

An Ordinance granting a revocable permit to Spokane, Portland and Seattle Railroad Company and to the Oregon-Washington Railroad and Navigation Company to construct and maintain a spur track in East Second street, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. That there be and is hereby granted to Spokane, Portland and Seattle Railroad Company and the Oregon-Washington Railroad and Navigation Company the right and privilege of constructing and maintaining a single standard gauge spur track on the east fifteen feet of East Second street from the north line of East Ankeny street to a point 120 feet north thereof.

Section 2. This permit is conditioned that it may at any time be revoked by the Council of the City of Portland, and no expenditure of money, lapse of time, or tacit consent on the part of the City of Portland shall give the grantees herein any vested right to maintain said track. This permit is further conditioned that said grantees will at their own cost and expense, during the exercise of the privilege hereby granted, pave, repave, repair or otherwise improve and maintain in good condition that portion of the street occupied by the track to be constructed under authority of this ordinance, and is further conditioned that said grantees will, when so ordered by the City of Portland, remove said track and restore that portion of the street, pavement or sidewalk disturbed or torn up by such removal and place the same in as good condition as the remaining portion of said street.

Section 3. Said grantees shall execute a bond to the City of Portland in the penal sum of \$1,000, conditioned that the provisions of this ordinance shall be complied with, and that said track will be removed when ordered by the City, and the street and sidewalk restored.

Section 4. This permit is hereby granted upon the condition that the grantees, their successors and assigns, shall allow any other company, including any municipal belt line 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, to use in common with the grantees, their successors and assigns, the tracks herein authorized to be laid, upon obtaining consent of the Council of the City of Portland, expressed by ordinance, or by the people by the initiative, each railroad company paying a proper and equitable proportion for the construction and repair of the tracks and appurtenances used by such companies jointly, but the railroad companies operating engines, locomotives or cars by electrical current shall erect and maintain poles and wires and bond the rails for operating such engines and locomotives and cars, without cost and expense to such grantees, their successors and assigns, each railroad company so using electrical current paying a proper and equitable proportion for the erection and maintenance of such poles and wires and bonding rails.

Section 5. That Ordinance No. 30716, entitled, "An Ordinance granting a revocable permit to Spokane, Portland and Seattle Railroad Company and to the Oregon-Washington Railroad and Navigation Company to construct and maintain a spur track in East Second street, and declaring an emergency", passed by the Council July 23, 1915, be and is hereby repealed.

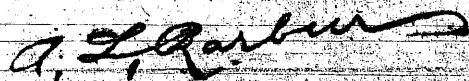
Section 6. An emergency is hereby declared to exist in this: The street on which this spur track is to be constructed is in need of immediate improvement, and it is necessary that said spur track be constructed immediately in order that the improvement of said street may not be delayed unnecessarily; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, July 30, 1915.

H. R. ALBEE

Mayor of The City of Portland.

ATTEST:



Auditor of The City of Portland.

APPROVED July 29, 1915.

THE COMMISSION OF PUBLIC WORKS

By

Secretary.

APPROVED July 30, 1915.

City Engineer.