, and 47.25 ft. southerly from the north line of N.W. Industrial Street, when measured at right angles thereto; thence northeasterly through a number five turnout, 73.8 ft. to a point of curve; thence along the arc of a 24 degree curve to the right, 8.7 ft., to a point on the north line of N.W. Industrial Street, which point is 331.38 ft. westerly from the west line of N.W. 29th Avenue when measured along the north line of N.W. Industrial Street,

and as shown on the attached plan marked Exhibit "A" and hereby made a part of this ordinance.

Section 2. The grantee shall file in quadruplicate with the City Engineer complete plans showing the exact location within the street lines of all proposed work and no work hereunder shall be done until the City Engineer shall have approved same, one of the copies of the plan so to be approved to be returned to the said grantee. All work shall be done in a good and substantial manner and to the satisfaction of the City Engineer.

Section 3. This permit is conditioned that the grantee will at its own cost and expense during the exercise of the privileges hereby granted pave, repave, repair or otherwise improve, maintain and adjust in like manner or as directed by the City Engineer any part or parts of the roadway and sidewalk area as well as catchbasins, inlets, underground construction, and any other construction within the street lines which by the reason of the laying of the above-mentioned track shall in the opinion of the City Engineer require repairs, adjustments or

## ORDINANCE No. 97599

construction. The grantee shall pay to the City any additional costs of construction, reconstruction, altering, repairing or maintaining any municipal utility now existing or which may hereafter be built caused by the construction and maintenance of said spur track and appurtenances, the equitable amount of such costs to be determined by the City Engineer.

The grantee shall fill in to the established grade, plank, pave, repave, reconstruct, or otherwise improve, or repair, and keep in good condition from time to time whenever and in the manner directed by the City of Portland, those portions of the street between the rails of the above-mentioned track, and those portions outside of the rails extending to the ends of crossties, provided, that in no case shall the portion of the rails be less than one (1') foot in width, measured from the outside of the rail.

Section 4. This permit is granted upon the condition that the grantee shall allow any other company, including any municipal belt line or commercial railroad that may hereafter be authorized, operated or maintained by the City of Portland, and including railroad companies operating engines, locomotives or cars by electrical current, steam or gas power, to use in common with the grantee the track herein authorized to be laid, upon obtaining the consent of the Council of the City of Portland expressed by ordinance or by the people by the initiative, each user paying a proper and equitable proportion of the cost of construction and repair of the tracks so used jointly.

Section 5. This permit so granted to the said Spokane, Portland and Seattle Railway Company, its successors, lessees and assigns, by this ordinance shall not in any manner interfere with or prevent the City of Portland from granting permits or franchises to other corporations or individuals for the construction of other tracks crossing the tracks which may be constructed under this ordinance, and for the maintenance and operation of said other tracks.

Section 6. The grantee shall pay all the costs of moving the existing poles, wires or conduits belonging to utility companies now located in the area to be occupied by the said spur track and before any work is done under this permit the grantee shall come to an agreement with any such utility companies about the removal of said poles, wires or conduits.

Section 7. The permit hereby granted is revocable at any time at the pleasure of the Council of the City of Portland, and no expenditure of money thereunder, or lapse of time, or other act or thing shall operate as an estoppel

## ORDINANCE No.

by the Council, the grantee shall within thirty (30) days remove all tracks and appurtenances constructed under said permit, and shall put those portions of the streets affected by such removal in a condition as good as are the adjoining portions of said street at the time of removal; all work to be done as directed by and to the satisfaction of the City Engineer.

Section 8. This ordinance shall not exempt the grantee from taking out licenses or permits required by any existing ordinances for any operation or construction carried on under the permit hereby granted.

Section 9. The permit hereby granted shall not become effective until there is filed by the grantee with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

Section 10. The grantee, its successors and assigns, hereby agrees and covenants to indemnify and save harmless the City of Portland, its officers and employees, against all damages, costs and expenses whatsoever to which it or they may be subject in consequence of any act or neglect of said grantee, its successors or assigns, its agents or servants, in any manner arising from the rights and privileges hereby permitted.

Section 11. It is understood that work under this permit shall be started as soon as practicable and it is conditioned that if no such work has been started by said grantee within one year after the date hereof, the permit herein granted shall be void and of no effect.

Section 12. 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 grantee may have a permit covering operations on the said spur track without undue delay; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, DEC 11 1952

*Dorothy McCullough Lee*  
Mayor of the City of Portland  
*Will Gibson.*

Attest:

Auditor of the City of Portland



Calendar No. 6257

# ORDINANCE No. 97599

Title

An Ordinance granting a revocable permit to Spokane, Portland & Seattle Railway Company, c/o E. B. Stanton, American Bank Bldg., Portland 5, Oregon, its successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. Industrial Street at N.W. 30th Avenue, imposing conditions, and declaring an emergency.

THURSDAY

## THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Peterson	/	
Lee	/	

## FOUR-FIFTHS CALENDAR

Bean	
Boody	
Bowes	
Peterson	
Lee	

Filed DEC 4 - 1952

*Will Sibson*  
Auditor of the CITY OF PORTLAND

By ROBT L. MCCOY  
Deputy

INTRODUCED BY

Fred L. Peterson

DRAWN BY

GJL chv

Date

November 28, 1952

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

FLP

WAB

City Attorney

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By

Chief Civil Engineer

Date

By

City Engineer