

# ACCEPTANCE

Portland, Oregon, June 12 1964

RAY SMITH  
Auditor of the City of Portland,  
Room 202, City Hall  
Portland 4, Oregon  
Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of Ordinance No. 118679 granting a revocable permit to the Port of Portland, c/o George M. Baldwin, General Manager, Swan Island, Portland, Oregon, to install, maintain and operate four railroad spur tracks in the street area of N. Channel Avenue, and one railroad spur track in the street area of N. Lagoon Avenue northwesterly of N. Commerce Street on Swan Island, and declaring an emergency, and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

PORT OF PORTLAND

[CORPORATE SEAL]

\*  
By *George M. Baldwin*  
GENERAL MANAGER

Box 3529, Portland, Oregon 97208

Approved as to form:

*Alexander H. Brown*  
City Attorney

RECEIVED  
JUN 29 9 13 AM '64  
RAY SMITH, AUDITOR  
CITY OF PORTLAND, ORE.

\*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

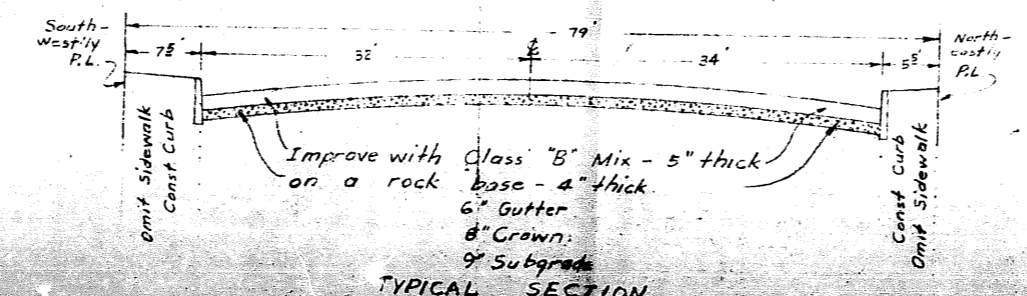
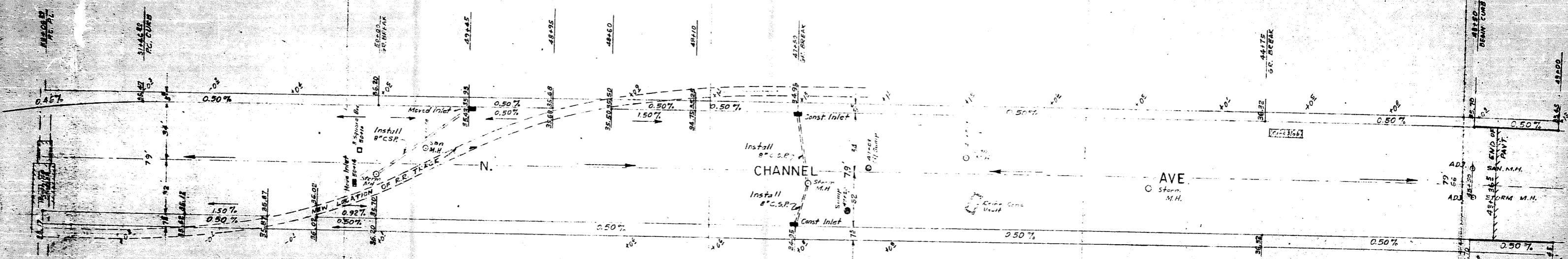
APPROVED

APPROVED AS TO FORM

6-19-64 *Robert A. ...*  
Engineering Department

*J. M. ...*  
of Counsel for The Port of Portland

Cont. Date:  
 1-22-25  
 R-5724  
 ST-11204  
 L-22497



Seal all inlet and outlet pipes to abandoned manholes and abandoned inlets. Fill abandoned manholes and inlets with sand or gravel. Adjust all manholes, valve boxes, vents, etc., which exist at time of paving.

