

ORDINANCE No. 1654

A BILL FOR:

An Ordinance providing for the time and manner of constructing lateral sewers in the City of Albany, Oregon, to-wit:

Project No. 1: Beginning at a point on the main sewer to be constructed on Elm Street nearest the Northeast corner of Block 1 of Linnmont Addition to the City of Albany, Oregon, and running thence westerly to the northeast corner of said Block and along the north line of Lots 12, 1, 2, 3, and 4 of said Block a distance of 250 feet.

Project No. 2: Beginning at a point on the main sewer now in place on Elm Street which is east of the southeast corner of Lot 2 in Block 9 in Linnmont Addition to the City of Albany and thence running westerly along the south end of Albany and thence running westerly along the south end of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 13 a distance of 550 feet.

Project No. 3: Beginning at a point on the Twelfth Street main sewer immediately north of the center line of the alley running through Block 1 of Rosemont Addition to the City of Albany and running thence southerly along the center line of said alley through Blocks 1, 6 and 7 in said Addition a distance of 1450 feet and westerly along the north line of Lots 9, 10, 11, in Block 7 a distance of 125 feet.

Project No. 4: Beginning at a point on the main sewer located on Thirteenth Street in Rosemont Addition to the City of Albany equi-distant between Walnut and Maple Streets and running thence northerly in the center line of the alley in Block 2 in said Addition a distance of 489 feet; and beginning at the point aforesaid on the main sewer in Thirteenth Street equi-distant between Maple and Walnut Streets and running thence southerly along the center line of the alley and through Blocks 5 and 8 a distance of 784 feet to the south line of Lots 5 and 6 Block 8 and easterly along the north line of Lots 10, 11, and 12, Block 8, 110 feet and westerly along the north line of Lots 7, 8, and 9, Block 8 a distance of 110 feet.

Project No. 5: Beginning at a point on the main sewer located on Thirteenth Street and equi-distant between Walnut and Elm Street and running thence northerly in the center of the alley through Block 3 in said Addition a distance of 490 feet; also beginning at said point on said main sewer equi-distant between Walnut and Elm Streets and running thence southerly along the center line of the alley through Blocks 4 and 9 in said Addition a distance of 766 feet, and a distance of 90 feet easterly along the north line of Lots 8 and 9 in Block 9.

providing how the cost of such improvement shall be paid, the penalty or 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, and providing further for the giving by the Recorder of said City of Albany, notice for bids for the completion of said improvement, and declaring said emergency.

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

Section 1. That lateral sewers be constructed within the City of Albany, Oregon, to-wit:

Project No. 1: Beginning at a point on the main sewer to be constructed on Elm Street nearest the Northeast corner of Block 1, of Linnmont Addition to the City of Albany, Oregon, and running thence westerly to the northeast corner of said Block and along the north line of Lots 12, 1, 2, 3, and 4 of said Block a distance of 250 feet.

Project No. 2: Beginning at a point on the main sewer now in place on Elm Street which is east of the southeast corner of Lot 2 in Block 9 in Linnmont Addition to the City of Albany and thence running westerly along the south end of Albany and thence running westerly along the south end of Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 13 a distance of 550 feet.

Project No. 3: Beginning at a point on the Twelfth Street main sewer immediately north of the center line of the alley running through Block 1, of Rosemont Addition to the City of Albany and running thence southerly along the center line of said alley through Blocks 1, 6, and 7 in said Addition a distance of 1450 feet and westerly along the north line of Lots 9, 10, 11, in block 7 a distance of 125 feet.

Project No. 4: Beginning at a point on the main sewer located on Thirteenth Street in Rosemont Addition to the City of Albany equi-distant between Walnut and Maple Streets and running thence northerly in the center line of the alley in Block 2 in said Addition a distance of 489 feet; and beginning at the point aforesaid on the main sewer in Thirteenth Street equi-distant between Maple and Walnut Streets and running thence southerly along the center line of the alley and through Blocks 5 and 8 a distance of 784 feet to the south line of Lots 5 and 6 Block 8 and easterly along the north line of Lots 10, 11, and 12, Block 8, 110 feet and westerly along the north line of Lots 7, 8, and 9, Block 8 a distance of 110 feet.

Project No. 5: Beginning at a point on the main sewer located on Thirteenth Street and equi-distant between Walnut and Elm Streets and running thence northerly in the center of the alley through Block 3 in said Addition a distance of 490 feet; also beginning at said point on said main sewer equi-distant between Walnut and Elm Streets

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and running thence southerly along the center line of the alley through Blocks 4 and 9 in said addition a distance of 766 feet, and a distance of 90 feet easterly along the north line of Lots 8 and 9 in Block 9.

That said improvements be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans and specifications and estimates therefor of Walter W. Larsen, City Engineer of said City, filed in the office of the Recorder of the City of Albany on the 26th day of September, 1945.

The cost of the construction of said lateral sewers shall be paid out of the fund to be collected and arising upon and out of the assessments hereafter to be made, ascertained and declared by the Council of the City of Albany, on the lots and parts of lots adjacent to said improvement as hereinabove described and especially and particularly benefited thereby, as provided by the Charter of said City of Albany, Oregon.

That the construction of said lateral sewers shall be completed on or before 45 working days from the date of the execution of the contract for the construction of the same.

The Council of the City of Albany hereby reserves the right to reject any and all bids for the construction of said sewers.

Any person, firm or corporation with whom any contract may be entered into by the City of Albany for the construction of said lateral sewers shall, before commencing said work and at the time of signing such contract, make, execute and deliver to the City of Albany a good and sufficient bond, with good and sufficient surety or sureties, in a sum equal to fifty per cent of the amount of the bid therefor, conditioned for the faithful performance of such contract in the manner provided by law.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany for the construction of said lateral sewers shall not complete the same within the time stipulated in said contract and as herein provided, the contractor shall pay to the City of Albany the sum of \$25.00 per day for each day of delay required to complete said contract beyond said specified time, said sum to be as fixed and liquidated damages to said City by reason of such delay.

Section 3. The Recorder of the City of Albany is hereby ordered and directed to immediately give proper notices for bids for the construction of said lateral sewers by a publication thereof for ten days in the Albany Democrat-Herald a newspaper of general circulation published in the City of Albany, Linn County, Oregon, fully describing in said notice the time and manner of doing the work as provided herein.

Section 4. WHEREAS, the peace, health and safety of the people of the City of Albany are involved. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Council and approval by the Mayor.

Passed by the Council, October, 24, 1945.

Approved by the Mayor, October 24, 1945.

G. C. KRODELL, 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. 1654 has been by me carefully compared with the original Ordinance Bill No. 1775, was passed by the Council, Oct. 24, 1945, and approved by the Mayor on the 24th day of October, 1945.

Witness my hand and official signature and seal of the City of Albany, Oregon, on this 25, day of October, 1945.

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