

AN ORDINANCE GRANTING TO PICKSWEET FOODS, INCORPORATED, AN EASEMENT FOR THE PURPOSES OF CONSTRUCTING AN AERIAL TRAMWAY OVER MADISON STREET.

WHEREAS, Picksweet Foods, Incorporated, does hold in fee or under lease property situated in Block 123 and in Block 124 of Hackleman's Addition to the City of Albany, and

WHEREAS, upon the aforementioned property, Picksweet Foods, Incorporated, does maintain and operate a canning industry and storage facilities, and

WHEREAS, between the two blocks as above mentioned, there is situated a dedicated street designated as Madison Street, and

WHEREAS, the said company does desire to construct an aerial tramway for the conveyance of packaged goods over and above the said designated street,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

1. There is hereby granted unto Picksweet Foods, Incorporated, an easement for the construction, maintenance and use of an aerial tramway over Madison Street between Blocks 123 and Blocks 124 of Hackleman's Addition to the City of Albany, subject to the following conditions:
 - A. The said aerial tramway line shall have a clearance of at least 20 feet from the lowest portion of the said tramway or any appurtenance thereto, and the street level of Madison Street.
 - B. The said tramway shall extend only from and to that property held in fee or by lease by the Picksweet Foods, Incorporated.
 - C. That the Picksweet Foods, Incorporated, will enclose the said tramway in such a manner and take all reasonable precautions to prevent any objects or material to fall therefrom.
 - D. That nothing in the use of this privilege and easement, and the company shall in no way, interfere with regular traffic, either pedestrian or vehicular, over and upon the said Madison Street.
 - E. That the truss supports of the tramway shall be located upon the property held in fee or by lease by the said company.
 - F. That the Picksweet Foods, Incorporated, shall indemnify and hold harmless the City of Albany from any injury to any person in said use or construction of said tramway and further, to hold harmless the City of Albany from any damage it might suffer by way of obstruction to said street.
2. Inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, health and safety of the citizens of the City of Albany, Oregon, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and its approval by the Mayor of the City of Albany.

Passed by Council 5-9-51

Approved by Mayor 5-10-51

ATTEST:

E. J. [Signature]
Recorder

[Signature]
Mayor