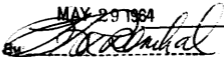
S-6601

Sheets  
ffs

EXHIBIT-"A"

APPROVED

MAY 29 1964

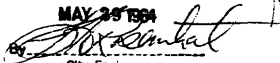
By: 

City Engineer  
Reg. Prof. Engr. 1397

# EXHIBIT-"B"

## APPROVED

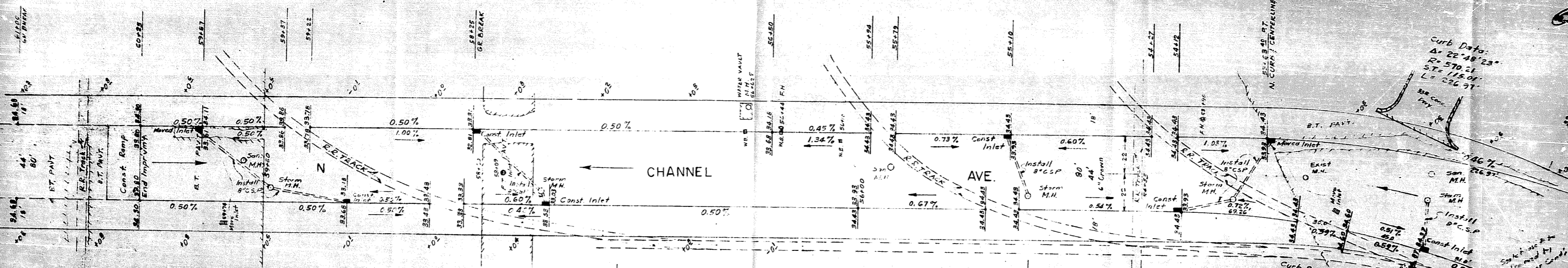
MAY 29 1964



A large, stylized handwritten signature in black ink, written over a horizontal dashed line. The signature is cursive and appears to read 'D. K. ...'.

City Engineer  
Reg. Prof. Engr. 1397

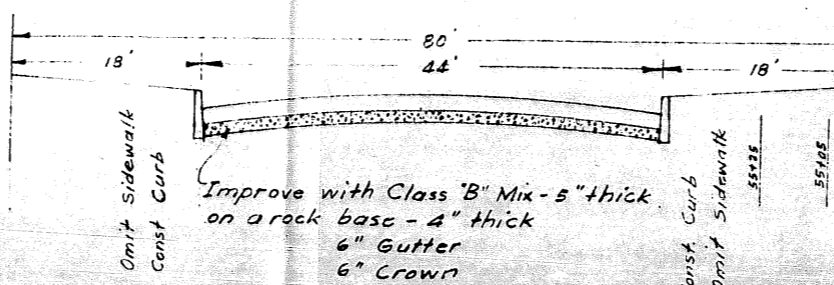




Curb Data:  
 $\Delta = 22^\circ 48' 23''$   
 $R = 570.21$   
 $ST = 115.01'$   
 $L = 226.97'$

Curb Data:  
 $\Delta = 22^\circ 48' 29''$   
 $R = 490.54$   
 $ST = 98.94$   
 $L = 195.26'$

D=14' 9"  
 $\Delta = 22^\circ 48' 23''$   
 $R = 594.71$   
 $T = 79.61$   
 $L = 127.11$

