

ORDINANCE NO. 241

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF IMPROVING ELM STREET FROM THE NORTH LINE OF NINTH STREET SOUTHERLY TO THE CITY LIMITS OF THE CITY OF ALBANY, OREGON, PROVIDING HOW THE COST OF SUCH IMPROVEMENT SHALL BE PAID, THE PENALTY OR DAMAGE TO THE CITY OF ALBANY BY THE PERSON OR PERSONS MAKING SUCH IMPROVEMENT IF THE SAME SHALL NOT BE COMPLETED WITHIN THE TIME AGREED UPON, AND THE GIVING OF A GOOD AND SUFFICIENT BOND FOR THE FAITHFUL PERFORMANCE OF THE WORK OF SUCH IMPROVEMENT OF SAID PART OF SAID STREET, AND PROVIDING FOR THE GIVING BY THE RECORDER OF SAID CITY OF PROPER NOTICE FOR BIDS FOR THE COMPLETION OF SUCH IMPROVEMENT OF SAID PART OF SAID STREET.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That Elm Street from the North line of Ninth Street, Southerly to the City limits of the City of Albany, Oregon, shall be improved in the following manner, to-wit:

First: By grading said Street to the proper subgrade.

Second: By paving the full intersection at Ninth and Elm Streets with asphaltic, concrete pavement on an asphaltic, concrete foundation.

Third: By paving the roadway of said Elm Street from the South line of Ninth Street to the City limits, twenty feet in width, with asphaltic concrete pavement on an asphaltic concrete foundation.

Fourth: By laying and constructing asphaltic, concrete headers.

Fifth: By laying and constructing wood headers.

Sixth: By laying and constructing rock or gravel shoulders.

Said improvement shall be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Engineer John A. Fenland, for the improvement of said Street, filed in the office of the recorder of said City of Albany, Oregon, on the 14th day of May, 1913, endorsed "Engineers plans and specifications for the improvement of Elm Street from the North line of Ninth Street, Southerly to the City limits, and the estimate of the work to be done on said Street and the probable cost thereof."

The cost of said improvement of said portion of Elm Street from the North line of Ninth Street, Southerly to the City limits shall be paid out of the funds collected and arising upon and out of the assessment hereafter to be made, ascertained and declared by the Council of the City of Albany on the lots and parts of lots adjacent to said portion of said Elm Street so to be improved, and especially and particularly benefited thereby, as provided by the charter of said city.

The said improvement of said portion of said Elm Street shall be completed by the 15th day of October, 1913.

All bids for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany, may be rejected.

Any firm, person or corporation with whom any contract may be entered into by the City for the making of said improvement shall, before commencing said

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improvement, and at the time of signing such contract, make, execute and deliver to said City a good and sufficient bond, with good and sufficient surety, in the sum of Four Thousand Dollars for the faithful performance of said contract.

Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Elm Street shall not complete the same within the time mentioned and specified in said contract, said city shall be deemed to suffer damages on account thereof to the amount of \$25.00 per day for each and every day the completion of said work is delayed beyond the time stated in such contract, which amount shall be paid by such contractor doing the work at the completion thereof, unless the time of completion of said improvement is extended by the Council.

Section 3. The Recorder of said City is hereby ordered and directed to immediately give proper notice for bids for the making of said improvement of said Elm Street by publishing such notice ten days in the Albany Daily Herald, a daily newspaper published in the said City of Albany, Oregon, fully describing in said notice the time and manner of doing the work of said improvement of said Elm Street.

Passed the Council June 11, 1919.

Approved June 11, 1919.

L. M. Curl.

Attest:

L. G. Lewelling.

Recorder of the City of Albany, Oregon.

State of Oregon }  
County of Linn } ss.

I, L. G. Lewelling, Recorder of the City of Albany, in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 941 has been by me carefully compared with the original Ordinance Bill No. 1035 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1035 passed by the Council June 11, 1919, and approved June 11, 1919.

WITNESS my hand and official signature and the seal of the City of Albany, this 11 day of September, 1919.

  
Recorder of the City of Albany.