

ORDINANCE NO. 1586

A Bill for an Ordinance providing for the time and manner of improving the the following streets, to-wit:

- (a) Tenth Street from the West line of Washington Street to the East line of Elm Street.
- (b) Eleventh Street from the East line of Walnut Street to the East line of Elm Street.
- (c) Walnut Street from the South line of Tenth Street to the North line of Eleventh Street.

all 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 streets and providing for the giving of notice by the Recorder of the City of Albany for bids for the completion of such improvement and declaring an emergency.

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

Section 1. That the following streets in the City of Albany, to-wit:

- (a) Tenth Street from the West line of Washington Street to the East line of Elm Street.
- (b) Eleventh Street from the East line of Walnut Street to the East line of Elm Street.
- (c) Walnut Street from the South line of Tenth Street to the North line of Eleventh Street.

Shall be improved in the following manner, to-wit:

1. By grading said streets to the proper subgrade;
2. By surfacing the roadway of said streets full width with full intersections with a six inch gravel base and a one inch oil mat surface to be approved by the Council, or as an alternate, by surfacing the roadway of said streets full width with full intersections with a six inch gravel base and a one inch oil mat surface and by providing for an 18 inch concrete gutter seven inches thick on each side thereof.
3. By laying and constructing concrete gutters.
4. By constructing concrete curbs and sidewalks wherever necessary.
5. By installing a proper drainage system on said streets.

That said improvements shall be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Walter W. Larsen, engineer of said City for the making of such improvements, which said plans, specifications and estimates were filed in the office of the Recorder of the City of Albany on the 26th day of July, 1944.

The cost of the making of said improvements of said portions of said streets shall be paid out of the funds collected and arising upon and out of the assessments hereinafter to be made, ascertained and declared by the Council of the City of Albany, Oregon, on the lots or parts of lots adjacent to the portions of streets hereinabove described and especially and particularly benefited thereby as provided by the Charter of said City.

Said improvement of said portions of the streets hereinabove described shall be completed on or before the 1st day of November, 1944.

All bids for the making of said improvements of said portions of said streets 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 improvements shall at the time of signing such contract make, execute and deliver to said City of Albany a good and sufficient bond with good and sufficient surety thereon in the sum of \$10,234.50 for the faithful performance of such contract or contracts.

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Section 2. If the person, firm or corporation entering into any contract with the City of Albany to make such improvements on the streets hereinabove described shall not complete the same at 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 amount shall be paid by such contractor doing the work at the completion thereof unless the time of the completion of said contract 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 paving of said portions of streets as hereinabove described by publication of such notice ten 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 making such improvements of said portions of said streets.

Sections 4. Whereas, the peace, health and safety of the people of the City of Albany requires that this ordinance become immediately effective, 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.

Passed by the Council August 23, 1944.

Approved by the Mayor August 23, 1944.

G.C. Knodell
Mayor

Attest:

C.R. Ashton
Recorder

I, C.R. Ashton, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of Ordinance No. 1586 has been by me carefully compared with the original Ordinance bill No. 1707, as passed by the Council August 23, 1944, and approved by the Mayor on the same date.

Witness my hand and official signature and seal of the City of Albany, Oregon, on this 24th day of August 1944.

C.R. Ashton
Recorder of the City of Albany, Oregon