

Ordinance No. 41

An Ordinance granting to the Union Oil Company of California, permission to locate, construct, open, maintain, repair, renew and remove pipelines for the transportation of oils, water and other fluids through, under, along and within Alexander Street, over, through, under and across Cleveland Street, and the Highway known as the County Road where they intersect said Alexander Street.

Be it ordained by the Mayor and the Council of the Town of Couperville, Washington, as follows:

Section 1. That the Union Oil Company of California, a corporation its successors and assigns, is hereby given and granted permission and the right to locate, construct, lay out, operate, repair, maintain, renew and remove any number of pipes and pipelines, not exceeding six, and of any size not exceeding eight inches ^{internal} diameter, each from and to Block Eight (8) of Keister's Abstraction Plat of Alexander Glenwood, Island County, Washington according to plat recorded in Volume 2 of Plats at Page 64, Records of said County, in Island County, State of Washington, into, under and along the West half portion of said Alexander Street in a northerly direction across, through, under Cleveland Street and the Highway or street known as the County Road, where the same intersects said Alexander Street, to and from the said above described premises and the approach to the dock at the foot of said Alexander Street, for the purpose of transporting Gasoline, oils, grease, lubricants, water and other fluids therethrough, together with the right insofar as said town is concerned to connect with said dock at the foot of said Alexander Street, and to use, operate, repair, maintain, renew, replace and remove any and all pipelines hereinafter installed by virtue of this ordinance at any time the same shall become necessary or convenient, and to make all necessary connections therewith between the above described property and such dock or wharf, provided said pipelines are to be buried to a depth of not less than Twelve (12) inches under the surface of said streets.

Section 2. Said Union Oil Company of California a corporation to use all due and

means for maintaining said streets in a passable and safe condition during the process of installing, repairing or replacing said pipelines, and leave such streets and highways in as good condition as the same were before such work is done, and if the grantee shall fail or refuse to do so, the Town of Couperville shall have the right to put such streets, alleys and highways in as good repair as they were before such excavation, and the cost thereof shall be paid by the grantee or its successors in interest upon presentation of bills therefor and during said work all excavation shall be carefully guarded, and all due care taken to prevent accidents thereat and there with lanterns at night and suitable notices by day. The grantee shall save said Town of Couperville harmless from any and all liability or damages that may occur from the excavation of such streets or highways and the laying of said pipes therein, and should any final judgment be rendered against the town on account of such damages, said grantee, its successors and assigns shall pay the same or shall have the right to supersede said judgment and to appeal therefrom to any higher court it may desire and satisfy and pay such judgment when the same shall no longer be subject to appeal; that said town of Couperville shall give notice to the grantee upon the bringing of any such suit and before the trial thereof and the grantee, its successors and assigns, as the case may be, shall have the right to join in the defense of such suit.

Section 3. This ordinance is to take effect upon the passage, approval and publication hereof according to law, the grantee to pay all expenses of publication of this ordinance, but to be void if pipes are not laid and used within five years from date of passage of this ordinance.

James Zylstra
Mayor

Introduced March 8th 1927
Passed March 22nd 1927
Approved March 22nd 1927.

Attest Julia A. Frott,
Treas. Couperville

Published March 25th 1927