

ORIGINAL

ORDINANCE NO. 210

and its assigns

AN ORDINANCE GRANTING TO THE HAMMOND LUMBER COMPANY,^A
RIGHT OF WAY ALONG A PORTION OF RAILROAD AVENUE IN THE CITY OF
WARRENTON, AND DECLARING AN EMERGENCY.

DOES ORDAIN AS FOLLOWS:

Section 1. That the HAMMOND LUMBER COMPANY, its successors and assigns, be and are hereby granted the right and privilege of building, maintaining and operating a line of standard gauge railroad upon, over and along all or any part of that portion of the South twenty (20) feet of Railroad Avenue, which lies North of and contiguous to the North boundary line of the present right of way of the Spokane, Portland & Seattle Railway Company, in the City of Warrenton, being and lying between the Smiley-Lampert Lumber Company's mill pond and the West line of Wheeler Street at its intersection with said Railroad Avenue, together with the right to build a spur or sidetrack across said Railroad Avenue on a curve to a connection with Block 23, in that part of the City of Warrenton known as ^{First} Extension to East Warrenton, together with and including all necessary and desirable sidetracks, Ys and switches in connection with said proposed line of railroad, a blue print of said proposed line of road being hereto attached and made a part hereof.

Section 2. That said railroad, inclusive of Ys, switches and sidetracks, shall not be constructed over or above the established grade of said street where the same are or shall be traversed by said railroad, Ys, switches or sidetracks, and that fills shall be made where necessary to bring said portion of said street to the street grade, and no trestling shall be made upon or over any portion of said street or said railroad, inclusive of Ys, switches and sidetracks, East of the West boundary line of Garfield Street, and that when any portion of said Railroad Avenue shall be ordered improved by said city, the said Hammond Lumber Company, its successors or assigns, shall improve, at its or their own expense, the portion of said street which shall be included between the rails of said railroad and within an area of three feet in width on each side of said rails outside of the track, in the manner provided for the improvement of

such street.

Section 3. The Common Council of the City of Warrenton reserves the right to grant franchises to any person, persons, or corporations, for the purpose of building spurs upon or over the remaining portion of said street, and to connect said spur or spurs to and with the line of track or any portion thereof so as to complete ingress and egress from said railroad or any portion thereof, belonging to the Hammond Lumber Company, its successors or assigns, and the Spokane, Portland & Seattle Railway Company, but not to its detriment.

Section 4. This franchise is granted on the further condition that the Hammond Lumber Company, its successors and assigns, will construct and maintain a public crossing at Garfield Street over its tracks, so as not to obstruct common traffic.

Section 5. The Common Council of the City of Warrenton reserves the right to regulate by ordinance the speed of cars and locomotives run upon said railroad at any time within the limits of said city, and to enact and enforce such ordinances as may be deemed advisable to prevent the unreasonable blocking or obstruction of said street, or any part thereof, by trains, cars, or otherwise.

Section 6. That the said rights and privileges hereinbefore mentioned, and all rights and privileges herein granted, are granted upon the condition that said railroad will be constructed and in operation upon said right of way, or a portion thereof, hereinbefore described, on or before the 1st day of October 1918.., and if not built and in operation within such time, then this franchise shall be revocable at the option of the said City of Warrenton, and such city, through its Common Council, reserves the right to revoke this franchise, and upon the exercise of such right and upon the adoption of an ordinance to that effect upon the conditions above named, then this franchise herein granted shall terminate.

Section 7. The rights, privileges and franchises hereby granted shall, unless terminated accordingly as hereinbefore provided, *or now usage for a period of five years which shall terminate* continue and be in force for the period of thirty (30) years from the

By the Hammond Lumber Company or its assigns

Resubmitted at the option of City Council

date of the passage of this ordinance.

Section 8. Inasmuch as the objects to be obtained by this ordinance will be of great benefit to the people of the City of Warrenton and there exists and is an urgent necessity that this ordinance should take effect as soon as possible, so that the health, peace and safety of the people of the City of Warrenton may be preserved, an emergency is hereby declared to exist, and this section, therefore, shall take effect when approved by the affirmative vote of two-thirds of all the members of the Common Council, and this ordinance shall then be in full force and effect, immediately after its approval by the Mayor of the City of Warrenton.

Passed the Common Council this 1st day of October 1917.

Submitted to the Mayor this 1st day of October 1917.

Approved this 1st day of October 1917.

Attest:

John Evenden
Auditor and Police Judge.

J. M. Hanson
Mayor.