

APPLICATION FOR A REVOCABLE PERMIT
TO CONSTRUCT SPUR TRACK, ETC.

TO THE COUNCIL:

The undersigned PORTLAND TRACTION COMPANY,

an Oregon Corporation.

hereby petition your honorable body to grant it a revocable permit to construct a railroad (spur) ~~(switch)~~ ~~(siding)~~ on the following described part of S.E. Fourth Avenue and Division Place ~~Street (Avenue)~~ in the city of Portland, Oregon.

Beginning at a point in the center line of the east main track on S.E. 4th Avenue, 63.70 feet south of the south line of Southeast Division Place; thence northerly on a curve to the right having a radius of 461.38 feet, through an angle of 15 degrees, a distance of 120.79 feet to a point; thence on a curve to the left having a radius of 150 feet, a distance of eleven feet more or less to the north line of Southeast Division Place.

There is attached to this application and made a part hereof the assent in writing of the owners of a majority part in extent of the lots or tracts of land fronting on each side of that portion of said street (avenue) on which it is desired to construct said railroad (spur) (siding) (switch), together with a plan drawn to scale upon which is shown the portion of said street (avenue) desired for said use, and the property lines and ownership of all of the property abutting upon each side of the portion of said street (avenue) sought to be subjected to said use.

PORTLAND TRACTION COMPANY,
a Corporation

APPLICANT

Henry T. Brown
BY Vice President

Clarence D. Phillips
Secretary

See 207

ASSENT OF PROPERTY OWNERS TO
CONSTRUCTION OF SPUR TRACK, ETC.

We, the undersigned, comprising more than 50% of the owners of the property abutting upon the WEST side of that certain portion of FOURTH ~~Street~~ Avenue (Avenue) in the city of Portland, Oregon; and we, the owners of more than 50% of the property abutting upon the East side of said portion of said ~~street~~ (avenue), and which portion is described as follows:

From S. E. Ivon Street to S. E. Caruthers Street.

do hereby assent and agree to the construction of a railway (spur) ~~(sidings)~~ ~~(switch)~~ track thereon for such period of time, and upon such terms and conditions as the Council of said city may grant to Portland Traction Company,

a corporation

the applicant therefor; provided, that such permit shall at all times be and remain subject to revocation in the sole discretion of the council.

DATE NAME ADDRESS LOT BLOCK ADD'N

Portland Traction Co. 1635 S.E. Water Ave.				
Portland (14) Ore.				
BY	<i>L. Roy F. Brown</i>			
	PRESIDENT			
ATTEST:	<i>Carroll Phillips</i>			
	Secretary			
Georgia Pacific Plywood, American		7 thru 12	50	Stephens
Bank Bldg.				
"	"	5 thru 8	C	Kerns
Portland, Oregon				
BY	<i>Wm. A. McCraw</i>			
ATTEST:	<i>Mary A. McCraw, gen. Sec.</i>			
Lou Harris, 1973 S.W. 11th		1 thru 4	D	Kerns
Portland, Oregon				
<i>Lou Harris</i>				
Central Motor Parts Inc.		-----	51	Stephens
S.E. Caruthers				
BY	<i>R. Burnett</i> Pres.			
ATTEST:	<i>Grace J. Burnett - Secy</i>			

S. E. CARUTHERS ST.

ST.



BLOCK 50

EXHIBIT-A

APPROVED

JUN 9 1955

R. J. Apperson
R. J. Apperson
CIVIL ENGINEER
1000 1/2 1/2

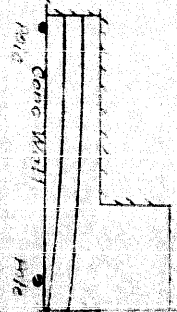
$\Delta = 15^\circ$
R 150

(1.5' W. OF E. LINE OF 4TH AVE.)

S.E. DIVISION

S. E. 4 TH AVE.
P. R. A. D. T. (M. V. TRACK)

BLOCK 51
STEPHENS AVE.



SEWER M.H. PL.

P.T. CO.
PORTLAND, ORE.
SUGGESTED RAIL TRackage
TO SERVE BLOCK 51
STEPHENS AVE.

BLOCK 'B'
STEPHENS AVE.

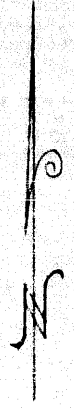
2/55

1" = 50'

End of present Chopped

6-29-55
APPROVED

W. A. R. [Signature]
W. A. R. [Signature]
Engineer



BLOCK 501

BLOCK 51
STEPHENS AVE.

EXHIBIT-A

APPROVED

JUN 17 1955

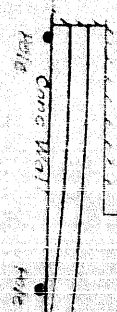
L. G. Apperson
City Engineer
City of Portland, Ore.

