

ORDINANCE NO. 452

Relating to time and manner Paving First Street.

Ord 452
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time & manner
Paving 1st St.

An Ordinance providing for the time and manner for improving First Street from the East curb line of Washington to the West curb line of Lyon Street, providing how the cost of such improvement shall be paid, the penalty or damages that shall be paid 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 for the giving of a good and sufficient bond for the faithful performance of the work of such improvement of said Street, and providing for the giving by the Recorder of said City proper notice for bids for the completion of such improvement of said Street.

The People of the City of Albany do ordain as follows:

Section One: That First Street from the East curb line of Washington Street to the West curb line of Lyon Street, shall be improved as follows:

- First: By grading the Street to the proper sub grade.
- Second: By paving the roadway of said Street full width with full intersections with Bitulithic pavement.
- Third: By constructing artificial stone curbs.
- Fourth: By constructing cement sidewalks.
- Fifth: By laying and constructing Bitulithic Headers.
- Sixth: By constructing inlets.
- Seventh: By constructing catch basins.
- Eighth: 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, filed in the office of the City Recorder of the City of Albany, Oregon on the 30th day of June, 1908, indorsed: "City Engineer's plans and specifications for the improvement of the following named streets: to-wit:

First Street from the East curb line of Washington Street to the West curb line of Lyon Street; Ferry Street from the North curb line of Second Street to the South line of First Street; Broadwater Street from the North curb line of Second Street to the South line of First Street; Eleventh Street from the North curb line of Second Street to the South line of First Street, and the estimate of the work to be done on each of said streets

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separately) and the probable cost thereof on each of said streets separately.

The cost of the said improvement of said First Street at the crossings or intersections thereof by Ferry Street, Broadview and Blomvick Street, and that part of Washington Street lying between the East curb line of said Street and the East line thereof, and that part of Lyon Street lying between the West curb line of said Street and the West line thereof, shall be paid by the City of Albany, out of the general funds of said City; the remaining portion of the cost of the said improvement of said First Street shall be paid out of the funds collected and arising upon and out of the assessment heretofore made, ascertained and declared, by Ordinance No. 447, (passed by the Council of the said City of Albany on the 28th day of July, 1908, approved by the Mayor of said City on the 30th day of July, 1908.) on the lots and parts of lots adjacent to said portion of said First Street to be so improved and especially and particularly benefited thereby, as provided by the charter of said City.

The said improvement of said First Street shall be completed by the 1st day of Dec. 1908. All bids for the making of said improvement of said First Street deemed unreasonable by the Council of said City may be rejected. Any firm, corporation or person with which or with whom any contract may be entered into by said City 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 security in the sum of \$40,000 for the faithful performance of such contract.

Section Two: If the firm, corporation or person entering into any contract with the said City of Albany to make said improvement of said First Street shall not complete the same within the time mentioned and specified in such contract, said City shall be deemed to suffer damage on account thereof to the amount of \$25.00 per day for each and every day the completion of said work is delayed beyond the time stated in such

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Contract, which amount shall be paid by such Contractor doing the work at the completion thereof, unless the time for the completion of said improvement is extended by the said Council. All the pavement shall be laid in dry and suitable weather and not otherwise.

Section Three: 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 First Street by publishing such notice ten (10) days in Albany Daily Democrat, a daily newspaper published daily in said City of Albany, fully describing in such notice the measure and time of doing the work of said improvement of said First Street.

Section Four: Inasmuch as there is urgent necessity for, and the general welfare of said City demands the immediate improvement of said First Street in the manner aforesaid, in order that the same may be made and completed before the rainy season sets in, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage by said Council and its approval by the Mayor of said City.

Passed the Council August 11th 1908.

Approved August 15th 1908

Attest: J. M. Redfield,

J. P. Wallace

Recorder of the City of Albany, Mayor of the City of Albany

CITY RECORDER'S CERTIFICATE

STATE OF OREGON, }
COUNTY OF LINN, } ss.

I, F. M. REDFIELD, Recorder of the City of Albany, in Linn County, State of Oregon, do hereby certify that the foregoing and annexed copy of

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has been by me carefully compared with the original Ordinance Bill No. 452 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. 452 as passed by the Council of the City of Albany, Oregon Aug 11th 1908.

Witness my hand and official signature and the seal of the City of Albany, this

15th day of August 1908

F. M. Redfield
Recorder of the City of Albany.

