AN ORDINANCE granting to the CHICAGO, MILWAUKEE AND ST. PAUL RAILWAY COMPANY, its successors and assigns, the right, privilege and authority to construct, maintain and operate in, along, across and over certain public streets and ways in the City of Kent, Washington, the necessary trolley, feeder and other wires, together with supporting poles, anchors, guys and other structures, for the operation of the trains and cars of said Railway Company through the City of Kent by electric power.

THE CITY COUNCIL OF THE CITY OF KENT DO ORDAIN AS FOLLOWS:

Section 1. That the City of Kent, Washington, does hereby grant to the Chicago, Milwaukee and St. Paul Railway Company, a corporation of the State of Wisconsin, its successors and assigns, the right, privilege and authority to construct, maintain and operate the necessary trolley, feeder, signal and power indicating and limiting wires for the operation by electric power of the railway line of said Chicago, Milwaukee and St. Paul Railway Company and Oregon-Washington Railroad and Navigation Company, extending from the northern to the southern limits of the City of Kent, together with spur track leading from the main line of said Railway Company easterly to the plant of the Carnation Milk Products Company; and for that purpose to construct, maintain and operate such wires in, along, across and over the following streets intersected, crossed or touched by said railway line, poles, anchors and guy wires required for equipping said railway line for operation by electric power, viz: Shinn Street, Meeker Street, Willis Street, Crow Street, Waterman Street, Second Avenue, Third Avenue, Fourth Avenue, Fifth Avenue, Sixth Avenue, alleys in Blocks One (1) and Two (2) of Ramsey's Addition to Kent, and the Thirty Foot Street immediately west of Rammussen's Addition between Shinn Street and Meeker Street.

The said City of Kent does further hereby grant to the Chicago, Milwaukee and St. Paul Railway Company, its successors and assigns, the right, privilege and authority to locate, construct and maintain in said streets and ways all necessary structures, poles, anchors and guy wires for the carrying and supporting of such trolley, feeder, signal and power indicating and limiting wires, said structures, poles, anchors and guy wires to be so located and maintained at the locations hereinafter more particularly described, and not elsewhere;

Section 2. The said wires shall be carried over, above and along said streets and ways by means of poles securely set in the ground and guyed so as to render the same safe; the poles on the opposite sides of the track to be connected together by span wires which will support a longitudinal messenger wire, from which the trolley wire is hung at a height of not less than twenty-four (24) feet above top of rail. These poles will also support feeder and other wires referred to above and running parallel to the tracks. The poles supporting the span wires shall be securely guyed to anchors or guy stubs set in the ground. The exact location of all poles and fix-
tures will be dependent on local conditions applying in such particular location, and
arrangements made with owners of other wires so as to prevent interference with same, and
as agreed upon with the City Engineer of the City of Kent. The approximate location of
all poles and anchors shall be as follows:

(a) Shinn Street: (1) Three trolley poles near south margin of Shinn Street im-
mediately north of Block 1 of Ramsay's Addition, said poles located approximately five
(5) feet, twenty-five (25) feet and seventy (70) feet, respectively, east of the northwest
corner of said Block 1; (2) One stub anchor pole near south margin of Shinn Street imme-
diately west of the west margin of so-called Thirty Foot Street immediately west of Block 1
of Ramsay's Addition; (3) One "dead man" anchor near south margin of Shinn Street ap-
proximately twenty (20) feet west of the west margin of said so-called Thirty Foot Street;
and (4) One "dead man" anchor near south margin of Shinn Street and immediately west of the
intersection of south line of Shinn Street with the west line of Sixth Avenue; (5) One
trolley pole at intersection of north line of Shinn Street and west line of Second Avenue,
at southeast corner of Block Two (2) of Ramsay's Addition, with a supporting "dead man"
anchor in north line of Shinn Street approximately nineteen feet (19) west of said trolley
pole; (6) Two trolley poles on north side of Shinn Street adjacent to west half of
Block Three (3) of Ramsay's Addition to Kent, one of such trolley poles being close to the
point of intersection of north line of Shinn Street and east line of Second Avenue, the
other of such two trolley poles being approximately sixty-five (65) feet east of the east
line of Second Avenue and fifteen (15) feet south of the north line of Shinn Street, said
two trolley poles being supported by two "dead man" anchors in north line of Shinn Street
distant respectively thirty-two (32) and sixty-eight (68) feet, approximately east of
east line of Second Avenue; (7) Four trolley poles on south side of Shinn Street and east
of Second Avenue and west of First Avenue, three of said four trolley poles being
immediately north of the south margin of said Shinn Street and one of said trolley poles
being approximately ten (10) feet north of the south margin of Shinn Street, said trolley
poles being supported by "dead man" anchors on south line of Shinn Street parallel and adja-
cent to said poles; (8) One trolley pole immediately east of spur track serving the west
side of the Carnation Milk Products Company's plant, said trolley pole being approximately
three feet north and ten feet west of the intersection of south margin of Shinn Avenue and
the east margin of Second Avenue, said trolley pole supported by "dead man" anchor on
south side of Shinn Street.

