ORDINANCE NO. 74.

An ordinance granting to the Randall, Trowbridge & Wright Company, a corporation, their successors, associates, or assigns, a franchise, right, right of way, and permission to construct, lay down, operate and maintain a street railroad and railroad tracks, single or double, with all necessary or convenient turns, turnouts, crossroads, switches and appliances, and to operate thereon street cars propelled by electricity or other motive power, except steam, upon and along certain county roads in the County of Solano.

The Board of Supervisors of the County of Solano do ordain as follows:

Section 1. A franchise, right, right of way, and permission are hereby granted The Randall, Trowbridge & Wright Company, a corporation, their successors, associates, or assigns, to construct, lay down, operate and maintain a street railroad and railroad tracks, single or double, with all necessary or convenient turns, turnouts, stations and appliances, and to operate street cars thereon, propelled by electricity or other motive power, except steam, and to carry and transport for compensation passengers and freight, upon such cars, over, upon and along the following route in the County of Solano, State of California, particularly described as follows:

First. Commencing at the City limits of the City of Vallejo where the same is intersected by County Road Number 78 and running thence Southeasterly along said County Road Number 78 to its intersection with County Road Number 158, and running thence Southeasterly and along said County Road Number 158, following the meanderings thereof to the City limits of the City of Benicia.

Second. Commencing at the City limits of the City of Vallejo and the Northerly termination of Sacramento Street, thence Northerly along the proposed extension of Sacramento Street( now known as Carter's Lane ) to the Union Cemetery.

Third. Also across County Road Number 140 at a point 1,000 feet, more or less, Northerly from the Southeasterly corner of the estate of Timothy Howard, deceased, situated in Section 7, Township 3 North, Range 3 West, K.D.B.& L.

Fourth. Commencing at the City limits of the City of Vallejo at the intersection of the Napa Road and County Road Number 140, thence Easterly along said County Road Number 140 to the Orphan's Home Road.

That said franchise and privilege shall be awarded and granted upon the following terms, conditions and restrictions in addition to the terms, conditions and restrictions required or imposed by law, to-wit:

First. The grantee or grantees of said franchise, its or their successors or assigns, shall have the right, franchise and privilege to lay down, construct, maintain and operate said railroad, together with the right to carry passengers thereon for hire, for the term of fifty years, provided, however, that said franchise shall be construed to give to the grantee thereof, his, its or their successors or assigns, the right to carry freight for any person, partnership or corporation, over, along or upon the railroad to be authorized thereby, and such materials, tools, machinery and fuel as it may be necessary to transport over said railroad or the construction, operation or maintenance of the railroad lines of said grantee or grantees, his, its or their successors or assigns.

Second. Subject to unavoidable delays and casualties, cars for the conveyance of passengers must be operated in each direction over the respective portions of said railroad between the hours of six A.M. and six P.M. of each day at intervals on said proposed extension of Sacramento Street( now known as Carter's Lane), of not more than four hours, and on said County road Number 78 known as the Benicia Road of not more than four hours.

Third. The grantee or grantees of said franchise, his, its or their successors or assigns must macadamize in a good and substantial manner, between the rails of said track, and two feet on each side thereof, and keep the same constantly in repair, flush with the rails, and with good railings; and whenever any parts of said road are now or may be hereafter paved with bitumen, as shall or any pavement other than macadam, said grantee or grantees, his, its
or their successors or assigns, must pave between the tracks and two feet on each side thereof with such material as is used on such road and keep the same constantly in repair, flush with the rails, and with good crossings. Fourth. All trolley poles used in said roads in the construction of said railroad must be of such pattern as is generally used for railroad purposes outside of the City limits of incorporated cities, and shall be of uniform shape and size and of the best quality used for said purposes, and all wires used in connection with the exercise of said franchise must be of sufficient height and elevation above the ground to avoid obstruction to the ordinary use of the roads, and they must be constructed and erected to the satisfaction of the Board of Supervisors of said County of Solano.

Fifth. The tracks of said railroad shall be single or double and must not be more than four feet between the rails, and said tracks shall be constructed of standard rails of the most approved pattern, and shall be laid down and constructed in a good and substantial manner, and so as to prevent the least possible obstruction to travel and the crossing of vehicles.

Sixth. Work to construct the said railroad must be commenced in good faith within not more than four months from the granting of such franchise, and said work must be completed within three years thereafter, and if not completed within said time, said franchise so granted shall be forfeited, unless the time be extended by said Board of Supervisors or the uncompleted portion be abandoned with the consent of the Board of Supervisors.

Seventh. Rates on said railroad shall be regulated by the grantee of said franchise, his, its or their successors or assigns between given points at reasonable rates.

Eighth. The grantee of this franchise herein set forth is hereby required to file with the Clerk of said Board of Supervisors of Solano County, within twenty days after the granting of this franchise to him, his acceptance in writing of the provisions of the same, and shall pay to said County the amount of his bid.

Ninth. The rights and privileges hereby granted shall not be exclusive and this Board reserves the right herein for said Solano County, to grant like privileges to other parties making proper application therefor, provided, however, no such grant shall be granted which shall interfere with the reasonable use of the right and privileges herein granted.

Tenth. Said railroad tracks shall be laid in such places and position in said roads as shall be designated by the Supervisors of to and in which said tracks are laid; and where it may become necessary to displace the usually traveled roadway of said roads, the grantee or grantee of this franchise, its, its or their successors or assigns shall replace at their own expense said roadway to its former condition or failing to do so for a reasonable period of time, that they shall bear all expense necessarily incurred in re-establishing such roadway to its original condition of usefulness at the time of such displacement; said cost shall be fixed by the County Surveyor of said Solano County.

Eleventh. The cars operated on said railroad shall be of the most improved construction for comfort, convenience and safety of passengers, and be provided with fenders and the most approved brakes to stop said cars when required. Section 3. This Ordinance and franchise is passed and granted to the Randall, Trowbridge & Wright Company, a corporate, its successors and assigns, pursuant to a notice duly published by the Board of Supervisors, inviting sealed proposals for the same; The Randall, Trowbridge & Wright Company, a corporation, its successors and assigns, being the highest bidder, and its bid is hereby accepted and approved. The Randall, Trowbridge & Wright Company, its successors and assigns, as one of the conditions for the granting of this franchise shall pay to the said County of Solano two (2) per cent per annum of the gross annual receipts from the said railroad arising from the use, operation and possession of this franchise and privilege.

SEC 4. The Randall, Trowbridge & Wright Company, a corporation, its successors and assigns, is hereby granted said franchise, right, right of way and permission for the term of fifty (50) years after the date of the approval of this ordinance.

SEC 5. This ordinance shall take effect and be in full force from and after its final passage and publication. Such ordinance to be complete upon signing a number thereto, and adding the name of the grantee, whenever necessary, has also inserting the amount of the bid.

SEC 6. The Vallejo Evening News is hereby designated as the daily newspaper in which this resolution and ordinance shall be published for a period of ten (10) days as required by law exclusive of Sundays and holidays. The roll was called and the ordinance adopted by the following vote:-

AYES: Brown, Glendon, Godfrey and Fleming (Chairman).

NOs: None. ABSENT: H. J. Widemann.

Attest: ____________________________
County Clerk, and Ex-Officio Clerk of said Board of Supervisors.