

ORDINANCE No. 451

AN ORDINANCE authorizing the Southern Railway Company, a corporation, to construct, maintain and use a railroad spur track in and along a part of Union Street between Prince and Duke 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 Southern Railway Company, a corporation, be and it hereby is authorized to construct, maintain and use a spur track in and along a part of Union Street between Prince and Duke Streets in the City of Alexandria, Virginia. Said track shall be located in accordance with a drawing dated October 5, 1945, prepared by R. F. Fox of the Southern Railway Company, and such track shall begin with the company's main or westerly track now on Union Street at a point of switch two hundred fifty-seven feet north of the north line of Duke Street, thence with a curve to the right, using a No. 6 frog, along Union Street, and with appropriate curve or curves, to a location where the center of said spur track is eight feet from the west property line of Union Street at a point one hundred fifty-two feet from the north line of Duke Street, thence with appropriate curve to a location where the center of said track is eight feet from warehouse building at the corner of Duke and Union Streets, said spur track being 2 feet 4 $\frac{1}{4}$ inches over on private property and continuing thus on Union Street to a point 12 feet from the north line of Duke Street.

Section 2. That before any work is started on the construction of the spur track hereinbefore mentioned or before the city street is used under authority hereby granted, plans, profile and specifications for the grading and 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, if street area, shall be paved with concrete. Such concrete shall extend two inches below the ties, and it shall be brought up to the top of the rails. All adjacent street area shall be brought up to uniform grade. Construction, relocation of facilities, grading, necessary drainage, paving, and all other work shall be done at the cost of the company and under the supervision of the city engineer, and such work, including construction of switch, shall be done in a manner which will leave the streets always safe and in proper condition for vehicular and pedestrian traffic.

Section 3. That the Southern Railway Company shall keep such spur track and the street area between the rails and two feet on each side thereof in good repair and in safe condition so long as the spur track remains in the street. Use of the street by said company pursuant to the privilege hereby granted shall be considered

an agreement by the company 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 sixty days' notice. Upon abandonment of said spur track or upon the termination of said privilege, the company shall at its expense remove the said track and return the street to a safe and proper condition, paving the disturbed part of the street in like manner as the remainder of the street is paved at the time of removal.

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

WILLIAM T. WILKINS,
Mayor.

February 12, 1946.