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ORDINANCE NO. 5442.

An Ordinance to amend Ordinance No. 5100, entitled "An Ordinance granting to the Portland and Willamette Valley Railway Company its successors and assigns a right of way over certain land belonging to the City of Portland." Approved June 17th, 1887.

The City of Portland does ordain as follows;

Section 1;- That section 4 of Ordinance No. 5100, entitled, "An Ordinance granting to the Portland and Willamette Valley Railway Company, its successors and assigns a right of way over certain lands belonging to the City of Portland." Approved June 17th 1887, be and the same is hereby amended to read as follows;

Section 4;- That upon the compliance with the provisions of this Ordinance by the said Portland and Willamette Valley Railway Company, the Mayor and Auditor and Clerk are hereby instructed to execute and deliver to said Company a good and sufficient deed conveying to said Company a right of way over and upon said lands provided always and this right of way is granted upon the express condition that the said City of Portland, shall have and it does hereby reserve the right to make, construct, use and maintain, all such road or roads, and the necessary crossings for teams and vehicles over, across and upon said right of way and the track or tracks of said Company thereon constructed at such points as may be necessary or re-

quired, for the use of said City of Portland, or the "Water Committee" and "Water Commission" of said City created by an act of the Legislative Assembly of the State of Oregon, entitled, "An Act to amend an act, entitled An Act to incorporate the City of Portland, Approved October 24" 1882, Approved November 25" 1885, or any or either of them or their successors or assigns, the place or points of such crossings to be selected by said "Water Committee" or "Water Commission" or their successors or assigns and also the right to make, construct, use and maintain all such shoot or shoots across said right of way and under the track of said Company thereon constructed at such points as may be necessary, convenient or required by the said City of Portland or said "Water Committee" or "Water Commission" for the purpose of passing wood through the same from the highway on the west side of said right of way to the pumping station on the east side thereof, and said deed hereby directed to be made shall contain the proper clause and provisions to reserve unto said City of Portland its successors and assigns the rights herein enumerated.

Passed the Common Council, April 4th. 1888.

W. H. Wood

Auditor and Clerk

Approved, April 6th. 1888.

John Gates

Mayor.

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