

ORDINANCE No. 1336

An ordinance authorizing the Mayor and recorder of the City of Albany, Oregon, to enter into a contract with D.L. Ashton for the improvement of Park Terrace Street from the south line of Clackamas Street to the north line of Fifteenth Street in the City of Albany, by grading and gravelling the same.

WHEREAS, by ordinance No. 1336 of the City of Albany, Oregon, it was ordered that the following street in said City be improved, to-wit: Park Terrace Street, from the south line of Clackamas Street to the north line of Fifteenth Street, in the following manner, to-wit:

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

WHEREAS, it was provided in said ordinance that the recorder of said City give notice of the making of said improvement in the manner provided by law, and in said ordinance, and

WHEREAS, after due notice for bids made and given by the Recorder of the City of Albany according to the law and the ordinance aforesaid, to-wit: on the 12th day of November, 1930, D.L. Ashton presented to the Council of the City of Albany his bid for making said improvement, which said bid was, and is, in due form, and in conformity with all the conditions imposed by law and the Council, by which said bid the said D.L. Ashton proposed to furnish all material and implements and to perform the labor necessary to make the above described improvement for the following named prices, to-wit:

295 C.Y. of excavation @ .50 per C.Y. -----	\$147.50
80 C.Y. of 1 1/2 inch crusher run gravel @ \$1.00 per C.Y. -----	80.00
60 C.Y. of 3-4 inch to dust crushed gravel @ \$1.00 per C.Y. -----	60.00
Total -----	\$287.50

And, WHEREAS, said D.L. Ashton was the lowest and best bidder for said proposed work, and said bid was the lowest and best bid therefor,

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

Section 1. That the bid of D.L. Ashton for said improvement of said described portion of Park Terrace Street be, and the same is hereby accepted, and the Mayor and Recorder of said City of Albany are hereby authorized to enter into a contract in writing with the said D.L. Ashton for the making of said improvement on behalf of the City of Albany, Oregon, upon the terms mentioned in said bid hereinafter mentioned.

Said contract shall provide that the work of said improvement shall commence within ten (10) days after the signing of said contract, and shall be prosecuted with such vigor that all the work embraced within said contract shall be completed on or before the 1st day of January, 1931, and the City of Albany shall be deemed to suffer damages to the extent of Five Dollars (\$5.00) per day for each and every day such work is delayed beyond such specified time, and that the said D.L. Ashton shall furnish bond in a sum equal to fifty per cent (50%) of the contract price, to be approved by the Mayor of the City of Albany, conditioned for the faithful performance of the said contract on the part of said D.L. Ashton, and further indemnifying the City of Albany against any claim or lien for labor, work or material, on the part of any person, firm or corporation, arising out of said contract.

Section 2. That in order to preserve the public health and safety of the City of Albany an emergency is hereby declared to exist and this ordinance shall be immediately effective upon its passage by the Council and upon approval by the Mayor.

Passed by the Council November 26th, 1930.
Approved by the Mayor November 26th, 1930.

Attest:
F.P. Nutting,
Recorder of the City of Albany, Oregon.

Virgil L. Calavan,
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. 1338, has been by me carefully compared with the original Ordinance Bill No. 1445, now on file in my office, and that it is a true and correct copy of all of said ordinance Bill No. 1445, passed by the Council Nov. 26, 1930 and approved by the Mayor November 26th, 1930.

Witness my hand and official signature and the seal of the City of Albany this 28th day of November, 1930.


City Recorder.