

ORDINANCE No. 1175

AN ORDINANCE providing for the time and manner of improving Seventh Street in the City of Albany, Oregon, from the east curb line of Calapooia Street to the east line of Yukon Street, 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 of said portion of said Street, and providing for the giving of notice by the Recorder of said City for bids for the completion of such improvement of said portion of said Street.

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

Section 1. That Seventh Street from the east line of Calapooia Street to the east line of Yukon Street, in the City of Albany, Linn County, Oregon, shall be improved in the following manner, to-wit:

- 1st: By grading said street to the proper sub-grade.
- 2nd: By paving the roadway of said Street, full width, with full inter-sections (except as noted in the plans and specifications) with Warrenite Bitulithic Pavement, or with Portland Cement Concrete Pavement, or with Bituminous 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;
- 7th: By tapping the main sewer.

Said improvement to be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the amended plans, specifications and estimates of Charles H. Leonard, City Engineer of said City, 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 26th day of March, 1925, endorsed "Amended Plans and Specifications for the Improvement of Seventh Street from the east line of Yukon Street to the east curb line of Calapooia Street."

The cost of making said improvement of said portion of Seventh Street shall be paid out of the funds 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 portion of said Seventh Street, so to be improved, and especially and particularly benefitted thereby, as provided by the charter of said City.

Said improvement of said portion of said Seventh Street shall be completed by the first day of September, 1925.

All bids for the making of said improvement of said street 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 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, in the sum of Twelve Thousand and no/100 Dollars (\$12,000.00) for the faithful performance of such contract.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany to make said improvement of said Seventh Street 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 Fifty and no/100 Dollars (\$50.00) 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 paid by such contractor doing the work at the completion thereof, unless the time of the completion of said improvement is extended by the Council.

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

Attest:--  
F.F.Nutting,  
Recorder of the City of Albany.

Passed by the Council April 22, 1925.  
Approved by the Mayor April 22, 1925.

J.W.ROBERTT, Mayor.

STATE OF OREGON,  
Linn County, 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. 1175 has been by me carefully compared with the original Ordinance Bill No. 1274 now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1274, passed by the Council April 22, 1925, and approved by the Mayor April 22, 1925.

WITNESS my hand and official signature and the seal of the City of Albany this 26th day of April, 1925.  
Recorder of the City of Albany.