

BLK 240

BLK 227  
RUDIE WILHELM WAREHOUSE CO

BLK 228  
RUDIE WILHELM WAREHOUSE CO

APPROVED

NOV 23 1943

By *[Signature]*  
CITY ENGINEER  
No. 111

APPROVED

NOV 23 1943

By *[Signature]*  
CITY ENGINEER  
No. 111

EXHIBIT - "A" CONTRACT.

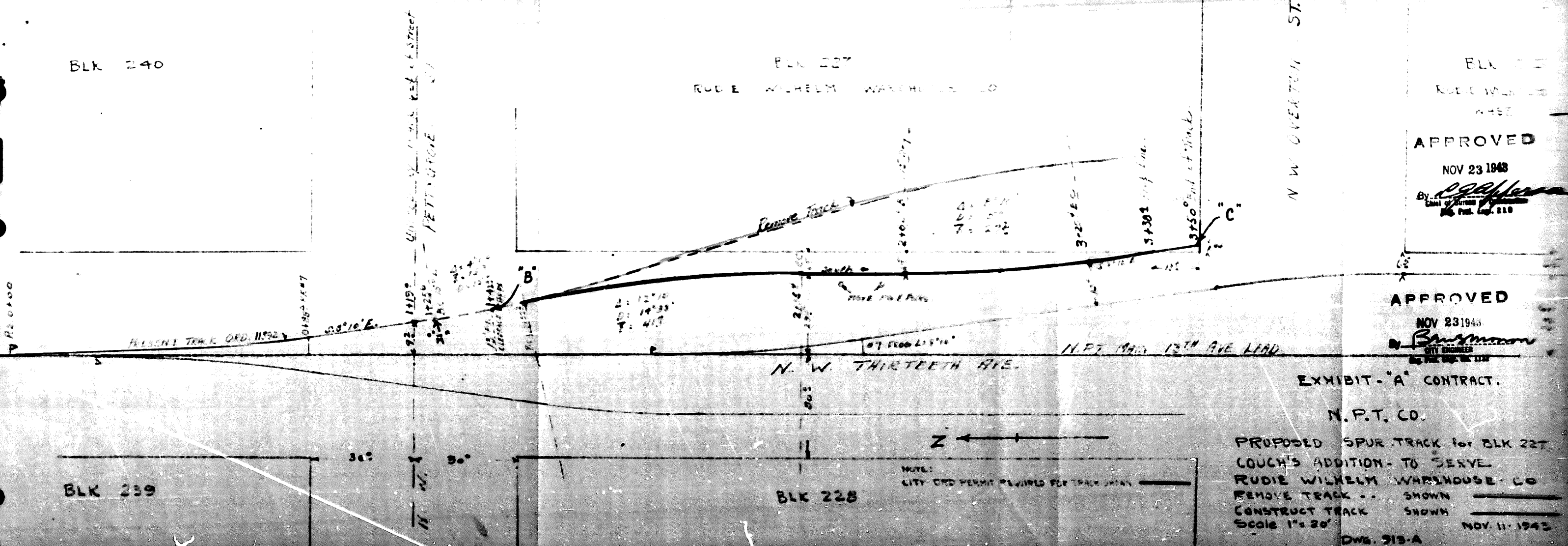
N.P.T. CO.

PROPOSED SPUR TRACK for BLK 227  
LOUGH'S ADDITION - TO SERVE  
RUDIE WILHELM WAREHOUSE CO  
REMOVE TRACK .. SHOWN  
CONSTRUCT TRACK .. SHOWN  
Scale 1" = 20'  
NOV. 11. 1943  
DWG. 313-A

BLK 239

BLK 228

NOTE:  
CITY ORD PERMIT REQUIRED FOR TRACK WORK



An Ordinance granting a revocable permit to the Northern Pacific Terminal Company of Oregon, 800 Pacific Building, Portland 4, Oregon, its successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. 13th Ave. between N.W. Pettygrove St. and N.W. Overton St. and revoking the permit for a portion of a spur track constructed under the provisions of Ordinance No. 11392, 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 Northern Pacific Terminal Company of Oregon (hereinafter referred to as the grantee) to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. 13th Ave. between N.W. Pettygrove St. and N.W. Overton St. in the City of Portland, Multnomah County, Oregon, the center line of said spur being more particularly described as follows:

Beginning at the point of intersection of the center line of N.W. 13th Ave. with the center line of N.W. Pettygrove St.; thence east 9.2 feet to a point in the center line of the present spur serving Block 227, Couch's Addition, constructed under the provisions of Ordinance No. 11392, said point being designated on the plan for the proposed spur track as Station 1+19.6; thence south 8 degrees 10 minutes east to Station 1+25.6, the B.C. of a 15 degree curve to the left; thence on said 15 degree curve to the left to Station 1+52.2, the true point of beginning of this description, and the point of diversion from the original location of spur track laid out under the provisions of Ordinance 11392; thence on a 15 degree curve to the right to Station 2+35.4; thence south 30.6 feet parallel to the easterly line of N.W. 13th Ave. and 6.5 feet therefrom when measured at right angles thereto to Station 2+66.0 the B.C. of a 15 degree curve to the left; thence along said 15 degree curve to the left to Station 3+20.4, the end of curve; thence south 8 degrees 1 minute east to Station 3+38.4 the point of intersection of the center line of track with the east line of N.W. 13th Ave.

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 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 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 Northern Pacific Terminal Company of Oregon 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 track 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, 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. The permit for that portion of the spur track serving said Block 227 previously referred to as constructed under the provisions of Ordinance No. 11392 passed by the Council in October 1899 which extends southerly from the point referred to in the description in Section 1 of this ordinance as the true point of beginning of the spur track for which permit is granted by this ordinance is hereby revoked and the grantee shall remove the said portion of said spur track at the time of the construction of the spur track for which permit is granted in this ordinance, and restore the surface of the street to a condition as good as the surrounding street area as directed by and to the satisfaction of the City Engineer.

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 shipping facilities may be provided without undue delay for a concern which is engaged in handling essential war materials; 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 26 1943

*Wm. A. Brown*  
PRESIDENT OF THE COUNCIL AND ACTING

Mayor of the City of Portland

Attest:

*Will E. Gibson.*

Auditor of the City of Portland

R. S. L.

Com'r Foxes

11-23-43

chv

Ordinance No. 79384

An Ordinance granting a revocable permit to the Northern Pacific Terminal Company of Oregon, 800 Pacific Bldg., Portland 4, Oregon, its successors, lessees and assigns, to construct, equip, maintain and operate an industry spur track of standard gauge in N.W. 13th Ave. between N.W. Pettygrove St. and N.W. Overton St. and revoking the permit for a portion of a spur track constructed under the provisions of Ordinance No. 11392, and declaring an emergency.

APPROVED

NOV 23 1943

By L. G. Apperson  
Chief of Bureau of Construction  
Reg. Prof. Engr. 219

APPROVED

NOV 23 1943

By Ben S. Morrow  
City Engineer  
Reg. Prof. Engr. No. 1152

4/5

V.A.B.  
F.L.P.  
D.M.L.  
K.L.C.  
D.

THE FOLLOWING IS THE  
OFFICIAL VOTE ON THE  
FOREGOING ORDINANCE

	YEAS	NAYS
BOWES	1	
COOPER	1	
LEE	1	
PLEYERSON	1	
RILEY		

NOV 23 1943

By \_\_\_\_\_



Auditor of the CITY OF PORTLAND

By ELBERT G. ROFF

Deputy