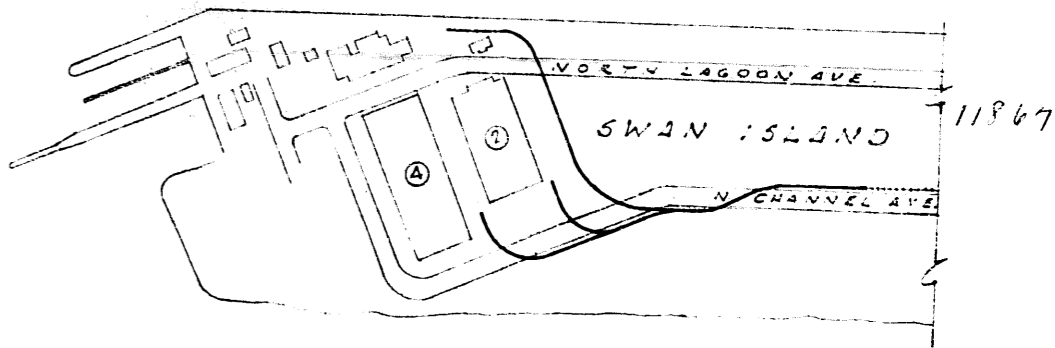
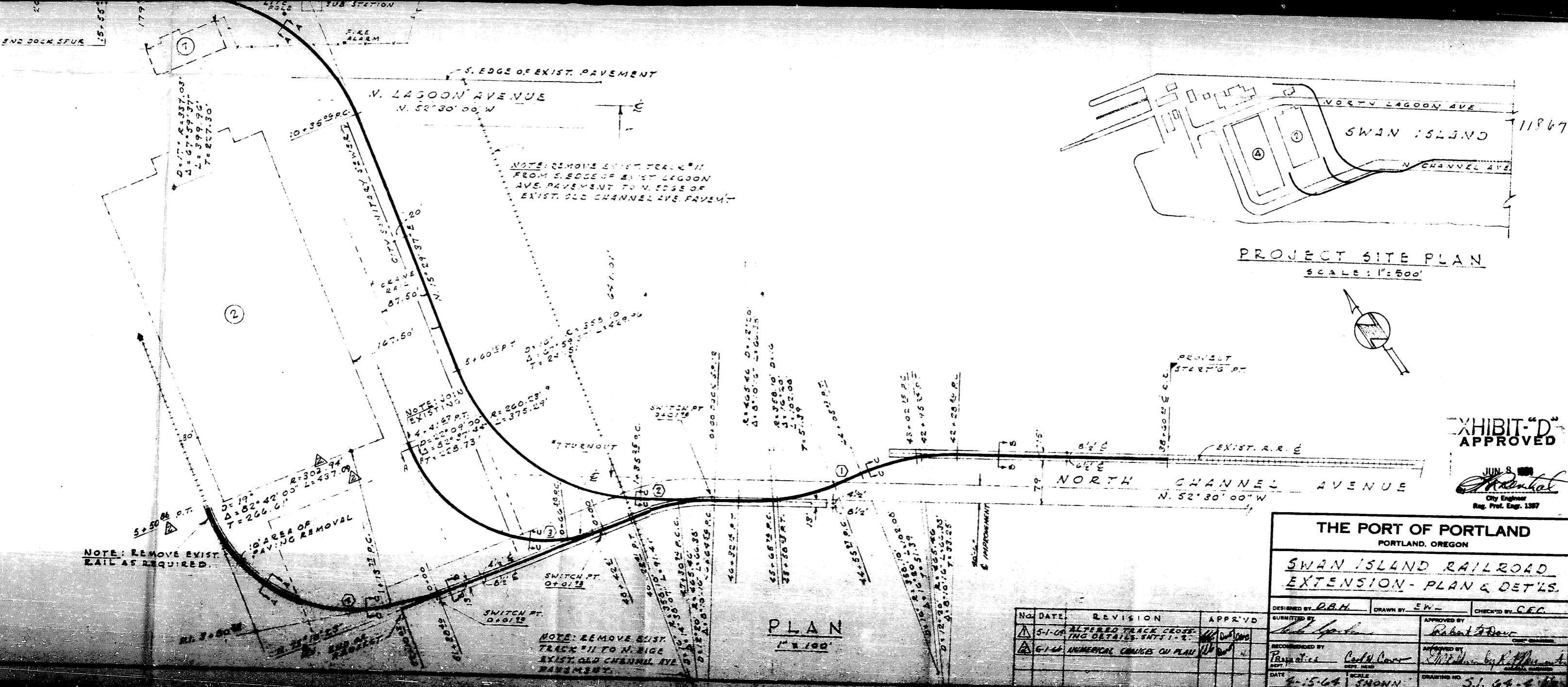


Improve with Class 'B' Mix - 5" thick  
 on a rock base - 4" thick  
 6" Gutter  
 6" Crown  
 9" Subgrade

TYPICAL SECTION







PROJECT SITE PLAN  
SCALE: 1"=500'

