

## ORDINANCE NO. 457

## Relating to time and manner of paving Elsworth Street,

Ord 455  
Relating  
to time &  
manner  
of paving  
Elsworth  
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An ordinance providing for the time and manner for improving Elsworth Street from the North curb line of Second Street to the South line of First 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 Elsworth Street.

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

Section One: That Elsworth Street from the North curb line of Second Street to the South line of First 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 shades.
- 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 30<sup>th</sup> day of June, 1908, under the 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. Donaldson Street from the North curb line of Second Street to the South line of First Street. Seventh Street from the North curb line of Second Street to the South line of First Street, and the 8<sup>th</sup> corners of

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The work to be done on each of said streets separately, and the probable cost thereof on each of said streets separately."

The cost of the said improvement of said Elsworth Street lying between the north line of Second Street and the north 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 said improvement of said Elsworth Street, shall be paid out of the funds coll. &c. and arising upon and out of the assessment heretofore made, ascertained and declared by Ordinance No. 450 (passed by the Council of the said City of Albany on the 28<sup>th</sup> day of July, 1908, approved by the Mayor of said City on the 30<sup>th</sup> day of July, 1908,) on the lots and parts of lots adjacent to said portion of said Elsworth Street to be so improved, and especially and particularly benefited thereby, as provided by the Charter of said City;

The said improvement of said Elsworth Street shall be completed by the 1<sup>st</sup> day of December, 1908. All bids for the making of said improvement of said Elsworth Street deemed unreasonable by the Council of said City shall 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 \$1000<sup>00</sup> 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 Elsworth 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 in the sum of \$100<sup>00</sup> 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 during the work at the completion thereof, unless the time for the completion of said improvement is extended by the said Council of said City.

All payment shall be laid, &c. and suitable

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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 Claworth Street by publishing such notice ten (10) days in Albany Daily Journal, a daily newspaper published daily in said City of Albany, fully describing in such notice the manner and time of doing the work of said improvement of said Claworth Street.

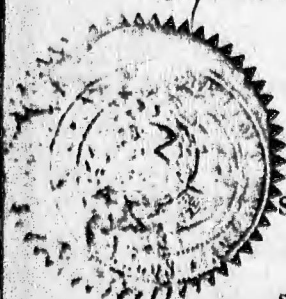
Section Four: Inasmuch as there is urgent necessity for and the general welfare of said City demand the immediate improvement of said Claworth Street in the manner aforesaid, in order that the same may be made and completed before the rainy season sets in, an emergency is hereby declared to exist and 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 11<sup>th</sup> 1908

Approved August 18<sup>th</sup> 1908,

Attest: I. F. M. Redfield, Recorder of the City of Albany.

J. P. Wallace, Mayor of the City of Albany.



CITY RECORDER'S CERTIFICATE.

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

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

Ordinance # 455

has been by me carefully compared with the original Ordinance Bill # 491

now on file in my office, and that it is a true and correct copy of all and the whole of said

Ordinance Bill # 491, as passed by the Council of the City of Albany, Oregon, Aug. 11, 1908.

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

15<sup>th</sup> day of Aug., 1908

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