

## Ordinance no 157.

An ordinance granting the right of way to the Willamette Valley and Coast Railroad Company, and to the Oregon and California Railroad Company of Portland Oregon, for railroad purposes over and along Railroad Street, in the City of Albany, as now laid out and established, including all of its intersections with other streets in said city.

The People of the City of Albany do ordain as follows:

Section I. That there be and hereby is granted to the Willamette Valley and Coast Railroad Company and to the Oregon and California Railroad Company of Portland Oregon, a right of way over and along Railroad Street, in the City of Albany, as now laid out and established, the entire length of said street from the southern end of the same to the northern end thereof, and including all of its intersections with other streets in said city, to be used and occupied by said Company for railroad purposes only, and in the manner with the limitations and subject to the conditions herein after prescribed-

Section II. That the right of way granted to the Willamette Valley and Coast Bay Railroad Company in Section I of this ordinance shall be enjoyed and exercised by said Company as follows: said Company shall take and occupy its right of way along the west side of said street so that the center line of its railroad tracks



shall be paralleled with and exactly six  
and one half feet distant from the center  
line of said street, except that in entering  
upon and leaving said street it may  
cross the same, and may also cross any  
railroad track that may be on said street  
provided however, that the common Council  
of the City of Albany shall have and hereby  
reserves to itself the power and right to  
regulate, govern and control the rate of speed  
and manner of use of any and all trains  
that may be run on said track, and provided  
further: that the said Railroad Company so  
long as it uses said right of way over and  
along said street and its intersections, shall  
keep said track in good and safe repair;  
and the City of Albany hereby expressly reserves  
the right to establish change or alter the  
grade of said street and prescribe the way  
and manner in which side and crosswalks  
and crossings for teams shall be constructed,  
at each and all of the intersections of said  
Railroad street, with other streets in said City,  
the said side and crosswalks and crossings  
for teams to be built and kept in good  
repair at the expense of and by said railroad  
Company, said crossings for teams to be laid  
along and parallel with the rails of said  
track, to be twenty feet wide and extend to  
the center line of said Railroad street; and  
said railroad track shall be so construct-  
ed as not to obstruct travel on the streets  
and intersections over which it passes:  
this right of way is granted upon the  
further express condition that the said  
Willamette valley and coast Railroad  
Company shall within such time as



designated by the Common Council of the City of Albany, <sup>grade and</sup> gravel or plank said Railroad street along the whole length thereof or such portion as the Council may designate from the center line of said street to the ~~western~~ line thereof, and keep the same in good and complete repair, and should said Company fail to perform this condition in any respect, then the right herein granted shall be immediately forfeited, and at once revert in the City of Albany.

Section III: The right of way granted to the Oregon and California Railroad Company of Portland, Oregon, in Section I of this ordinance, shall be exercised and enjoyed by said Company as follows: Said Railroad Company shall take and occupy its right of way along the east side of said street so that the center line of its railroad track shall be parallel with and exactly six and one half feet distant from the center line of said street, except that in entering upon and leaving said streets, it may cross the same, and may also cross any railroad track that may be on said street, or that may hereafter be laid thereon. Provided however, that the Common Council of the City of Albany shall have and ~~be~~ expressly reserves to itself the power, and right to regulate, govern, and control the rate of speed and manner of use of ~~all~~ any and all trains that may be run on said track: And provided further, that the said Railroad Company so long as it uses said right of way



over and along said street, and its intersections, shall keep said track in good and safe repair, and the city of Albany hereby expressly reserves the right to establish, change or alter the grade of said street (and prescribe from time to time, the way and manner in which sidewalks and crosswalks (and crossings for teams shall be constructed at each and all of the intersections of said Railroad streets, with other streets in said city: the said sidewalks and crosswalks and crossings for teams to be built and kept in good repair at the expense of and by said Railroad Company, said crossings for teams to be laid along (and parallel with the rails of said railroad track, to be twenty feet wide and extend to the center line of said Railroad street; and said railroad track shall be so constructed as not to obstruct travel on the streets, and intersections over which it passes: this right of way is granted upon the further express condition that the said Oregon and California Railroad Company of Portland Oregon shall within such time as designated by the Common Council of the City of Albany, <sup>gravel and</sup> gravel or plank said Railroad street along the whole length thereof, or such portion as the Council may designate, from the center line of said street to the eastern line thereof, and keep the same in good and complete repair; and should said Company fail to perform this condition in any respect then the right herein granted shall be immediately forfeited and at once revert in the city of Albany.



Section IV. That all Ordinances or parts of Ordinances, in conflict with or inconsistent with this Ordinance or any of its provisions be and the same are hereby repealed.

Section V. This Ordinance shall take effect and be in full force from and after its approval by the Mayor. Passed the Council July 2<sup>d</sup> 1887  
 Approved July 25<sup>th</sup> 1887

J. K. Weatherford  
 Mayor

Attest:

W. J. Henton,  
 Recorder of the City of Albany.

State of Oregon } ss.  
 County of Linn }

D. W. J. Henton, Recorder of the City of Albany Linn County Oregon, do hereby certify that the foregoing Ordinance no 157, is a true and correct copy of the original ordinance bill no 157, passed by the Council July 13<sup>th</sup> 1887.

Witness my hand and the seal of the City of Albany, this 25<sup>th</sup> day of July 1887.

W. J. Henton  
 Recorder of the City  
 of Albany.