EXHIBIT "D" APPROVED

JUN 8 1964  
*Robert S. Davis*  
City Engineer  
Reg. Prof. Eng. 1387

THE PORT OF PORTLAND  
PORTLAND, OREGON

SWAN ISLAND RAILROAD  
EXTENSION - PLAN & DETAILS

DESIGNED BY: <i>D.B.H.</i>	DRAWN BY: <i>EW</i>	CHECK'D BY: <i>C.E.C.</i>
SUBMITTED BY: <i>Hub Spitzer</i>	APPROVED BY: <i>Robert S. Davis</i>	CITY ENGINEER
RECOMMENDED BY: <i>Frank J. ...</i>	DEPT. HEAD: <i>Carl N. ...</i>	APPROVED BY: <i>William ...</i>
DATE: <i>4-15-64</i>	SCALE: <i>SNOWN</i>	DRAWING NO: <i>5.1.64-4</i>

No.	DATE	REVISION	APPR'D
5-1-64		ALTERED TRACK CROSSING DETAILS - SATS 1-2	<i>[Signature]</i>
6-1-64		NUMERICAL CHANGES ON PLAN	<i>[Signature]</i>

PLAN  
1" = 100'

NOTE: REMOVE EXIST. RAIL AS REQUIRED.

NOTE: REMOVE EXIST. TRACK #11 TO N. EDGE EXIST. OLD CHANNEL AVE PAVEMENT.

NOTE: JOIN EXISTING TRACK #11

NOTE: REMOVE EXIST. TRACK #11 FROM S. EDGE OF EXIST. LAGOON AVE. PAVEMENT TO N. EDGE OF EXIST. OLD CHANNEL AVE. PAVEMENT.



ORDINANCE NO. **118679**

An Ordinance granting a revocable permit to the Port of Portland, c/o George M. Baldwin, General Manager, Swan Island, Portland, Oregon, to install, maintain and operate four railroad spur tracks in the street area of N. Channel Avenue, and one railroad spur track in the street area of N. Lagoon Avenue northwesterly of N. Commerce Street on Swan Island, and declaring an emergency.

The City of Portland ordains:

Section 1. That a revocable permit is hereby granted to the Port of Portland (hereinafter referred to as the grantee) to install, maintain and operate four railroad spur tracks in the street area of N. Channel Avenue and one railroad spur track in the street area of N. Lagoon Avenue northwesterly of N. Commerce Street, the center line and location of said spur tracks to be more particularly described as follows:

Section 17, T.1N., R.1E., City of Portland, Multnomah County, Oregon.

N. Channel Avenue Crossing No. 1.

Beginning at a point on the northerly right of way line of N. Channel Avenue at Engineers' Station 48+47.35 approximately 909 feet northwesterly from the center line of N. Commerce Street; thence along the arc of a curve to the left having a radius of 358.10 feet, a distance of 97.54 feet to a point on a line bearing North  $69^{\circ} 12' 03''$  West, and being 97.24 feet from the last described point; thence North  $77^{\circ} 00' 16''$  West, 50.94 feet; thence along the arc of a curve to the right having a radius of 358.10 feet, a distance of 102.08 feet to a point on a line bearing North  $68^{\circ} 50' 16''$  West, and being 101.74 feet from the last described point; thence North  $60^{\circ} 40' 16''$  West, 7.71 feet; thence along the arc of a curve to the right having a radius of 465.46 feet, a distance of 1.90 feet, to a point on the Southerly right-of-way line of North Channel Avenue at Engineers' Station 50+94.01, approximately 1156 feet northwesterly from the center line of N. Commerce Street, said point being the terminal point of the railroad crossing.

N. Channel Avenue Crossing No. 2.

Beginning at a point on the Southerly right-of-way line of North Channel Avenue at Engineers' Station 52+69.18, approximately 1331 feet northwesterly from the center line of N. Commerce Street; thence North  $52^{\circ} 30' 00''$  West, a distance of 63.29 feet; thence along the arc of a curve to the right having a radius of 358.10 feet, a distance of 122.04 feet to a point on a line bearing North  $32^{\circ} 28' 26''$  West, and being 120.89 feet from the last described point, said point also being on the Northerly right-of-way line of North Channel Avenue at Engineers' Station 54+39.53, approximately 1402 feet northwesterly from the center line of N. Commerce Street.

