

TERMINAL

NO. 2
Indys

HUDSON
DUNCAN
CO.

Shift 260

Additional to Hudson
Duncan Bldg
225' Spur

SE PINE ST.

SE ASH ST.

WATER

SE PINE ST.

General Store

SE STARK ST.

SE OAK ST.

Part of 817
DRAWING P-1042
SHEET 1

BRIDGE

BURNSIDE

SOUTHERN PACIFIC COMPANY

PACIFIC LINES

Main Line

EAST PORTLAND

Franchise for proposed car tracks

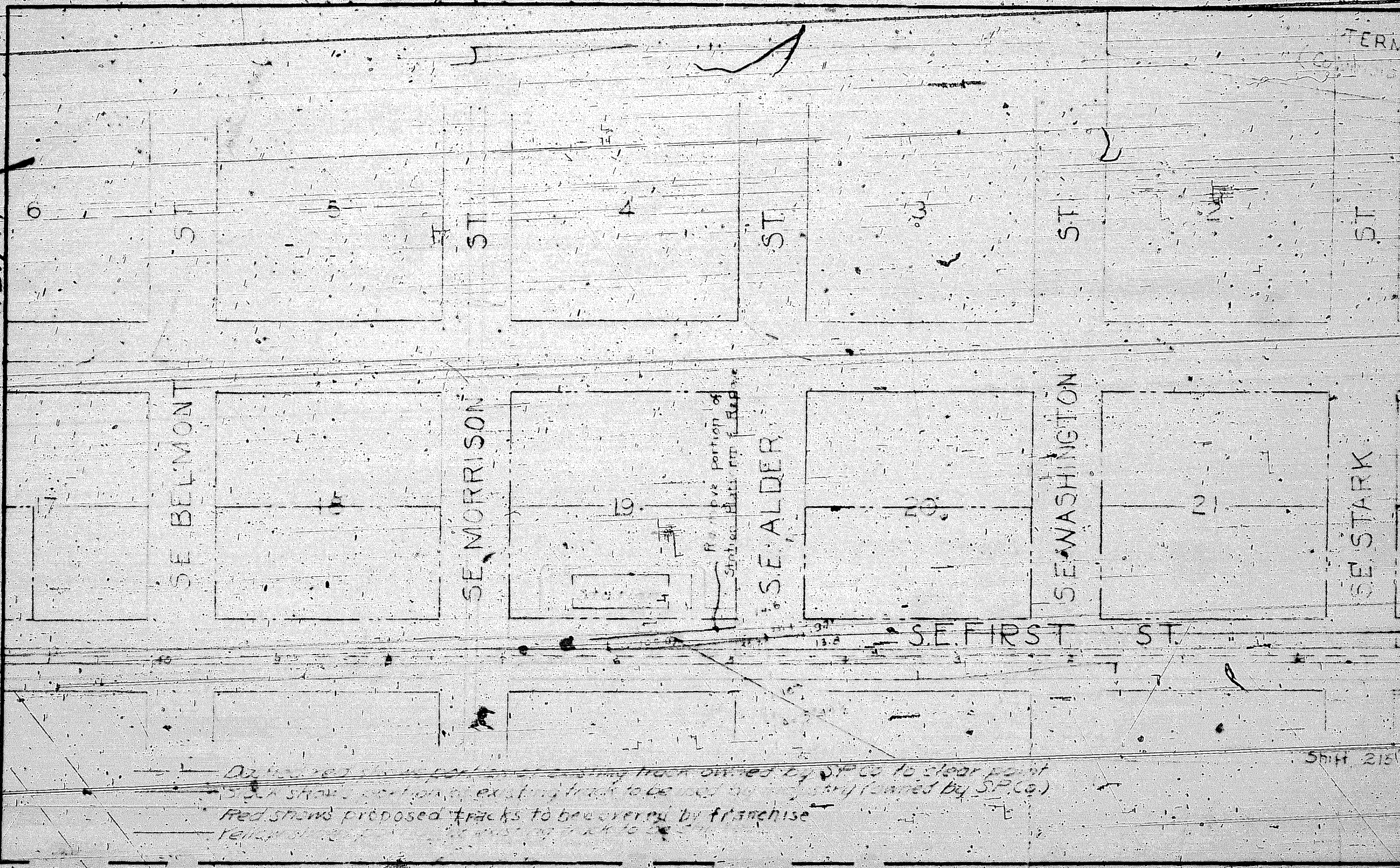
Scale 1" = 100'

Form 30 P.D. 10/27/1924

Track to serve Hudson Duncan Co.

