a fair valuation of the plant and property of the said grantee, to be constructed by virtue of this ordinance, which shall be and become the property of the City of Baltimore, at its election, on its paying said grantee said valuation; the said payment to be a fair and equitable valuation of the same as property, excluding any value derived from the right or franchise by this ordinance granted, the said revaluation and valuation hereinbefore provided for to be determined upon by two arbitrators, one to be appointed by the Mayor of the City of Baltimore and the other to be appointed by the grantee, its representatives or assigns, who, in case they shall be unable to agree between themselves, shall appoint a third arbitrator, and the decision of a majority of said arbitrators shall be final and binding as to the revaluation and valuation aforesaid; provided, that if the said two arbitrators shall, after a reasonable time, fail to agree upon an umpire, then the Mayor shall appoint such umpire.

SECTION 3. *And be it further ordained,* That the right and duty are hereby expressly reserved to the Mayor and City Council of Baltimore at all times to exercise in the interest of the public, full municipal superintendence, regulation and control in respect to all matters connected with the grant herein contained and not inconsistent with the terms thereof, and that in the event of the said grantee, its successors or assigns, refusing, neglecting or failing to comply with any of the terms or conditions upon which the said franchise or rights are hereby

granted, said franchise or right shall be and become wholly null and void.

SECTION 4. *And be it further ordained,* That the said grantee, its successors and assigns, at its own expense, in laying down from time to time, its said railroad track on said streets, shall adjust its said track to the grade of such streets, as the same are now or may hereafter be established by law, and shall at its own expense keep the space between the said track and for two feet on either side thereof in thorough repair, and shall at its own expense keep the same free from snow or other obstruction, but without obstructing the other portion of said streets on either side of said track, and shall pay to the City if and so often as said streets or either of them shall be paved or repaved by the Mayor and City Council of Baltimore, its officers and agents, or any other officers or agents duly authorized by law, the cost of paving or repaving the space between said track and for two feet on either side thereof.

SECTION 5. *And be it further ordained,* That in consideration of the right hereinbefore granted, the said grantee shall pay to the Mayor and City Council of Baltimore, within ten days after the passage of this ordinance, all expense of advertising, and the sum of Seven hundred and thirty dollars and fifty-nine cents ($730.59) and the like sum of Seven hundred and thirty dollars and fifty-nine cents ($730.59) annually thereafter.