

**ORDINANCE No. 1285**

AN ORDINANCE providing for the time and manner of improving Second Street from the east line of Oak Street to the west line of Pine Street, in the City of Albany, Oregon, 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 completion of such improvement of said portion of said street.

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

Section 1. That Second Street, from the east line of Oak Street to the west line of Pine Street, in said City of Albany, Linn County, Oregon, shall be improved in the following manner, to-wit:

- 1st: By grading said portion of said street to the proper sub-grade;
- 2nd: Resurfacing the roadway of said street 16 feet wide with gravel.

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 23rd day of May, 1928, and endorsed "Plans and Estimates of Quantities and Cost for the improvement of Second Street from the east line of Oak Street to the west line of Pine Street in the City of Albany, Oregon."

The cost of making said improvement of said portion of Second 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 Second 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 Second 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 fifty per cent (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 Second 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 sum of \$5.00 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 is 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 Second 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 July 11th, 1928  
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Attest:--

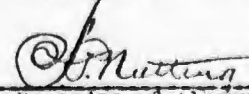
F.P.Nutting,  
Recorder.

MARK V. WEATHERFOOD,  
Mayor

STATE OF OREGON,  
County of Linn,     ss.

I, F.P.Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1285 has been by me carefully compared with the original Ordinance Bill No. 1388, on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1388, passed by the Council July 11, 1928 and approved by the Mayor July 11, 1928.

WITNESS my hand and official signature and the seal of the City of Albany this 13th day of July, 1928.

  
Recorder of Albany.