

ORDINANCE NO. 1112

A BILL FOR AN ORDINANCE Providing for the time and manner of improving Front Street from the West line of Geary Street West to the West line of Cleveland Street in 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 party 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, and declaring an emergency.

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

Section 1. That Front Street from the West line of Geary Street West to the West line of Cleveland Street in the City of Albany, Oregon, shall be improved in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By graveling said street with gravel or crushed rock.

Said improvement to be made in accordance with the charter and ordinance of the City of Albany, Oregon, and the plans, specifications and estimates of Engineer Charles H. Leonard for the improvement of said street, filed in the office of the Recorder of said City of Albany, Oregon, on the 14th. day of November, 1923, endorsed "Engineer's Plans and Specifications for the improvement of Front Street from the West line of Geary Street to the West line of Cleveland Street in the City of Albany, Oregon, and the estimates of the work to be done and the probable costs thereof".

The cost of said improvement of said portion of Front Street 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 Front Street so to be improved, and especially and particularly benefited thereby, as provided by the charter of said city, except the cost of the intersections shall be paid for out of the general fund of the City of Albany as provided by the charter of the City of Albany.

The said improvement of said portion of said Front Street shall be completed by the 1 day of July, 1924,

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 of Albany for the making of said improvement shall, before commencing said improvement and at the time of signing such contract, make, executed and deliver to said City a good and sufficient bond, with good and sufficient surety, in a sum not less than fifty per cent (50%) of the proposal of the contractor, conditioned upon the faithful performance of this contract.

ORDINANCE NO. 1119

Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Front 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 \$10.00 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 portion of said Front Street by publishing such notice ten days in the Albany Evening Herald a daily newspaper published in said City of Albany, fully describing in said notice the time and manner of doing the work of said improvement of said Front Street.

Section 4. WHEREAS, It is necessary for the public health, peace and safety of the people of the City of Albany, that the foregoing described improvement be immediately constructed and therefore an emergency exists and one is hereby declared to exist and this ordinance shall go into full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council, April 23, 1924.

Approved by the Mayor, April 24, 1924.

P. A. Young,
Mayor.

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

ADVERTISEMENT FOR STREET IMPROVEMENT.

Sealed bids will be received by the Council of the City of Albany, Oregon, until 7 o'clock P.M., May 7, 1924, for the improvement of Front Street from the West line of Geary Street West to the West line of Cleveland Street, in the City of Albany, Oregon.

Said improvement to be made in the following manner, to-wit:

1. By grading said street to the proper subgrade.
2. By graveling said street with gravel or crushed rock.

Said improvement to be made in accordance with the charter and ordinances of the said City of Albany, and the plans, specifications and estimates of the City Engineer on file in the office of the City Recorder, where the plans may be seen and specifications and estimates obtained.

Bids will be opened at 7 o'clock P.M. May 7th, 1924.

No proposal or bid will be considered unless accompanied by a certi-

ORDINANCE No. 1119

fied check payable to the City of Albany in an amount equal to five per cent (5%) of the aggregate bid, to be forfeited as fixed and liquidated damages in case the bidder neglects or refuses to enter into a contract and provide an approved bond in a sum not less than fifty per cent (50%) of the proposal of the contractor for the faithful performance of the work within ten days after notification of award of contract to such bidder.

All bids must be made with a view of completing the construction of said improvement prior to the 1st day of July, 1924, under a liquidated penalty for damages of \$10 for each day of delay beyond that period.

The Council reserves the right to reject all bids deemed unreasonable.

All bids should be addressed to "City Recorder, Albany, Oregon," marked "Proposal for Improvement of Front Street."

By order of the Council.

D. H. Bodine,
Recorder of the City of Albany,
Oregon.

STATE OF OREGON,)
) ss
County of Linn,)

I, Susan Batis being first duly sworn, say that I am the principal Clerk of the printer of the Albany Evening Herald, a newspaper published at Albany, in Linn County, Oregon, and of general circulation; that said newspaper is made up of at least four pages of five columns each and with type matter of a depth of at least seventeen and three-fourths inches; that said newspaper has more than 200 bona fide subscribers living in said County, and has been established and regularly and uninterruptedly published in said County at least once a week during a period of more than twelve consecutive months immediately preceding the first publication of the Advertisement for Street Improvement a copy of which is hereto attached and made a part hereof. and which was published in said newspaper once each day for 11 consecutive and successive days, the first publication thereof being on the 24th. day of April, 1924. and the last on the 6th. day of May, 1924; that the fee actually charged for such publication is \$29.70.

Susan Batis

Subscribed and sworn to before me this 7th. day of May, 1924.

Mabel J. Reagan

Notary Public for Oregon.

(L.S.)

My Commission expires March 7, 1925.

ORDINANCE NO. 1119

STATE OF OREGON,)

(ss

County of Linn,)

I, D. H. Bodine, 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. 1119 has been by me carefully compared with the original Ordinance Bill No. 1216 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. 1216 passed by the Council April 23, 1924, and approved by the Mayor, April 24, 1924.

WITNESS my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

D. H. Bodine

Recorder of the City of Albany.