

Ordinance no. 166.

An Ordinance granting the Willamette Valley and Coast Railroad Company a right of way over across and along Second Street, between Blocks 118 and 119, over across and along First Street between Blocks 118 and 117, over across and along Thurston Street between Blocks 114 and 117, all in Hackleman's Addition to the City of Albany in Linn County and State of Oregon.

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

Section I. That the Willamette Valley and Coast Railroad Company is hereby granted the right of way for a switch or branch railroad across the following named streets in any direction said Company may select to wit: across First Street, between Blocks 118 and 117, across Second Street between blocks 118 and 119, and across Thurston Street between blocks 114 and 117, all in Hackleman's Addition to the City of Albany in Linn County Oregon. Said Company and its assigns or successors in interest to have and enjoy said right of way as long as the same shall be used as a switch or branch railroad; provided however, that the right to prescribe the manner of such use at any and all times by and through its Common Council is hereby expressly reserved by said City of Albany.

Section II. The right of way granted in

Section one of this Ordinance is granted upon the condition, that said Railroad Company or its successors in interest shall keep said switch or branch railroad in good repair as long as said right of way shall be used for railroad purposes, and that said railroad switch shall be built over said right of way so as to least obstruct public travel along said streets. That where the same crosses second street the grade of the railroad shall be the same as the grade of the said second street, as now established, and where said right of way crosses first street the grade of the railroad to be built thereon, shall be the same as the grade of said first street hereafter to be established by the city, and that to reach grade on first street said railroad company shall put in a culvert, and fill with dirt and gravel instead of using piling. And extend the dirt and gravel out land along said street on either side of said track a sufficient distance to make an easy grade over said railroad track and also said Railroad shall be planked solidly between the rails in all places where the same crosses said streets, a distance not less than fifteen feet, eight feet on either side of the center of such street, and shall also be planked solidly between the rails wherever it crosses any sidewalk. The sidewalks and streets at such places as the said branch railroad crosses the same must be put in good condition and kept planked between the rails, and in good repair by

said Company or its Successors in interest.
 The said Streets at crossings of said
 railroad to be put in good condition by
 said Company in such reasonable time
 from the commencement of the work of
 building said branch road as the Council
 may prescribe at any time hereafter.

Section III. The right to change the grade of
 said Streets mentioned in Section I of
 this Ordinance, at any and all times
 is hereby reserved to the City of Albany and in
 such case, the grade of said branch Rail-
 road shall be changed to correspond with
 the grades of said Streets, and the right to
 further prescribe how the said Streets and
 sidewalks shall be built constructed and
 maintained wherever said branch railroad
 crosses the same by and at the expense of
 said Company, is hereby expressly reserved to
 said City.

Section IV. This Ordinance shall take
 effect and be in force from and after its
 approval by the Mayor.

Passed the Council September 6th 1887.

Approved September 19th 1887.

Attest:

W. J. Henton

Recorder of the City of Albany

J. K. Weatherford

Mayor

State of Oregon }
 County of Linn }
 ss

J. W. J. Henton, Recorder
 of the City of Albany do hereby certify

that the foregoing Ordinance no 166, is a true and correct copy of the Original Ordinance bill no 167, as passed by the Council September 16th 1887, and on file in the office of City Recorder.

Witness my hand and the seal of the City of Albany this 19th day of September 1887.

W. J. Henton -

Recorder of the City of Albany.