

Lawling Albany, Oregon

an ordinance authorizing the Mayor and Recorder of the City of Albany to enter into a contract with W. T. McAllister and R. H. Dalton for the building and construction of a lateral sewer beginning at the east end of lateral sewer constructed in Block 68, thence running easterly 71 feet, to sewer constructed through Broadalbin Street. Also beginning at east end of said sewer constructed through Broadalbin Street, thence in a Northwesterly direction 57 feet, thence Easterly 133 feet, all in the City of Albany, a 12 inch vitrified sewer pipe according to the plans, specifications and specifications filed in the office of the Recorder of the City of Albany on the October 14, 1914.

Whereas by Resolution No. 36 of the City of Albany, Oregon, passed by the council on the 14th day of October it was ordered that a lateral sewer be constructed beginning at the east end of lateral sewer constructed in Block 68, thence running easterly 71 feet to sewer constructed through Broadalbin Street. Also beginning at east end of sewer constructed through Broadalbin Street, thence in a Northwesterly direction 57 feet, thence Easterly 133 feet, all in the City of Albany, Oregon, said improvement to be made in accordance with the Charter and ordinances of the City of Albany and the plans and specifications and estimates of the City Engineer the same be filed in the Recorder of the City of Albany; and

Whereas it was provided by ordinance that the Recorder of the City of Albany give notice or bids for the making of said improvement but the said law and by said ordinance; and

Whereas after the notice and advertisement for bids made and given by the Recorder of the City of Albany, according to said ordinance, as the 25th day of October, 1914, W. T. McAllister and R. H. Dalton presented to the council of said city the bid for making said improvement, which bid was made in due and in conformity with all the conditions imposed by law and by said ordinance, but which bid said W. T. McAllister and R. H. Dalton proposed to perform the same and implement and perform the labor necessary to make the above described improvement for the sum of \$197.22; and

Whereas W. T. McAllister and R. H. Dalton was the lowest bidder for said proposed work and said bid was the lowest and best for

Therefore:

The People of the City of Albany do Ordain As Follows:

Section 1. That the bid of the said W. T. McAllister

and P. H. Walton for said improvements, to be and the same is hereby authorized to enter into a contract in writing with the said M. T. McAllister and P. H. Walton for the construction and improvement as aforesaid on behalf of the City of Albany, Oregon, upon the terms and conditions in said ordinance, advertisement and bid hereunto mentioned. Said contract shall provide that the work on said sewer shall commence within ten days after the signing of said contract and be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 15th day of January, 1915, and the City of Albany, Oregon shall be deemed to suffer damages to the extent of \$2.50 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that the said M. T. McAllister and P. H. Walton shall promptly, as due, make payment to all persons supplying to the said M. T. McAllister and P. H. Walton labor or material for the prosecution of the hereinabove described work and that the said M. T. McAllister and P. H. Walton shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any material or labor furnished for the said work.

The said M. T. McAllister and P. H. Walton shall furnish a penal bond in the sum of \$125.00 with good and sufficient securities to be approved by the Mayor of the City of Albany, to secure the faithful performance of all the obligations of such contract on the part of the said M. T. McAllister and P. H. Walton and particularly against any claim or lien for labor, work or material on the part of any person arising out of said contract.

Passed the Council Nov. 25, 1914.

Attest:
Filliant

Approved Nov. 25, 1914

Recorder of the City of Albany.

L M Burl
Mayor

CITY RECORDER'S CERTIFICATE

State of Oregon, }
County of Linn } ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of Lincoln Co. Ord. 747

has been by me carefully compared with the original Lincoln Co. Ord. 747 now on file in my office, and that it is a true and correct copy of all and the whole of said Ord. 747. As passed by the Board of the City of Albany, Oregon, November 20th, 1914.

Witness, my hand and official signature and the seal of the City of Albany, this 27th day of November 1914.

F. E. Van Tassel
Recorder of the City of Albany.