

ORDINANCE NUMBER 545

An Ordinance providing for a franchise, easement, right-of-way and privilege to Portland Traction Company and its successors and assigns (herein collectively called Grantees) to lay down, relay, construct, reconstruct, move, remove, locate, re-locate, lease, repair, maintain, equip, operate, have, hold, use and enjoy a single or double track line of railway with all necessary overhead and underground equipment, turn tables, switches and stations, and all reasonable and convenient equipment and appurtenances, and to run and operate cars and carry passengers, freight, mail baggage and express thereon, in, over, along and upon and also Telegraph, Telephone and Electric wires thereon and to erect the poles thereon, all being on the street known as Front Street in the City of Milwaukie, Clackamas County, Oregon.

THE CITY OF MILWAUKIE DOES ORDAIN as follows:

Section 1: That there is hereby granted, subject to the terms and conditions hereof, to Portland Traction Company, a corporation of the State of Oregon, and to its successors and assigns (which said company and/or its successors or assigns are hereby described as "Grantee") the franchise, easement, right and privilege to lay down, relay, construct, reconstruct, move, remove, locate, re-locate, lease, repair, maintain, equip, operate, have hold, use and enjoy a single or double track line of railway with all necessary overhead and underground equipment, turn tables, switches and stations, and all reasonable and convenient equipment and appurtenances, and to run and operate cars and carry passengers, freight, mail, baggage and express matter thereon, in, over, along and upon, and also Telegraph, Telephone and Electric wires thereon and to erect the poles thereon, all being on the street known as Front Street in the City of Milwaukie, Clackamas County, Oregon, the location of said easement and right of way being more particularly described as follows:

That portion of said Front Street in said City which lies westerly of the westerly line of the Portland and Oregon City Highway, the southerly end of which being opposite State Highway Engineer's Station 314+30, and extending northerly 700 feet more or less to a point where the westerly line of said Front Street intersects with the westerly line of said Highway.

Section 2. That the franchise, right of way and permit hereby granted shall extend for a period of twenty-five years from the date of passage of this order.

Section 3. That the Grantee will provide such passenger service upon and over said tracks as may be permitted or required by the Public Utilities Commissioner of the State of Oregon.

Section 4. That the Grantee may charge and collect for the carriage of passengers and of freight over said railway such just fare and reasonable fare or rates as may be established from time to time by the Public Utilities Commissioner of the State of Oregon

Section 5. That the location and construction of the tracks, overhead and underground facilities, equipment and appurtenances of the Grantee as now located within the said Front Street, are hereby confirmed, ratified and approved.

Section 6. The Grantee shall, within thirty days after the final passage of this order, file in the office of the City Recorder of the City of Milwaukie, Oregon, a written acceptance of the franchise and easement, rights and privileges by this order granted to it.

Passed by the Council this 16th day of October 1950

Approved by the Mayor this 16th day of October 1950



Mayor

Attest:



Recorder.

BEFORE THE CITY COUNCIL OF THE CITY OF MILWAUKIE

In the Matter of the Petition of
Portland Traction Company, a
corporation, for a Franchise and
Easement for a Railway line over
certain public highways in the
City of Milwaukie, Oregon

P E T I T I O N

Comes now Portland Traction Company, a corporation organized under the laws of the State of Oregon and duly authorized to transact a railway business in said state and particularly in the City of Milwaukie, and moves the council for an order as follows:

Section 1. For a franchise, easement, right of way and privilege to Portland Traction Company and to its successors and assigns (herein collectively called "Grantees") to lay down, relay, construct, reconstruct, move, remove, locate, re-locate, lease, repair, maintain, equip, operate, have, hold, use and enjoy a single or double track line of railway with all necessary overhead and underground equipment, turn tables, switches and stations, and all reasonable and convenient equipment and appurtenances, and to run and operate cars and carry passengers, freight, mail baggage and express thereon, in over, along and upon and also Telegraph, Telephone and Electric wires thereon and to erect the poles thereon, all being on the street known as Front Street in the City of Milwaukie, Clackamas County, Oregon, the location of said easement and right of way being more particularly described as follows:

That portion of said Front Street in said City which lies westerly of the westerly line of the Portland and Oregon City Highway, the southerly end of which being opposite State Highway Engineer's Station 314+30, and extending northerly 700 feet more or less to a point where the westerly line of said Front Street intersects with the westerly line of said highway.

Section 2. That said franchise, right of way and permit be granted for a period of twenty-five years from the date of passage of the order.

Section 3. That said grant be made with the understanding that Grantee will provide such passenger services upon and over said tracks as may be permitted or required by the Public Utilities Commissioner of the State of Oregon.


Section 4. That the Grantee be permitted to charge and collect for the carriage of passengers and freight over said railway such just fare and reasonable fare and rates as may be established from time to time by the Public Utilities Commissioner of the State of Oregon.

Section 5. Confirming, ratifying and approving the location and construction of the tracks, overhead and underground facilities, equipment and appurtenances of the Grantee as now located within the said Front Street.

Section 6. That Grantee understands that within thirty days from and after the final passage of the order granting said franchise, easement, right of way and permit, Grantee will file a written acceptance with the City Recorder of the City of Milwaukie, Oregon.

PORTLAND TRACTION COMPANY

By


VICE PRESIDENT

MILWAUKIE.