(b) Second Avenue: One trolley pole on east side of Second Avenue, at outer edge
do sidewalk space, approximately one hundred ten feet north of the north margin of Meeker
Avenue, said trolley pole supported by "dead man" anchor in outer line of sidewalk on
east side of Second Avenue, said anchor being approximately seventy-five (75) feet north of
north margin of Meeker Street. Also one "dead man" anchor on west side of Second Avenue
close to the east line of Block Two of Ramsay's Addition and approximately seventy feet
north of the north margin of Shinn Street.

(c) Alley in Block Two (2) of Ramsay's Addition: One pole on east side of alley
and one pole on east side of alley in Block Two of Ramsay's Addition to Kent, said two
trolley poles being within the limits of the sixty foot railroad right of way of the
Chicago, Milwaukee and St. Paul Railway Company across said Block, said poles supported
by "dead man" anchors located within the right of way of said Railway Company.

(d) Third Avenue: Two trolley poles on east side and two trolley poles on west
side of Third Avenue, within limits of parking strips between property lines and sidewalk
lines on said strip and within the sixty foot right of way of Chicago, Milwaukee and St.
Paul Railway Company, said four trolley poles being supported by "dead man" anchors with
in the limits of said parking strips.

(e) Alley in Block 1 of Ramsay's Addition: Two trolley poles immediately adja-
cent to west line of alley in Block One of Ramsay's Addition to Kent, said trolley poles
located within the limits of the sixty foot right of way of Chicago, Milwaukee and St.
Paul Railway Company and supported by "dead man" anchors immediately adjacent to the
west line of said alley.

(f) Fourth Avenue: Two trolley poles on east side of Fourth Avenue immediately
adjacent to east margin of said Avenue and within the limits of the sixty foot right of
way of the Chicago, Milwaukee and St. Paul Railway Company, said two trolley poles being sup-
ported by "dead man" anchors north and south of said poles in said Fourth Avenue and
near the east margin thereof.

(g) Sixth Avenue: Three "dead man" anchors near the west margin of Sixth
Avenue between Meeker Street and Shinn Street, said anchors being distant approximately
one hundred thirty-two feet, two hundred forty feet, and three hundred ninety feet, re-
spectively, north of the north margin of Meeker Street.
(a) SO-called Thirty Foot Street: Four "dead man" anchors near the east margin of the So-called Thirty Foot Street between Meeker Street and Shinn Street and west of Block One (1) of Rasmussen's Addition, said anchors being distant approximately thirty feet, one hundred thirty-five feet, two hundred forty feet, and three hundred eighty-five feet, respectively, north of the north margin of Meeker Street.

(1) Crow Street: One trolley pole and one supporting "dead man" anchor on the west side of main track of Chicago, Milwaukee and St. Paul Railway Company and east of the right of way of Puget Sound Electric Railway, near the north margin of Crow Street approximately three feet south of the south line of Block "A" of Crow's First Addition to Kent.

