

ORDINANCE NO. 1064

AN ORDINANCE AUTHORIZING THE PAYMENT OF \$26,335.00 TO OREGON PACIFIC RAILROAD COMPANY AS REIMBURSEMENT FOR CONSTRUCTION OF TWO SIDEWALK RAIL CROSSINGS AT HIGHWAY 99E AND LOGGING ROAD OVERPASS PURSUANT TO ODOT RAIL DIVISION ORDER NO. 50020 (RX 1022); AND DECLARING AN EMERGENCY.

WHEREAS, it is determined by the City Council that it is necessary and proper to provide a safe joint use pathway for use by pedestrians and bicyclists on the south side of Highway 99E at the Logging Road overpass to the Canby Market Center; and

WHEREAS, the ODOT Rail Division through Order No. 50020 (RX 1022) granted permission to the City to construct the joint use pathway and to Oregon Pacific Railroad Company to construct two sidewalk rail crossings (subject to reimbursement by the City); and

WHEREAS, the City portion of the pathway and the Oregon Pacific Railroad Company two sidewalk rail crossings have been completed; and

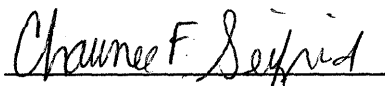
WHEREAS, the City Council has determined that the price for the two sidewalk rail crossings is fair and reasonable and is in the best interests of the City to reimburse Oregon Pacific Company for their work.

NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The City Administrator is hereby authorized to reimburse Oregon Pacific Railroad Company in the amount of \$26,335.00 for their construction of the two sidewalk rail crossings at Highway 99E and the Logging Road overpass.

Section 2. In so much as it is in the best interest of the citizens of Canby, Oregon to have continuous use of the constructed safe joint use pathway for our citizens and to avoid any unnecessary delay in use thereof, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

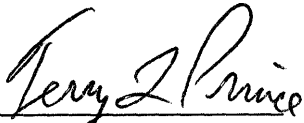
SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on February 7, 2001, after the hour of 7:30 P.M. in the Council Chambers located at 155 SW 2nd Avenue, Canby, Oregon.


Chauncey F. Seifried, City Recorder Pro Tem

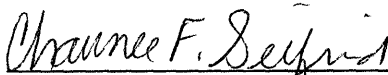
PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on the 21st day of February 2001, by the following vote:

5 YEAS

1 NAYS


Terry Prince, Mayor

ATTEST:


Chaunce F. Seifried, City Recorder Pro Tem