

Repealing franchise of Portland, Eugene & Eastern Railway Co.

Ord 557
Repealing
of Portland
Eugene &
Eastern
Ry. Co.

An Ordinance to revoke all right, privilege or franchise to lay down, build, construct or maintain line or lines of franchise railway or a system of single track railway with convenient switches, turn-outs, curves, connections or turn-tables for the purpose of operating a railway or conveying power or electrical current for its use or to put up, erect, maintain or use poles or overhead wires or lay down construct maintain or use undercurrents, slots, conduits, under-ground wires, conductors or cables in, over or upon the following streets and portion of streets within the City of Albany, Oregon, to-wit:

Beginning at a point on the Willamette River at the north end of Calapooia street in the City of Albany, Oregon, thence running south on Calapooia street to First street; also beginning at a point 224 feet south of the intersection of Calapooia street by First street and running thence south on Calapooia street to Ninth street; also beginning at the intersection of Lyon street and First street on said city and running thence east on First street to the eastern limits of said city; also beginning at Lyon street and Second street and running east to the city limits on Second street; also beginning at a point where Eighth street in said City of Albany intersects Main street in said City and running thence west on Eighth street to Montgomery street, thence across block six in Hackleman's Second Addition to said City of Albany to Ninth street where it intersects Baker street, thence west on Ninth street to the western limits of said City; also beginning at the intersection of Calapooia street with Seventh street in said City of Albany and running thence west on Seventh street to the western limits of said City; also beginning at a point on the Willamette River at the north end of Lyon street in said City of Albany and running thence south on Lyon to First street; also beginning at the intersection of First & Main streets in said City and running thence south on Main street to its intersection with Eighth street.

Whereas on May 2-nd, 1909 an ordinance was passed by the common council of the City of Albany, Oregon, granting unto the Portland, Eugene and Eastern Railway Company its assigns and successors the right, privilege and franchise to lay down, build, construct and maintain lines of railway, and a system of single track railway, with convenient switches, turn-outs, curves, connections and

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turn-tables, and for the purpose of operating said railway and conveying power and electrical currents for its use, to put up, erect, maintain and use poles and overhead wires, and lay down, construct, maintain, and use under-currents, slats, conduits, under-ground wires, conductors and cables, on, over, and upon the following streets and portion of streets within the City of Albany, Oregon, to-wit: Beginning at a point on the Willamette River at the North end of Calapooia Street, in the City of Albany, Oregon, thence running South on Calapooia Street to Third Street; Also, beginning at the intersection of Calapooia Street and First Street, in said City, and running thence East on First Street to the eastern limits of said City; Also, beginning at Lyon Street on Second and running East to the City limits on Second Street; Also beginning at a point where Eighth Street in said City of Albany intersects Main Street, in said City, and running thence west on Eighth Street to Montgomery Street, thence across block six in Haskellman's Second Addition to said City of Albany to Ninth Street where it intersects Baker Street, thence West on Ninth Street to the western limits of said City; Also, beginning at the intersection of Calapooia Street with Seventh Street, in said City of Albany, and running thence West on Seventh Street to the western limits of said City; Also, beginning at a point on the Willamette River at the North end of Lyon Street, in said City of Albany and running thence South on Lyon Street to the Southern Pacific Railway Depot in said City of Albany, Oregon. Also, beginning at the intersection of First and Main Streets, in said City, and running thence South on Main Street to its intersection with Eighth Street, which ordinance was approved by the Mayor May 25th 1909.

And whereas said Portland, Eugene, and Eastern Railway Company accepted said franchise June 18th, 1909.

And whereas said ordinance and franchise provides: "In the event that the said Portland, Eugene, & Eastern Railway Company, its assigns or successors, shall fail to construct and operate said Street Railway upon any street or portion of street, the use of which is by this ordinance granted to the said Portland, Eugene and Eastern Railway Company, its assigns and successors, for Street Railway purposes, within two years from

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the date of the acceptance of this franchise, then this franchise, as to such street or portion of street not so used and occupied hereunder, shall be forfeited to the City of Albany.

