

122396

ORDINANCE NO.

An Ordinance repealing Ordinance No. 88943 which granted a revocable permit to Northern Pacific Terminal Company of Oregon and the Spokane, Portland and Seattle Railway Company for a spur track and switching lead in N.W. 15th Avenue, extending northerly from N.W. Glisan Street, revoking said permit and requiring removal of tracks prior to June 1, 1966, requiring restoration of certain portions of the street area, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds that by Ordinance No. 88943, passed by the Council March 17, 1949, a revocable permit was granted to the Northern Pacific Terminal Company of Oregon and the Spokane, Portland and Seattle Railway Company to establish an industry spur track and a switching lead in N.W. 15th Avenue from 100 feet south of N.W. Hoyt Street to N.W. Glisan Street; that said tracks were duly constructed and have been maintained since the passage of said ordinance; that the State of Oregon, through the State Highway Commission has now acquired the property adjacent to said trackage both west and east thereof and said trackage can no longer serve any adjacent industry; that a portion of said area is needed by the Highway Commission for establishment of a ramp serving the Stadium Freeway being constructed in adjacent property; that, therefore, the State Highway Commission has requested the City to revoke the prior permit and to require removal of said trackage; now, therefore, Ordinance No. 88943, entitled: "An Ordinance granting a revocable permit to the Northern Pacific Terminal Company of Oregon and the Spokane, Portland and Seattle Railway Company, their successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track and a switching lead in N.W. 15th Avenue from 100 feet south of N.W. Hoyt Street, to N.W. Glisan Street, and declaring an emergency.", passed by the Council March 17, 1949, be and the same hereby is repealed, and the privilege thereby granted hereby revoked.

Section 2. In accordance with Section 7 of said Ordinance No. 88943, the said Spokane, Portland and Seattle Railway Company and Portland Terminal Company successor to Northern Pacific Terminal Company of Oregon shall within thirty days and prior to June 1, 1966, at their own expense, 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

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directed by and to the satisfaction of the City Engineer, provided, however, the City Engineer may relieve said company from the obligation to repair and repave such portions of said street area as he finds will be subsequently involved in construction by the State Highway Department of the State of Oregon.

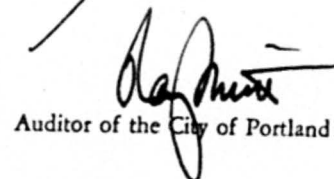
Section 3. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that railway trackage in street area no longer used or useful to the railroad companies owning the same, may be removed without delay in order to facilitate freeway construction, therefore, an emergency hereby is declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, APR 28 1966



Mayor of the City of Portland

Attest:



Auditor of the City of Portland

Calendar No. **1645**

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Bean	1	
Bowes	1	
Earl	—	
Grayson	1	
Schrunk	1	

FOUR-FIFTHS CALENDAR	
Bean	<i>CRB</i>
Bowes	<i>WAB</i>
Earl	<i>SWE RCH</i>
Grayson	
Schrunk	<i>TDH</i>

Filed APR 27 1966

RAY SMITH
Auditor of the CITY OF PORTLAND
 By *Robert C. [Signature]*
 Deputy

INTRODUCED BY
Commissioner Bowes

DRAWN BY
MCR:gm/rf
 Date **April 26, 1966**

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works *WAB*

City Attorney *DMB*

NOTED FOR CITY AUDITOR

DMB

MCR

APPROVED

Date

By

City Engineer

Date

By