

ORDINANCE NO. 1346

An ordinance providing for the time and manner of improving Eighth Street in the City of Albany, Oregon, from the east line of Ellsworth Street to the west line of Lyon Street, except a strip 36 feet wide, being 18 feet on each side of the center line of said portion of said street and extending the full length of the improvement; providing how the cost of said 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 said 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 said improvement and declaring an emergency.

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

Section 1. That Eighth Street from the east line of Ellsworth Street to the west line of Lyon Street, except a strip 36 feet wide, being 18 feet on each side of the center line of said portion of said street and extending the full length of said proposed improvement, be improved in the following manner, to-wit: 1st: by grading said portion of said street to the proper sub-grade. 2nd: by paving the roadway of said portion of said street (according to plans and specifications) with Portland cement concrete pavement, or with asphaltic concrete pavement. 3rd: by laying and constructing pavement headers. 4th: by constructing concrete curbs wherever necessary. 5th: by constructing catch basins and inlets. 6th: by laying vitrified sewer pipes.

Said improvement to be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Chas. H. Leonard, engineer, for the making of said improvement, which said plans, specifications and estimates were filed in the office of the Recorder of the City of Albany, Oregon, on the 25th day of March, 1931, endorsed: "Specifications for the improvement of Eighth Street from the east line of Ellsworth Street to the west line of Lyon Street, except a strip 36 feet wide, being 18 feet on each side of the center line of Eighth Street and extending the full length of the improvement."

The cost of improving the intersections of said portion of said street and where required by said plans and specifications shall be at the expense of the City of Albany and shall be paid for out of the general fund of said City. The remaining cost of the improvement of said portion of said street, shall be assessed upon and against the real property adjacent thereto and especially and particularly benefited thereby as provided by the charter of said City.

Said improvement of said portion of Eighth Street shall be completed on or before the 1st day of July, 1931.

All bids 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 a good and sufficient bond with good and sufficient surety equal to the amount of the aggregate bid of such contractor for the faithful performance of such contract and in the manner provided by law.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany to make such improvement of said portion of Eighth Street shall not complete the same at the time mentioned and specified in such contract of said City shall be deemed to suffer damages on account thereof to the amount of Ten (\$10.00) Dollars per day for each and every day the completion of said work is delayed beyond the time stated in said contract, which amount shall be paid by such contractor doing the work at the completion thereof unless the time of the 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 Eighth Street by publication of such notice 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.

Section 4. Whereas, the peace, health and safety of the people of the City of Albany require that this ordinance become immediately effective upon its final passage by the Council and approval by the Mayor, therefore an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its final passage by the Council and approval by the Mayor.

Attest:

F.P. Nutting,
Recorder of the City of Albany, Or.

Passed by the Council April 22, 1931
Approved by the Mayor April 22, 1931
VIRGIL L. CALAVAN,
Mayor.

STATE OF OREGON,

County of Linn, as. I, F.P. Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of ordinance ~~xxx~~ No. 1346, has been by me carefully compared with the original ordinance bill No. 1451, now on file in my office, and that it is a true and correct copy of all of Ordinance Bill No. 1451, passed by the Council April 22, 1931 and approved by the Mayor April 22, 1931.

WITNESS my hand and official signature and the seal of the City of Albany this 23rd day of April, 1931.


City Recorder.