And whereas said Portland, Eugene & Eastern Railway Company, its assigns or successors has failed to construct or operate a street railway over or upon the following streets or portion of streets:

Beginning at a point on the Willamette River at the North end of Kalapooia Street, in the City of Albany, Oregon thence running South on Kalapooia Street to First Street; also beginning at a point 224 feet South of the intersection of Kalapooia Street by First Street and running thence South on Kalapooia Street to Ninth Street; also beginning at the intersection of Lyon Street and First Street in said City and running thence East on First Street to the Eastern limits of said City; also beginning at Lyon Street on Second Street and running East to the City limits on Second Street; also beginning at a point where Eighth Street in said City of Albany intersects Main Street in said City and running thence West on Eighth Street to Montgomery Street, thence across block six in Hackleman's Second Addition to said City of Albany to Ninth Street where it intersects Baker Street, thence West on Ninth Street to the western limits of said City; also beginning at the intersection of Kalapooia Street with Seventh Street in said City of Albany and running thence West on Seventh Street to the western limits of said City; also beginning at a point on the Willamette River at the North end of Lyon Street in said City of Albany and running thence South on Lyon to First Street; also beginning at the intersection of First and Main Streets in said City, and running thence South on Main Street to its intersection with Eighth Street, but has forfeited to the City of Albany all right and privilege under said ordinance and franchise, as to said streets:

The People of the City of Albany do ordain as follows:

Section 1. That all right, privilege or franchise to lay down, build, construct or maintain one or lines of railway, or a system of single track railway with convenient switches, turn-outs, curves, connections or turn-tables, for the purpose of operating a railway or conveying power or electrical current for its use or to put up, erect, maintain or use

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poles or overhead wires or lay down, construct, maintain or use under currents, slots, conduits, under-ground wires, conductors or cables in, over or upon the following streets and portions of streets within the City of Albany, Oregon, to-wit, Beginning at a point on the Willamette River at the North end of Calapooia Street in the City of Albany, Oregon, thence running South on Calapooia Street to First Street; also beginning at a point 224 feet South of the intersection of Calapooia Street by First Street and running thence South on Calapooia Street to Ninth Street; also beginning at the intersection of Lyon Street and First Street in said City and running thence East on First Street to the Eastern limits of said City; also beginning at Lyon Street on Second Street and running East to the City limits on Second Street; also beginning at a point where Eighth Street in said City of Albany intersects Main Street in said City and running thence West on Eighth Street to Montgomery Street, thence across Block six in Hacklman's Second Addition to said City of Albany to Ninth Street where it intersects Baker Street, thence West on Ninth Street to the Western limits of said City; also beginning at the intersection of Calapooia Street with Seventh Street in said City of Albany and running thence West on Seventh Street to the Western limits of said City; also beginning at a point on the Willamette River at the North end of Lyon Street in said City of Albany and running thence South on Lyon to First Street; also beginning at the intersection of First and Main Streets in said City, and running thence South on Main Street to its intersection with Eighth Street, of the said Portland, Eugene and Eastern Railway Company, its assigns and successors to and the same is hereby revoked, cancelled annulled and for naught held.

Section 2. This ordinance shall take effect and be in force from and after 30 days after its approval by the Mayor.

Passed the Council Oct 11th 1911
 Approved Oct. 12th 1911

Attest:
 J. M. Redfield,
 Recorder of the City of Albany.

J. P. Wallace
 Mayor of the City of Albany.

CITY RECORDER'S CERTIFICATE

STATE OF OREGON, }
COUNTY OF LINN. } ss.

I, F. M. REDFIELD, Recorder of the City of Albany, in Linn County, and State of Oregon, do hereby certify that the foregoing and annexed copy of

Ordinance No. 59
has been by me carefully compared with the original *Ordinance Bill No. 614* now on file in my office, and that it is a true and correct copy of all and the whole of said

Original Bill 614 as passed by the Council of the City of Albany Oregon Oct 11, 1911

WITNESS, my hand and official signature and the seal of the City of Albany, this

12th day of *October* 1911

F. M. Redfield
Recorder of the City of Albany.