N. Channel Avenue Crossing No. 3.

Beginning at a point on the Southerly right-of-way line of North Channel Avenue at Engineers' Station 54+50.36, approximately 1512 feet northwesterly from the center line of N. Commerce Street; thence along the arc of a curve to the right having a radius of 465.46 feet, a distance of 1.66 feet to a point on a line bearing North  $71^{\circ} 13' 15''$  West, and being 1.66 feet from the last described point; thence along the arc of a curve to the right, having a radius of 260.23 feet, a distance of 175.69 feet, to a point on a line bearing North  $47^{\circ} 47' 38''$  West, and being 172.37 feet from the last described point, said point also being on the Northerly right-of-way line of North Channel Avenue at Engineers' Station 56+05.85, approximately 1648 feet northwesterly from the center line of N. Commerce Street.

N. Channel Avenue Crossing No. 4.

Beginning at a point on the southerly right-of-way line of N. Channel Avenue at Engineers' Station 57+46.41, approximately 1808 feet northwesterly from the center line of N. Commerce Street; thence along the arc of a curve to the right, having a radius of 465.46 feet, a distance of 1.66 feet to a point on a line bearing North  $71^{\circ} 13' 15''$  West and being 1.66 feet from the last described point; thence North  $67^{\circ} 08' 07''$  West, a distance of 47.39 feet; thence along the arc of a curve, having a radius of 302.94 feet; a distance of 176.27 feet to a point on a line bearing North  $50^{\circ} 27' 47''$  West, and being 173.82 feet from the last described point, said point also being on the northerly right-of-way line of N. Channel Avenue at Engineers' Station 59+52.69, approximately 2015 feet northwesterly from the center line of N. Commerce Street.

N. Lagoon Avenue Crossing No. 5.

Beginning at a point on the Southerly right-of-way line of North Lagoon Avenue at Engineers' Station 51+09.47, approximately 1885 feet northwesterly from the center line of N. Commerce Street; thence North  $15^{\circ} 29' 37''$  East, a distance of 10.53 feet; thence along the arc of a curve to the left, having a radius of 337.03 feet, a distance of 80.56 feet to a point on a line bearing North  $8^{\circ} 38' 45''$  East, and being 79.70 feet from the last described point, said point also being on the Northerly right-of-way line of North Lagoon Avenue at Engineers' Station 51+52.06, approximately 1938 feet northwesterly from the center line of N. Commerce Street.

and as shown on the attached plan marked "Exhibit A, B, C, D", 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 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, switches and appurtenances, 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 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 affecting 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 7. 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.

## ORDINANCE No.

Section 8. 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 agrees at its expense to take up, remove, relocate or modify the spur tracks existing or 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 construct a new sewer line and sewer facilities or in order to repair, maintain, remove, replace, relocate or supplement the sewer line and sewer facilities now located and existing in N. Channel and N. Lagoon Avenues below the area to be traversed by the Port of Portland railroad. 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 tracks and Sections 3 (maintenance of roadway) and 10 (indemnity clause) of this permit shall apply.

Section 11. 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, JUN 11 1964

  
Mayor of the City of Portland

Attest:

  
Auditor of the City of Portland

  
CHIEF CLERK

Calendar No. **2279**

**ORDINANCE No. 118679**

**Title**

An Ordinance granting a revocable permit to the Port of Portland, c/o George M. Baldwin, General Manager, Swan Island, Portland, Oregon, to install, maintain and operate four railroad spur tracks in the street area of N. Channel Avenue, and one railroad spur track in the street area of N. Lagoon Avenue northwesterly of N. Commerce Street on Swan Island, and declaring an emergency.

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	/	
Bowes	/	
Earl	/	
Grayson	/	
Schrunk	/	

FOUR-FIFTHS CALENDAR	
Bean	Y PAB
Bowes	WAB
Earl	WAB
Grayson	WAB
Schrunk	TDS

<b>INTRODUCED BY</b>
Commissioner Bowes

<b>DRAWN BY</b>
WSL:j
Date 6-8-64

<b>NOTED BY THE COMMISSIONER</b>
Affairs
Finance
Safety
Utilities
Works <i>WAB</i>

City Attorney
---------------

<b>NOTED FOR CITY AUDITOR</b>
<i>we</i>
<i>me</i>

<b>APPROVED</b>
Date <i>June 9, 1964</i>
By <i>[Signature]</i> City Engineer
Date
By

JUN 10 1964

Filed.....

**RAY SMITH**  
Auditor of the CITY OF PORTLAND

By *[Signature]*  
Deputy