$\Delta=15^\circ$
R 150

S. E. 4 TH. AVE.
P. R. R. T. (MAIN TRACK)

(1.5' W. OF E. LINE OF 4TH AVE.)

S.E. DIVISION



SEWER MH. PL.

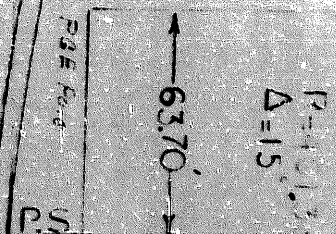
P.T. CO.
PORTLAND, ORE.

SUGGESTED RAIL TRackage
TO SERVE BLOCK 51
STEPHENS AVE.

BLOCK 'B'
KEENE AVE.

2/55

1" = 50'



End of present Chapter

6-24-55
APPROVED

[Signature]
City Engineer

ORDINANCE No. 102338

An Ordinance granting a revocable permit to Portland Traction Company, an Oregon corporation, its successors, lessees and assigns, c/o LeRoy F. Boozer, Vice President, 2838 E. Burnside Street, to construct, equip, maintain and operate an industry spur track of standard gauge in S.E. 4th Avenue and S.E. Division Place, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. That a revocable permit is hereby granted to Portland Traction Company, its successors, lessees and assigns (hereinafter referred to as the grantee) to construct, equip, maintain and operate an industry spur track of standard gauge in S.E. 4th Avenue and S.E. Division Place in the City of Portland, Multnomah County, Oregon, the center line of said spur to be more particularly described as follows:

Beginning at a point in the center line of the east main track on S.E. 4th Avenue, 63.70 feet south of the south line of S.E. Division Place; thence northerly on a curve to the right having a radius of 461.38 feet, through an angle of 15 degrees, a distance of 120.79 feet to a point; thence on a curve to the left having a radius of 150 feet, a distance of eleven feet more or less to the north line of Southeast Division Place,

as shown on the attached plan marked "Exhibit A" and hereby 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 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, switches and appurtenances,

ORDINANCE No. 102338

the equitable amount of such cost 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 and switches 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. The permit granted 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 connecting 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 adjoin-

ORDINANCE No. 102338

ing 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 any licenses or permits required by any existing ordinances for any operation or construction carried on under the permit hereby granted.

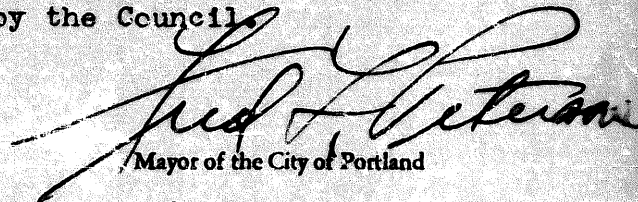
Section 9. This permit hereby granted shall not become effective until there is filed by the grantee with the City Auditor a document satisfactory to the City Attorney accepting the terms and conditions hereof.


Section 10. The grantee hereby agrees and covenants to indemnify and save harmless the City of Portland, its officers and employes, against all damages, costs and expenses whatsoever to which it may be subject in consequence of any act or neglect of said grantee in any manner arising from the rights and privileges hereby permitted.

Section 11. The grantee agrees at its expense to take up, remove, relocate or modify the spur track placed pursuant to this permit, together with the appurtenances thereto, when in the opinion of the City Engineer it is necessary that such be done in order to repair, maintain, remove, replace, relocate or supplement the sewer line and sewer facilities now located and existing in S.E. Division Place. The grantee in performing any of the above acts under this section shall use that degree of care and that standard of workmanship required for the original construction of said spur track and Sections 3 (maintenance of roadway) and 10 (indemnity clause) of this permit shall apply.

Section 12. 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 the grantee may have a permit covering operations on the said spur track without undue 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 7 - 1955


Mayor of the City of Portland

Attest: 
Auditor of the City of Portland

Calendar No. 2913

ORDINANCE No. 102338

Title

An Ordinance granting a revocable permit to Portland Traction Company, an Oregon corporation, its successors, lessees and assigns, c/o LeRoy F. Boozer, Vice President, 2838 E. Burnside St., to construct, equip, maintain and operate an industry spur track of standard gauge in S.E. 4th Ave. and S.E. Division Place, and declaring an emergency.

THURSDAY

Filed JUL 1 - 1955

Will Gibson.
Auditor of the CITY OF PORTLAND

By *D. S. Ivey*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR	
Bean	
Boody	
Bowes	
Earl	
Peterson	

INTRODUCED BY
Nathan A. Boody

DRAWN BY
HBG chv
Date June 27, 1955

NOTED BY THE COMMISSIONER

Affairs
Finance
Safety
Utilities <i>WLB</i>
Works

City Attorney

NOTED FOR CITY AUDITOR

WLB
Mc

APPROVED

Date *6-28-55*

By *D. G. Opperson*
City Engineer

Date

By