

Ordinance Bill No. 97  
Ordinance No. 93

Special

An Ordinance to authorize and permit Oregon and California Railroad Company, its successors and assigns, to lay railway tracks and to run engines and cars over the same within the City of Lebanon, Oregon, and over and across certain streets therein.

The People of the City of Lebanon Ordain as follows:

Section 1

Oregon and California Railroad Company, its successors and assigns, are hereby authorized and permitted to lay a ~~railroad~~ track or tracks and to run engines and cars over the same along the line of the located road of said company through the City of Lebanon, Oregon, occupying and crossing the following streets in said city to-wit:

Beginning at a point where the present constructed tracks of Oregon & California Railroad Company cross the intersection of Maple and Third Streets; thence across Third Street to Oak Street; across Oak Street to the north line of the block bounded by Oak, Second, A and Third Streets; across Second Street to West line of Lot 8 of Block 13, of Wm. Ralston's Addition to A. Street; thence along A. Street to the east line of Main Street; Also, Beginning at a point on the West line of Grove Street in Center Addition, opposite the center line of A. Street; thence along A. Street crossing William Street and Hiatt Street to the east line of Hiatt Street; also crossing Frankling, Eddie and River Streets in Riverside Addition; all as shown and designated and described upon the map or plat of said Oregon and California Railroad Company's located line of its railroad attached hereto and made a part thereof;

And the right-of way along, over and across all said streets as shown upon said map or plat is hereby granted to said Oregon & California Railroad Company, its successors and assigns, for the purpose of laying a railway track or tracks thereon and running engines and cars over the same and using the same for all legitimate railroad purposes.

### Section 2

The said Oregon & California Railroad Company, its successors and assigns, shall at its expense grade to established grades, construct and maintain in good repair, said streets, over, across and along which said railroad shall run, to at least one foot beyond the ends of the railroad ties upon each side of its track or tracks, and shall do and perform such work and the improvements and repairs thereof in such manner and with such material as the Council of the City of Lebanon may at any time provide for or require.

### Section 3

The said City of Lebanon reserves the right, always, to lay or cause to be laid, constructed and maintained along, across and under any streets used and any tracks owned by said Oregon & California Railroad Company in said City, Sewer Pipes, Water Pipes, Gas Pipes, Telephone, Telegraph and electric light wires and all other wires for conducting or transmitting electricity; and the right to erect, construct and maintain, over, across and along any streets used and any tracks owned by said Oregon & California Railroad Company, at a suitable height above the rails of said track and right-of way, electric, light, Telephone, Telegraph, wires and all other wires for conducting or transmitting electricity; the same to be done in such manner as to not unnecessarily interfere with

the convenient use of said streets and right-of-way, for all legitimate railroad purposes; and the further right to grant franchise for laying of railroad tracks and street-car tracks, and operating cars thereon, along, over, under and across all or any of said streets, under such restrictions as will not materially interfere with the rights and privileges herein given and granted unto said Oregon & California Railroad Company.

#### Section 4

The said Oregon & California Railroad Company, at its own expense, shall construct and thereafter maintain, in good condition, suitable crossings for travel and traffic on all streets crossed by its said track or tracks, for the full width of said street to at least one foot beyond the outer end of the ties on each side of its track or tracks, in accordance with the Ordinance of said City and under the direction of the Street Commissioner of said City.

#### Section 5

That the grade of the track or tracks of said railroad where the same crosses Main Street in the said City shall conform to the present established grade of said Main Street.

#### Section 6

That no car or cars, trains or engines shall be allowed or permitted to stand on any street crossing so as to interfere with the free use of the said street for travel or traffic, for a longer period of time than fifteen minutes of time.

#### Section 7

That the said Oregon & California Railroad Company shall and will permit the City of Lebanon, to open, lay out and establish, without cost to said City, any other and additional streets over and across its said track or tracks and right-of-way that the said

City may deem proper to open, lay out or establish, provided, that the said streets shall not be closer together than the principal streets of the said City as now established and laid out.

Section 2

The written acceptance of the terms of this Ordinance shall be filed by the said Oregon-California Railroad Company with the Recorder of the City of Lebanon before laying any track mentioned in this Ordinance, and within thirty days after its approval by the Mayor, or after it becomes effective.

Passed by the Council this 24<sup>th</sup> September 1909;  
and Approved by the Mayor this 24<sup>th</sup> day of September 1909;

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J. C. Mayer  
Mayor of the City of Lebanon.

Attest

G. Lovelace  
Recorder of the City of Lebanon.