



VALUATION OREGON 2.
VALUATION OREGON 1.

FLAND

N.E.

EVERETT

DAVIS

COUCH

BURNSIDE

S. E.

3RD AVE.

ANKENY

ASH

WAREHOUSE
TRIWAY PRODUCE CO.

APPROVED

APPROVE

OCT 22 1943

Ben S. Morris

CITY ENGINEER

East Portland Oregon
Showing The New Storage Tracks
Superior Place - Alameda Ave
Wegland
New Storage Tracks - Shown - Yellow
Scale 1" = 100'
9-17-43

Ordinance No. 12, 1

An Ordinance granting a revocable permit to Oregon-Washington Railroad & Navigation Company, and its lessee, Union Pacific Railroad Company, 828 Pit-took Block, their successors, lessees and assigns, to construct, equip, maintain and operate two (2) industry spur tracks of standard gauge in N. E. Second Avenue and crossing N. E. Everett Street, N. E. Davis Street, N. E. Couch Street and East Burnside Street, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. It appearing to the Council that the Oregon-Washington Railroad & Navigation Company has applied for permission to construct two (2) industry spur tracks in N. E. Second Avenue and crossing N. E. Everett Street, N. E. Davis Street, N. E. Couch Street, and East Burnside Street, to provide additional storage for railroad cars, and that the granting of the desired permit will not be detrimental to the public interest; therefore, a revocable permit be, and the same is hereby granted to Oregon-Washington Railroad and Navigation Company, a corporation, and its lessee, Union Pacific Railroad Company, a corporation, their successors, lessees and assigns, (hereinafter collectively referred to as the grantee) to construct, equip, maintain and operate two (2) industry spur tracks of standard gauge, in N. E. Second Avenue, and crossing N. E. Everett Street, N. E. Davis Street, N. E. Couch Street, and East Burnside Street, in the City of Portland, Multnomah County, Oregon, the center line of said spur tracks being more particularly described as follows:

Storage Track No. 1

Beginning at a point in the center line of O.W.R. & N. Co. Track 304, which point is eighty (80) feet more or less south of the south line of E. Burnside Street, and thirty (30.0) feet west of the East line of N. E. 2nd Street; thence northeasterly through a number seven turnout with a frog angle of eight degrees and ten minutes (8 degrees 10 minutes) to the right, a distance of sixty four and five tenths (64.5) feet; thence on a tangent eighty one and three tenths (81.3) feet; thence continuing northeasterly on a six degree curve to the left, having a radius of nine hundred fifty five and thirty seven hundredths (955.37) and a central angle of eight degrees and ten minutes (8 degrees, 10 minutes), a distance of one hundred thirty six and seven tenths (136.7) feet to a point thirteen (13.0) feet East of east line of 2nd Avenue and in center of N. E. Couch Street;

thence northeasterly on a tangent thirty five feet east of and parallel to Track 304, and 13 feet east of East Property Line of N. E. 2nd Avenue to point fifteen (15.0) feet more or less north of the South Property Line of N. E. Couch Street, a distance of five hundred one and seven tenths (501.7) feet; thence northwesterly on a twelve degree and thirty minutes (12 degrees 30 minutes) curve, having a radius of four hundred fifty nine and twenty eight hundredths (459.28) feet, and a central angle of twenty degrees and forty minutes (20 degrees, 40 minutes), to the left, a distance of one hundred sixty five and three tenths (165.3) feet; thence on tangent to point of number seven frog (#7), a distance of fifteen (15.0) feet; thence northwesterly through a number seven turnout sixty four and five tenths (64.5) feet to point in center of Track, 304 which is seven feet (7.0) more or less south of south line of Flanders Street (N. E.) produced and thirty two feet (32.0) feet more or less west of east line of N. E. 2nd Avenue and end of track, 1, said track having a length of ten hundred thirty one (1031.0) feet.

Storage Track No. 2

Beginning at a point in center line of the above described Storage Track No. 1, which is ninety three (93.0) feet northeasterly of south head block of Storage Track No. 1, said point being thirty seven (37.0) feet north of north line of East Burnside Street and ten (10.0) feet west of the east line of N. E. 2nd Avenue; thence northeasterly through number seven turnout with a frog angle of eight degrees and ten minutes (8 degrees, 10 minutes), a distance of sixty four and five tenths (64.5) feet; thence northeasterly parallel to and twenty two (22.0) feet east of O.R.&N. Track, 304 and on East line of N. E. 2nd Avenue, a distance of five hundred one and seven tenths (501.7) feet, to a point of number seven frog; thence through number seven turnout having an angle of eight degrees and ten minutes (8 degrees and 10 minutes), a distance of sixty four and five tenths to a point in center line of Storage Track No. 1, ninety two and nine tenths (92.9) south of north head block of Storage Track No. 1, also said point is ninety feet (90.0) south of south line of N. E. Flanders Street and seven (7.0) feet more or less west of East line of N. E. 2nd Avenue. Said track being eight hundred forty three (843.0) feet in length; it being understood that this permit

shall apply only within the limits of the City streets above mentioned, upon which the above described tracks shall be constructed.

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 catch basins, 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 tracks 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, 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 power, 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 the construction and repair of the tracks so used jointly.

Section 5. This permit so granted to the said Oregon-Washington Railroad & Navigation Company, and its lessee, Union Pacific Railroad Company, 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 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 against the City of Portland, or be as an estoppel 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 street 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 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 8. 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 9. Inasmuch as this ordinance is necessary for the immediate preservation of public health, peace and safety of the City of Portland in this: In order that adequate storage space for railroad cars needed

during the present national emergency may be provided with the least possible 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 NOV 1 1943

Wm. C. Bowes

PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

Attest:

Orville E. Gibson

Auditor of the City of Portland

Com'r Bowes

10-22-43

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R. S. 1

3057

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ORDINANCE No. 73274

An Ordinance granting a revocable Permit to Oregon-Washington Railroad & Navigation Company, and its Lessee, Union Pacific Railroad Co., 828 Pittock Block, their Successors, Lessees and Assigns, to construct, equip, maintain, and operate two(2) industry spur tracks of standard gauge in N.E. Second Avenue and crossing N.E. Everett St., N.E. Davis St., N.E. Couch St., and E. Burnside St., and declaring an emergency.

APPROVED

OCT 22 1943

By L. G. Apperson

Chief of Bureau of Construction
Reg. Prof. Engr. 219

W.A.B.

THURSDAY

OCT 28 1943

APPROVED

OCT 22 1943

CONTINUED TO 9:30 A. M. NOV 1 1943

By Ben S. Morrow
City Engineer

Reg. Prof. Engr. No. 1152

THE FOLLOWING IS THE ORDINANCE OF THE CITY OF PORTLAND	
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LILEY	

NOV 2 1943

Approved by the CITY OF PORTLAND

ELMER G. ROFF

By _____ Deputy