

*Ordinance No 3, Sec of 1910*

AN ORDINANCE GRANTING TO THE COLORADO & SOUTHERN RAILWAY COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE A LINE OF STANDARD GAUGE RAILROAD IN THE CITY OF FORT COLLINS, AND GRANTING THE RIGHT OF WAY TO SAID COMPANY, ITS SUCCESSORS AND ASSIGNS, OVER, ALONG AND ACROSS CERTAIN STREETS AND ALLEYS OF THE CITY OF FORT COLLINS, NAMELY CHERRY STREET, THE ALLEY IN BLOCK 33, MAPLE STREET AND THE ALLEY IN BLOCK 32

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS

Section 1 That a right of way be, and the same is hereby granted by the City of Fort Collins to The Colorado & Southern Railway Company, its successors and assigns, to locate, build, construct, operate and maintain a single line of standard gauge railroad over, upon, along and across the following described streets and alleys in the City of Fort Collins, to-wit


Commencing at a point on the main track of the Colorado & Southern Railway Company's line of road from Fort Collins to Bellevue, in the south half of Block 34 of the City of Fort Collins, thence in a southeasterly direction over and across Cherry Street to the north line of intersection of the alley in Block 33 with the south line of Cherry Street, thence southerly through the alley in Block 33 and over and across Maple Street to the alley in Block 32, thence southerly through the alley in Block 32 to the northern line of La Porte Avenue, being the point of intersection of said alley with said north line of La Porte Avenue With the right to connect said line of railroad by suitable spurs and side tracks with any property along the line thereof, abutting upon said alleys, when so desired by the owners of such properties Together with the right, privilege and authority to operate said railroad line by steam and to transport freight, and do a general commercial railroad business thereon

Section 2 The Colorado & Southern Railway Company shall construct and operate its railway upon a gauge of four (4) feet, eight and one-half (8-1/2) inches, and the track or tracks of said railway shall be laid on a level with the adjacent surface of the street or alley After the construction of its track, the street or alley shall be promptly restored to as good condition as when the work of construction began.

Section 3 Said Railway Company shall plank its track and one (1) foot on each side of its rails, across said Cherry and Maple Streets, for a width of <sup>thirty feet (60)</sup> ~~thirty-two~~ (32) feet on such street crossings, and thereafter maintain such planking in good order and condition, and whenever the City of Fort Collins shall, by ordinance, order Cherry Street or Maple Street to be paved, the Railway Company shall pave the space between the rails, and for two (2) feet on the outside of each rail, with similar material to that which may be used upon the adjoining portion of said streets, and shall thereafter maintain the same in good order and condition at its own expense

Section 4 Said Colorado & Southern Railway Company shall indemnify and hold harmless the City of Fort Collins from any damage arising out of the exercise by the Railway Company of the rights herein conveyed

*Passed and adopted Signed and approved  
this 31<sup>st</sup> day of March A D 1910*

  
Mayor

*attest  
Robert Pedder  
Clerk*