

ORDINANCE NO. 397.

AN ORDINANCE PROVIDING FOR THE TIME AND MANNER OF IMPROVING THE ALLEY BETWEEN THIRD STREET AND FOURTH STREET THROUGH BLOCK NO. 19 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 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 ALLEY AND DECLARING AN EMERGENCY TO EXIST.

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

Section 1. That the Alley between Third Street and Fourth Street through Block No. 19 shall be improved in the following manner, to-wit:

- First: By grading said Alley to the proper sub-grade.
- Second: By paving the roadway of said Alley full width with asphaltic concrete pavement on an asphaltic concrete foundation, or by paving said Alley with Portland cement concrete pavement, or by paving with Warrenite bitulithic wearing surface upon a bituminous concrete base at the option of the Council.
- Third: By laying six inch sewer pipe.
- Fourth: By constructing inlets.
- Fifth: By constructing wooden headers.

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 8th day of June, 1921, endorsed "Engineer's plans, specifications for the improvement of the Alley between Third Street and Fourth Street through Block No. 19 and the estimate of the work to be done on said Alley and the probable cost thereof.

The cost of said improvement of said Alley shall be paid out of the funds collected and arising upon and out of the assessment hereafter to be made, ascertained and declared by the Council of the City of Albany on the lots or parts of lots adjacent to said portion of said alley so to be improved and especially and particularly benefited thereby, as provided by the charter of said city.

The said improvement of said portion of said Alley shall be completed on the 18th day of September, 1921.

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 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 \$ 1400.00 for the faithful performance of such contract.

Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Alley shall not complete the same within the time mentioned and specified in said contract, said City shall be deemed to suffer damages on account thereof to the amount of \$ 25.00 per

ORDINANCE NO. 997

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 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.

Section 4. WHEREAS, it is necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the City of Albany that this Ordinance shall become immediately effective and an emergency is hereby declared to exist and this Ordinance shall take effect immediately upon its passage by the Council and the approval by the Mayor of the City of Albany.

Passed by the Council June 30th, 1921.

Approved by the Mayor June 30th, 1921.

P. A. Young,

Mayor.

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON

County of Linn

} ss.

I, D. H. Bodine, 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. 997 has been by me carefully compared with the original Ordinance Bill No. 1093 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. 1093 by the Council June 30th, 1921 and approved by the Mayor June 30th, 1921.

WITNESS, my hand and official signature and seal of the City of Albany this 14th day of March, 1922.


Recorder of the City of Albany.