

ORDINANCE NO. 896

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF IMPROVING THE ALLEY IN BLOCK NO. 3 OF THE CITY OF ALBANY, OREGON FROM THE WEST LINE OF FERRY STREET TO THE EAST LINE OF WASHINGTON STREET, PROVIDING HOW THE COST OF SAID 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 OF SAID PORTION OF SAID ALLEY AND PROVIDING FOR THE GIVING BY THE RECORDER OF SAID CITY OF PROPER NOTICE FOR BIDS FOR THE COMPLETION OF SUCH IMPROVEMENT OF SAID PORTION OF SAID ALLEY.

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

Section 1. That the alley in Block No. 3 of the City of Albany, Oregon, from the West line of Ferry Street to the East line of Washington Street shall be improved in the following manner, to-wit:

- First : By grading said alley to the proper subgrade.
- Second : By paving the roadway of said alley full width with asphaltic concrete pavement on an asphaltic concrete foundation.
- Third : By laying and constructing asphaltic concrete and wood headers.
- Fourth : By constructing inlets.
- Fifth : By laying vitrified sewer pipe.

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 the City Engineer of said City for the improvement of said alley, filed in the office of the Recorder of said City of Albany, Oregon, on the 9th day of May, 1917, and indorsed, "Engineer's plans and specifications for the improvement of the alley in Block No. 3 in the City of Albany, Oregon, and the estimate of the work to be done on said alley and the probable cost thereof."

The cost of said improvement of said portion of said alley in Block No. 3 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, on the lots and parts of lots adjacent to said portion of said alley so to be improved, and especially and particularly benefitted thereby, as provided by the Charter of said City.

The said improvement of said portion of said alley shall be completed by the 15th day of August, 1917.

All bids for the making of said improvement of said alley deemed unreasonable by the Council of the City of Albany may be rejected.

Any person, firm or corporation with whom any contract may be entered into by the City of Albany for the making of said improvement shall, before commencing said improvement and at the time of signing such contract, make, execute and deliver to said City a good and sufficient bond, with good and sufficient surety

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thereon, to be approved by the Mayor of the City of Albany in a sum equal to 50% of the total amount to be paid under such contract, for the faithful performance of such contract.

Section 2. If any person, firm or corporation entering into any contract with the City of Albany to make said improvement of said alley 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 to the amount of \$10.00 per day for each and every day the completion of said work is delayed beyond the time stated in such contract, which amount shall be by such contractor doing the work at the completion thereof, unless the time for the completion of said improvement is extended by the Council.

Section 3. The Recorder of said City is hereby ordered and directed to immediately give proper notice for bids for the making of said improvement of said portion of said alley by publishing such notice ten days in the Albany Evening Herald, a daily newspaper published in said City of Albany, fully describing in said notice the time and manner of doing the work of said improvement of said alley.

Passed by the Council June 13th, 1917.

Approved by the Mayor June 13th, 1917.

Attest:

L. W. Carl
Mayor.

L. G. Lewelling
Recorder of the City of Albany.

STATE OF OREGON, }
County of Linn. } ss.

I, L. G. Lewelling, Recorder of the City of Albany, in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 896 has been by me carefully compared with the original Ordinance Bill No. 985 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 985, passed by the Council June 12th, 1917, and approved by the Mayor June 13th, 1917.

WITNESSE my hand and official signature and the seal of the City of Albany, this 22nd day of August, 1917.

L. G. Lewelling
Recorder of the City of Albany.