

ORDINANCE NO. 444

AN ORDINANCE authorizing the Richmond, Fredericksburg, and Potomac Railroad Company, its successors and assigns, to construct, maintain and use a railroad spur track in and along North Fayette Street between Pendleton and Wythe Streets in the City of Alexandria, Virginia.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALEXANDRIA, VIRGINIA, AS FOLLOWS:

Section 1. That the Richmond, Fredericksburg, and Potomac Railroad Company, its successors and assigns, be, and they are hereby, authorized to construct, maintain and use a railroad spur track in and along North Fayette Street between Wythe and Pendleton Streets in the City of Alexandria, Virginia. Said track shall be located in accordance with the plat, entitled Topographic Map for Richmond, Fredericksburg and Potomac Railroad Company prepared by E. H. Holland, Jr., C. L. S., now filed in the office of the City Engineer of Alexandria, and made a part hereof, and such track shall begin at the point shown on said drawing, located on the industrial track of the Richmond, Fredericksburg and Potomac Railroad Company, located in the center of Fayette Street thence running in a southerly direction by a frog and switch to and along the westerly side of Fayette Street, the center of said spur track, along the westerly side of Fayette Street, being 7 feet eastwardly from and parallel to said west line of Fayette Street.

Section 2. That before any work is started on the construction of the said spur track hereinbefore mentioned or before the streets of the City of Alexandria are used under authority hereby granted, plans, profile and specifications for the grading and the alignment of said track shall be first submitted to and be approved by the City Engineer. All space between rails of said spur track and all space within two feet outside of each rail shall be paved as now or hereafter directed by the City Engineer. Such paving shall be brought up to the top of the rails. Construction, the relocation of facilities, grading, necessary drainage, and paving between rails and the two feet on each side thereof, and all other work shall be done at the cost of the said Richmond, Fredericksburg and Potomac Railroad Company, and under the supervision of the City Engineer, and such work, including construction of the switch point, shall be done in a manner which will leave the streets safe and in proper condition for vehicular traffic.

Section 3. That the Richmond, Fredericksburg and Potomac Railroad Company, its successors and assigns, shall keep such spur track, the space between the rails and two (2) feet on each side thereof in good repair and in safe condition so long as the said

spur track remains in the street. Use of the street by said company, its successors and assigns, pursuant to the privilege hereby granted, shall be considered an agreement by the company, its successors and assigns, to save the City of Alexandria harmless from any liability by reason of the construction, use or maintenance of the said spur track.

Section 4. That the special privilege to use the said street of Alexandria herein granted shall be considered a limited and concurrent right, and the same shall in no manner be considered a right in perpetuity; and the City of Alexandria may require the removal of said track and the termination of said privilege upon ninety days' notice. Upon abandonment of said spur track, or termination of said privilege, the company, its successors or assigns, shall at its expense remove the said track and return the street to a safe and proper condition, paving the disturbed portion of the street in like manner as the remainder of the street is paved at the time of the removal.

Section 5. That this ordinance shall take effect immediately upon its passage.

WILLIAM T. WILKINS,
Mayor.

October 24, 1945.