

AN ORDINANCE granting unto F. G. KELLY a right of way crossing a small portion of Lot One (1), known as "Beshart's Lot", in Block Nine (9), Warrenton Addition to Astoria, Oregon, in Warrenton; thence crossing Main Street at County Road; thence along 3rd Street to the intersection of Spruce Street, and declaring an emergency.

THE CITY OF WARRENTON DOES ORDA IN AS FOLLOWS:

Section 1. That F. G. KELLY, his successors and assigns be and he is hereby granted the right and privilege of building, maintaining and operating a line of standard guage railroad upon, over and along and across Lot One (1) in Block Nine (9), Warrenton Addition to Astoria, in Warrenton; thence across Main Street at County Road; thence on 3rd Street ~~to~~ the intersection of Spruce Street, the said railroad track to be constructed at or near the center of said street and at the point indicated on the blueprint attached to the petition asking for this franchise.

Section 2. That said railroad track shall not be constructed over or above the established grade of said street; and that when any portion of said street or said Lot shall be ordered improved by the City of Warrenton, the said F. G. Kelly, his successors or assigns shall improve at his 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 (3) feet in width on each side of said rails outside the track, and also across said Lot One (1), in the manner providing for the improvement of such street.

Section 3. The Common Council of the City of Warrenton reserves the right to regulate by ordinance the speed of cars and locomotives running upon said railroad, at any time, within the limits of the said City, and to enact and enforce such ordinances as may be deemed advisable to prevent the unreasonable blocking or obstruction on said street or any part thereof by trains, cars or otherwise.

Section 4. That the said rights and privileges hereinabove mentioned, and all rights and privileges herein granted, are granted upon the express condition that said railroad will be constructed and in operation upon said right of way hereinbefore described, on or before the 1st day of December, 1919, and if not built and in operation within such time then this franchise shall be revokable at the option of the said City of Warrenton; such city, through its Common Council reserves the right to revoke this franchise, and upon the exercising 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 5. The rights, privileges and franchises hereby granted shall, unless terminated, accordingly as hereinbefore provided, continue and be in force for the period of 25 years from the date of the passage of this ordinance.

Section 6. 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 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 operative immediately after its passage and approval by the Mayor of the City of Warrenton.

Passed the Common Council this 21st day of August 1919.

Submitted to the Mayor this 21st day of August 1919.

Approved this 21st day of August 1919.

J. M. Wilson
Mayor

Attest:

John Evenden
Auditor and Police Judge.

I hereby certify that all interlineations in the above Ordinance were made at the request of the Council, before the Ordinance was passed.

Witness my hand John Evenden
Aug. 21st 1919. Auditor & Police Judge.

*then for a period of two years. then
at the option of the City Council*