Carl Archer

78721

Ordinance No.

An Ordinance granting a revocable permit to the Northern Pacific Terminal Company of Oregon, 800 Pacific Building, its successors, lessess and assigns, to construct, equip, maintain and operate an industry apur track of standard gauge in N.W. Wilson St. between the easterly line of Block 14, Watson's Addition extended northerly, and a point 15 feet east of the east line of N.W. 20th Ave., and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. That a revocable permit be and the same is hereby granted to the Northern Pacific Terminal Company of Oregon (hereinafter referred to as the grantee) to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. Wilson St. from the easterly line of Block 14, Watson's Addition extended northerly, to 15 feet east of the east line of N.W. 20th Ave. in the City of Portland, Multnomah County, Oregon, the center line of said apur being more particularly described as follows:

Beginning at a point in N.N. Wilson St. 19.0 feet northerly from the northeasterly corner of Block 14, Watson's Addition to the City of Portland, Wult-nomah County, Oregon, thence westerly parallel to and 19.0 feet distant from the southerly line of N.W. Wilson St. to a point 15 feet easterly from the easterly line of N.W. 20th Ave.

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 Enginer.

Section S. 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 tracks shall in the opinion of the City Engineer require repairs, adjustments or 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 satablished 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 tracks, and those portions outside of the rails extending to the ends of cross-ties, provided, that in no case shall the portion outside 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 nower, to use in common with the grantee, the tracks 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 Northern Pacific Terminal Company of Oregon 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 track which may be constructed under this ordinance, and for the maintenance and operation of said other tracks.

Section 6. 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 estopoel against the City of Portland, or be held to give the grantee any vested or other rights.

Upon revocation, 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 atreet at the time of removal; all to be done as directed by and to the satisfaction of the City Engineer.

Section 7. This ordinance shall not exempt the grantse from taking out licenses or permits required by any existing ordinances for any operation or construction carried on under the permit hereby granted.

Section 8. The permit hereby granted shall not become effective until there is filed by the granted with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.

Section 9. Inasmuch as this ordinance is necessary for the immediate preservation of the public health,
peace and safety of the City of Fortland in this: In order
that adequate shipping facilities may be provided without
undue delay for a concern engaged in essential war work;
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 MAY 14 1943

R. E. RILEY

Mayor of the City of Portland

Attests

Auditor of the City of Portland

Com'r Bowes 5-11-45 chv

RSL

Ordinance No. 18721

An Ordinance granting a revocable permit to the Northern Pacific Terminal Company of Oregon, 800 Pacific Building, its successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. Wilson St. between the easterly line of Block 14, Watson's Addition extended northerly, and a point 15 feet east of the east line of N.W. 20th Ave., and declaring an emergency.

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W.A.B.
R.E.R.
White
K.L.C.
D.
R.C.C.

And MAY 1 5 1943

And the CITY OF FORTLAND
ELBERT G. ROFF

APPROVED

MAY 11 1943

By L. G. Apperson

Chief of Bureau of Construction

APPROVED
MAY 11 1943
By Ben S. Morrow
City Engineer