

ORDINANCE No. 1270

AN ORDINANCE providing for the time and manner of improving Fourth Street in the City of Albany, Oregon, from the west line of Washington Street to the west line of Walnut Street, providing how the cost of such improvement shall be paid, the penalty and 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 portion of said street, and providing for the giving of notice by the Recorder of the City of Albany, Oregon, for bids for the construction of such improvement of said portion of said Street.

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

Section 1. That Fourth Street, from the west line of Washington Street to the west line of Walnut Street, in the City of Albany, Linn County, Oregon, shall be improved in the following manner, to-wit:

- 1st: By grading said street to the proper subgrade;
- 2nd: By paving the roadway of said street full width with full intersections with Warrenite bitulithic pavement, or with Portland Cement Concrete pavement;
- 3rd: By laying and constructing pavement headers;
- 4th: By constructing catch basins and inlets;
- 5th: By laying vitrified sewer pipes;
- 6th: By tapping the main sewers;
- 7th: By constructing concrete curbs wherever necessary.

Said improvement shall be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans and specifications of Charles H. Leonard, engineer, of said City for the making of such improvement, which said plans and specifications were filed in the office of the Recorder of the City of Albany, Oregon, on the 25th day of January, 1928, and endorsed, "Specifications for the improvement of Fourth Street from the west line of Washington Street to the west line of Walnut Street, except a strip 35 feet wide for a bridge on Vine Street, in the City of Albany, Oregon."

The cost of making said improvement of said portion of Fourth Street shall be paid out of the funds collected and arising upon and out of the assessments hereafter to be made, ascertained and declared by the Council of the City of Albany, Oregon, on the lots or parts of lots, adjacent to said portion of ~~said portion of~~ said Fourth Street so to be improved, and especially and particularly benefited thereby, as provided by the charter of said City.

Said improvement of said portion of Fourth Street shall be completed on or before the 1st day of August, 1928.

All bids submitted for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany, Oregon, 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, before commencing said improvement, and at the time of signing such contract, shall make, execute and deliver to said City of Albany a good and sufficient bond, with good and sufficient surety thereon, in a sum equal to 50% of such contract for the faithful performance thereof.

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

Section 3. The Recorder of the City of Albany, Oregon, is hereby ordered and directed to immediately give proper notice for bids for the making of such improvement of said portion of Fourth Street by publication thereof for ten (10) days in the Albany Democrat-Herald, a daily newspaper of general circulation published in the City of Albany, Oregon, fully describing in such notice the time and manner of doing such improvement of said portion of said street.

Passed by the Council March 14, 1928

Approved by the Mayor March 14, 1928

Attest:--

F.P. Nutting,


Recorder.

MARK V. WEATHERFORD,
Mayor.

STATE OF OREGON,

County of Linn, ss. I, F.P. Nutting, recorder of the City of Albany, Linn Co., Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1270 has been by me carefully compared with the original ordinance bill No. 1372, now on file in my office, and that it is a true and correct copy of all of said ordinance bill No. 1372, passed by the Council March 14, 1928 and approved by the Mayor March 14, 1928

WITNESS my hand and official signature and the seal of the City of Albany this 16th day of March, 1928.


Recorder of the City of Albany, Oregon.