PH. 215 of Track 1

Exhibit A



As shown in map portion of existing track owned by S.P. Co. to clear point
 15.5 in street location, existing track to be used by S.P. Co.
 Red shows proposed tracks to be covered by franchise
 Yellow shows existing tracks to be used by S.P. Co.

Sheet 2181

ORDINANCE NO. _____

An Ordinance granting a revocable permit to the Southern Pacific Company, Union Station, its successors, lessees and assigns, to construct, equip, maintain and operate industry spur tracks of standard gauge in and across S.E. Pine St. between S.E. Water Ave. and S.E. First Ave.; and in S.E. Pine St. from the east line of S.E. Water Avenue to approximately 190 ft. west of the west line of S.E. Water Avenue, 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 Southern Pacific Company, its successors, lessees and assigns, (hereinafter referred to as the grantee) to construct, equip, maintain and operate industry spur tracks of standard gauge in and across S. E. Pine St. between S.E. Water Ave. and S.E. First Ave.; and in S.E. Pine St, from the east line of S.E. Water Avenue to approximately 190 ft. west of the west line of S.E. Water Avenue, in the City of Portland, Multnomah County, Oregon, the center line of said spur tracks, so far as they will be located within the street area, being more particularly described as follows:

ACROSS S.E. PINE STREET.

(#1) Beginning at a point on the south line of S.E. Pine Street, distant 52 feet west from the west line of S.E. First Avenue; thence northwesterly on the arc of a 235 foot radius curve to the left 80 feet more or less over and across S.E. Pine Street to a point on the north line of said S.E. Pine Street, distant 104 feet west from the west line of S.E. First Avenue.

(#2) Beginning at a point on the south line of S.E. Pine Street, distant 35 feet west from the west line of S.E. First Avenue; thence northwesterly on the arc of a 250 foot radius curve to the left 80 feet more or less over and across S. E. Pine Street to a point on the north line of said S.E. Pine Street, distant 81 feet west from the west line of S.E. First Avenue.

91278

ACROSS S.E. WATER AVENUE, AND CONTINUING
WESTERLY ALONG S.E. PINE STREET.

(#1) Beginning at a point on the east line of S.E. Water Avenue distant 47 feet north from the north line of S.E. Pine Street; thence westerly on the arc of a 235 foot radius curve to the left 58 feet more or less over said S.E. Water Avenue to a point 3 feet east from the west line of said S.E. Water Avenue and 14.5 feet north from the south line of S.E. Pine Street; thence continuing west across said S.E. Water Avenue and along S.E. Pine Street parallel to and 14.5 feet north from the said south line of said S.E. Pine Street 200 feet more or less to the end of said spur track.

(#2) Beginning at a point on the east line of S.E. Water Avenue distant 62.5 feet north from the north line of S.E. Pine Street; thence westerly on the arc of a 250 foot radius curve to the left 58 feet more or less over said S.E. Water Avenue to a point 3 feet east from the west line of said S.E. Water Avenue and 29.5 feet north from the south line of S.E. Pine Street; thence continuing west across said S.E. Water Avenue and along S.E. Pine Street parallel to and 29.5 feet north from the said south line of S.E. Pine Street 200 feet more or less to the end of said spur track.

and as shown on the attached plan marked Exhibit "A" and 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 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 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, 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 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 construction and repair of the tracks so used jointly.

Section 5. This permit so granted to the said Southern Pacific 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 tracks 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 against the City of Portland or be held to give the grantee any vested or other rights. Upon revocation of this permit 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. 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 adequate switching facilities may be provided for an important local industry 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 JUL 26 1945

Earl Kelly
Mayor of the City of Portland

Attest:

J. O. S. Jr.
Auditor pro tem of the City of
Portland

J.O.S. Jr.
E.F.

E.F.

Commissioner Lee
7-24-45
DML:eb

Ordinance No. 81215

An Ordinance granting a revocable permit to the Southern Pacific Company, Union Station, its successors, lessees and assigns, to construct, equip, maintain and operate, industry spur tracks of standard gauge in and across S.E. Pine St. between S.E. Water Ave. and S.E. First Ave; and in S.E. Pine St. from the east line of S.E. Water Avenue to approximately 190 ft. west of the west line of S.E. Water Avenue, and declaring an emergency.

Earl Riley, Act. Comm.

- 4/5
- E.R.
- F.L.P.
- H.A.G.
- W.A.B.
- K.L.C.

FILED	CLERK	OFFICE	OF THE	CITY	OF	PORTLAND
JUL 28 1945						
BY _____						
RILEY						

JUL 28 1945

John J. Coffey
of the CITY OF PORTLAND

By _____ Deputy