

ORDINANCE No. 1247

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with Yunker, Wiecks & Co. for the construction of a lateral sewer beginning at the manhole in the Geary Street Trunk Sewer, which is 18 feet easterly from the southeast corner of lot 5 in block 18 in Hackleman's 4th Addition to the City of Albany, Oregon, thence running westerly through the center of blocks 18 and 13 in said addition, a distance of 632 feet to the southwest corner of lot 1 in block 13 in said Hackleman's Fourth Addition, by laying an eight inch sewer pipe in accordance with the plans and specifications of Charles H. Leonard, engineer for said lateral sewer, filed in the office of the Recorder of said City, March 23, 1927, and declaring an emergency.

WHEREAS, by Resolution No. 7, adopted by the Council March 23, 1927 it was ordered that a lateral sewer be constructed beginning at the manhole in the Geary Street Trunk Sewer, which is 18 feet easterly from the southeast corner of lot 5 in block 18 in Hackleman's Fourth Addition to the City of Albany, Oregon, thence running westerly through the center of blocks 18 and 13, in said addition, a distance of 632 feet to the southwest corner of lot 1 in Block 13 in said Hackleman's Fourth Addition, by laying an eight inch sewer pipe in accordance with plans and specifications of Charles H. Leonard, Engineer, filed in the office of the Recorder of said City March 23, 1927, and

WHEREAS, it was provided by ordinance that the Recorder of the City of Albany, Oregon, give notice for bids for the making of such improvement in the manner provided by law, and

WHEREAS, after due notice and advertisement for bids, made and given by the Recorder of the City of Albany, Oregon, according to said ordinance Yunker Wiecks & Co. on the 11th day of May, 1927, presented its bid to the Council of said City for the making of said improvement, which said bid was made in due form, and in conformity with all the conditions imposed by said ordinance, by which said bid the said Yunker Wiecks & Co. proposed to furnish all material and implements and perform all the labor necessary to make the above described improvement for the sum of \$782.40, and

WHEREAS, Yunker, Wiecks & Co. was the lowest bidder for said proposed work, and said bid was the lowest and best bid submitted therefor,

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

Section 1. That the bid of said Yunker, Wiecks & Co. for said improvement be and the same is hereby accepted, and the Mayor and Recorder of the City of Albany are hereby authorized and directed to enter into a contract in writing with the said Yunker Wiecks & Co. for the making of said improvement as aforesaid on behalf of the City of Albany, Oregon, and upon the terms and conditions in said ordinance, advertisement and bid hereinabove mentioned. Said contract shall provide that the work on said sewer shall commence within ten days after the signing of such contract and shall be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before June 15, 1927, and the City of Albany shall be deemed to suffer damages to the extent of \$5.00 per day for each and every day the work is delayed beyond said time.

Said contract shall further provide that said Yunker, Wiecks & Co. shall promptly as due make payment to all persons supplying to it labor and material for the prosecution of the hereinabove described work, and that it shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any labor or material furnished on account of said work.

Said Yunker, Wiecks & Co. shall furnish a bond in the sum of \$391.20, with good and sufficient sureties thereon, to be approved by the Mayor of the City of Albany, Oregon, to secure the faithful performance of all the obligations of such contract on the part of said Yunker, Wiecks & Co. and particularly on account of any lien or claim for labor or material furnished on the part of any person arising out of such contract.

Section 2. Whereas, the peace, health and safety of the people of the City of Albany requires that this ordinance become immediately effective and by reason thereof an emergency exists, therefore an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its final passage by the Council and approval by the Mayor.

Passed by the Council May 11, 1927
Approved by the Mayor May 11, 1927

ATTEST:--

F. P. Nutting,
Recorder of the City of Albany, Oregon.

MARK V. WEATHERFORD,
Mayor

STATE OF OREGON,
County of Linn, 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. 1247 has been by me carefully compared with the original ordinance Bill No. 1349, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1349, passed by the Council May 11, 1927 and approved by the Mayor May 11, 1927.

WITNESS my hand and official signature and the seal of the City of Albany this 13th day of May, 1927.

F. P. Nutting
Recorder of the City of Albany.