Section 3. All poles shall be erected in a neat and workmanlike manner and set in the ground at such depth and so guyed as to prevent danger of leaning or falling, and all wires to be strung on said poles shall be secured thereto in a safe, proper and workmanlike manner and at sufficient height from the ground as to cause no obstruction to travel. Before said poles or anchors shall be erected, a plat, showing the exact location of each pole and structure, approved by the City Council of the City of Kent, shall be filed with the City Clerk; and the location of said poles and anchors, as shown upon said plat, shall be construed and deemed to be the locations hereinbefore approximately stated.

Section 4. The City of Kent shall retain the same control of the streets and ways in, along, across and over which said poles or anchors may be constructed, and said wires suspended, as over other streets and ways, and shall have such further control and police power over said poles, anchors and wires as the laws of the State of Washington permit; and the said City reserves to itself the right to carry water pipes, sewers and other conduits underneath said poles and wires within the limits of any such street or way and to construct, maintain and repair the same. Such right, however, shall be so exercised as to interfere as little as practicable with said poles, anchors and wires and so as to leave the same in as good condition as prior to any exercise of such rights. If at any time the location of any of the poles, anchors or guys of grantee, herein authorized, shall unreasonably interfere with traffic, within any street or way herein mentioned, or with pedestrian traffic along any sidewalk which may hereafter be constructed along any of the streets or ways hereinbefore mentioned, then the grantee shall at its own cost and expense, and within thirty days from date of service upon grantee's local Agent at Kent, of a resolution requiring such removal, change each pole, anchor or guy so as to obviate such interference; and for such purpose the grantee may use stub anchor posts to carry the guy wires across any sidewalk that may hereafter be constructed, if such stub anchor posts are found to be necessary to prevent any guys from blocking a sidewalk. Grantee further agrees, by the acceptance of this Ordinance, not to carry power wires on any pole less than thirty-five feet long, and to incase in boxing ten feet long and four inches by four.
four square, any guy wires within the limits of any street, avenue, alley or road within
the corporate limits of the City of Kent, agrees not to run any ground
wire or guy wire carrying electricity into the ground closer than 60 feet to any City
water main or street light. The grantee, its successors and assigns, agrees to protect and save
harmless the City of Kent from all claims, demands and causes of action which may accrue to
or be suffered by said City, or by any person or persons by reason of the construction,
maintenance or operation of said poles, anchors, guys, trolley wires, and other wires; and
in case any suit shall be brought against said City of Kent to recover damages on account
thereof, the said grantee, for itself, its successors and assigns, agrees, upon receiving
notice of said action, (which notice may be served upon the depot Agent of grantee at Kent)
to defend the same at its or their own cost and expense and in case judgment shall be rendered
against said City in such action or suit, that it will fully satisfy such judgment within
sixty (60) days after such action or suit shall have been finally determined, if determined
adversely to the City of Kent.

Section 6. The rights, privileges and authority herein granted and all benefits there
of shall be assignable by said Railway Company, its successors and assigns, as it or they
may be at any time see fit, either as an entirety or for the purpose of enabling any other
Railway Company operating over said electrified tracks to avail itself of the benefits of
said electrification; provided, however, that notice of any such assignment shall be filed
with the City Clerk of the City of Kent.

Section 7. The said grantee shall, within thirty (30) days after the taking effect
of this Ordinance, file with the Clerk of said City of Kent its written acceptance of this
Ordinance and all of the terms and conditions thereof. In case such written acceptance is
not filed as aforesaid, any and all rights granted hereby may be forfeited, ended and deter-
mined.

Section 8. This Ordinance shall take effect and be in force from and after its
passage, its signing by the Mayor, attesting by the City Clerk, and publication as re-
quired by law.

Passed the City Council the 7th day of December, A.D., 1917.

Approved the 9th day of December, A.D., 1917.

Attest:

MAY OR.

City Clerk.

Published Jan 10th, 1918
ORDINANCE
No. 409

SEC. AMENDED
BY ORD. 499

Granting Franchise to Milwaukee & St. Paul Railway.