

Ordinance No. 147.

Ord No. 147 A bill for an Ordinance granting to the Oregon and California Rail Road Company of Portland Oregon the Right of way for its railroad, side track and switches over and along water street and across California Washington, Lyon Baker Montgomery Jackson, Jefferson Thurston Water Sixth and Seventh Streets in the City of Albany in the State of Oregon.

The people of the City of Albany do Ordain as follows:

Section 1. That the Oregon and California Rail Road Company of Portland Oregon, is hereby granted the right of way for its railroad side track and switches over and along water street in said city of Albany, through and over the whole length thereof commencing at the eastern boundary or terminus of said water street, the same being the eastern boundary line of Hackleman's first addition to the said city of Albany, and running thence westerly over and along said street to the eastern boundary line of block no. (1) one in said city, and over and across California Washington Lyon Baker Montgomery Jackson, Jefferson Thurston and Water streets in said city of Albany, at such points or places as said railroad Company may select or choose between First street and the Willamette river, and said Company is also hereby granted the right of way for its railroad side track and switches across the following named streets in said city: across Sixth street at such point or place as said Company may select or choose between block 15 and 16 in Hackleman's second addition to said City of Albany, also across Jackson street at such points as said Company may select or choose between blocks 17 and 18 in Hackleman's second addition to the said City of Albany, and also across Jefferson street at such point or place as said Company may select or choose between blocks 20 and 29 in Hackleman's second addition to the ^{said} City of Albany; said Company to have and enjoy said right of way as long as it shall use the same for the purpose operation of said railroad side track and switches provided however that the Common Council of the said City of Albany expressly reserves the right to prohibit the use of such use at any and all times, when the Common Council of said City may consider the public welfare

of said City requires it to do so.

Section II. Said Railroad Company, as long as it uses said right-of-way over and across said streets shall keep said side track and switches in good and safe repair, and said City hereby expressly reserves the right to establish grades on said streets, and prescribe the way and manner in which side and crosswalks shall be constructed at all crossings of such side track and switches; the said side and crosswalks at such crossings to be built and kept in good repair at the expense of and by said Railroad Company, and said side-track and switches shall be so constructed as not to obstruct travel on the streets which they pass.

Section III. This ordinance to be in force and effect from and after its approval by the Mayor of said City.

Passed the Council October 26th 1886.

Approved October 30th 1886.

J. H. Newberryford Mayor

Attest:

W. J. Hanton,

Recorder of the City of Albany, Oregon.