

# ORDINANCE No. 965.

AN ORDINANCE AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF ALBANY, OREGON, TO ENTER INTO A CONTRACT WITH W. S. WEAVER FOR THE BUILDING AND CONSTRUCTING OF A LATERAL SEWER BEGINNING AT THE END OF A TEN INCH LATERAL SEWER, CONNECTING WITH THE BAKER STREET TRUNK SEWER, AT THE INTERSECTION OF THE WEST LINE OF BAKER STREET AND THE CENTER OF THE ALLEY BETWEEN FOURTH AND FIFTH STREETS AND RUNNING THENCE WESTERLY THROUGH THE CENTER OF SAID ALLEY THROUGH BLOCK 6 OF THE EASTERN ADDITION TO THE CITY OF ALBANY, AND BLOCK 30 OF THE CITY OF ALBANY, A DISTANCE OF 668.5 FEET TO THE WEST LINE OF ELLEWORTH STREET, LAYING A TEN INCH VITRIFIED TERRA COTTA SEWER PIPE IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS OF ENGINEER JOHN R. PERLAND FOR SAID LATERAL SEWER FILED IN THE OFFICE OF THE RECORDER OF THE CITY OF ALBANY, OREGON, ON FEBRUARY 23th, 1920.

WHEREAS, BY RESOLUTION NO. 17, PASSED BY THE COUNCIL OF THE CITY OF ALBANY ON THE 25th DAY OF FEBRUARY, 1920, IT WAS ORDERED THAT THE ABOVE DESCRIBED LATERAL SEWER BE CONSTRUCTED, SAID IMPROVEMENT TO BE MADE IN ACCORDANCE WITH THE CHARTER AND ORDINANCES OF THE CITY OF ALBANY AND THE PLANS, SPECIFICATIONS AND ESTIMATES OF THE CITY ENGINEER THEN ON FILE WITH THE RECORDER OF THE CITY OF ALBANY; AND

WHEREAS, AFTER DUE NOTICE AND ADVERTISEMENT FOR BIDS MADE AND GIVEN BY THE RECORDER OF THE CITY OF ALBANY ACCORDING TO SAID ORDINANCE, ON THE 12th DAY OF MAY, 1920, W. S. WEAVER PRESENTED TO THE COUNCIL OF SAID CITY HIS BID FOR MAKING SAID IMPROVEMENT, WHICH BID WAS MADE IN DUE FORM AND IN CONFORMITY WITH ALL THE CONDITIONS IMPOSED BY LAW AND BY SAID ORDINANCE, BY WHICH SAID BID SAID W. S. WEAVER PROPOSED TO FURNISH ALL MATERIAL AND IMPLEMENTS AND PERFORM THE LABOR NECESSARY TO MAKE THE ABOVE DESCRIBED IMPROVEMENT FOR THE SUM OF \$2498.40; AND

WHEREAS, W. S. WEAVER WAS THE LOWEST BIDDER FOR SAID PROPOSED WORK, AND SAID BID WAS THE LOWEST AND BEST BID THEREFOR,

T H E R E F O R E ,

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

Section 1. That the said bid of said W. S. Weaver for said improvement, be and the same is hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized to enter into a contract in writing with the said W. S. Weaver for the making of said improvement as aforesaid on behalf of the City of Albany, Oregon, upon the terms and conditions in said ordinance, advertisement and bid hereinabove 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 1st day of July, 1920, 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 W. S. Weaver shall promptly, as due, make payment to all persons supplying to the said W. S. Weaver labor or material for the prosecution of the hereinabove described work and that the said W. S. Weaver 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 said work.

The said W. S. Weaver shall furnish a penal bond in the sum of \$1000.00, with good and sufficient surety, to be approved by the Mayor of

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the City of Albany, to secure the faithful performance of all the obligations of said contract on the part of said W. S. Weaver, and particularly against any claim or lien for labor, work or material on the part of any person arising out of said contract.

Passed by the Council May 12, 1920.

Approved May 12, 1920.

L. M. Curl,  
Mayor.


Attest:

L. G. Lewelling  
Recorder of the City of Albany.

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. 965 has been by me carefully compared with the original Ordinance Bill No. 1060 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. 1060 passed by the Council May 12, 1920, and approved May 12, 1920.

WITNESS my hand and official signature and the seal of the City of Albany, this 7th day of August, 1920.

  
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Recorder of the City of Albany