

ORDINANCE NO. 493.

Relating to time and manner of paving
Lyon Street.

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time & manner
of paving
Lyon St.

The Ordinance providing for the time and manner for improving Lyon Street in the City of Albany, Oregon from the North line of First Street to the North Curb line of Sixth Street, except that portion of said Lyon Street lying between the West Curb lines on First and Second Streets and the West line thereof; Providing how the cost of such improvement shall be paid, the penalties 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 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.

That the People of the City of Albany do Ordain as follows:

Section 1. That Lyon Street from the North line of First Street to the North Curb line of Sixth Street, except that portion of said Lyon Street lying between the West Curb lines on First and Second Streets and the West lines thereof, shall be improved as follows:-

- First: By grading said street to the proper sub-grade.
- Second: By paving the roadway of said street full width, with full intersections, with Bitulithic Pavement.
- Third: By laying and constructing Bitulithic Headers.
- Fourth: By constructing Inlets.
- Fifth: By constructing Catch Basins.
- Sixth: By laying vitrified sewer pipe.

Said improvements 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 street, filed in the office of the City Recorder of the said City of Albany, Clatsop County, Oregon, on the second day of July,

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1909, Endorsed "City Engineer's Plans and Specifications for the improvement of Lyon Street from the North line of First Street to the North Curb line of Tenth Street, except that portion of said Lyon Street lying between the West Curb lines on First and Second Streets and the West lines thereof," and the estimates of the work to be done on said Lyon Street and the probable cost thereof.

The cost of the said improvement of said Lyon Street at the crossings or intersec-
tions thereof, by First, Second, Third, Fourth,
Fifth, Sixth, Seventh, Eighth and Ninth Streets,
and that portion of Tenth Street lying between
the North Curb line of said Tenth Street and
the North line thereof, shall be paid by the City
of Albany out of the general fund of the said
City; the remaining portion of the cost of
the said improvement of said Lyon 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. 492 passed by the Council
of the said City of Albany on the 26th day of July
1909, and approved by the Mayor of said
City on the 26th day of July, 1909, on the
lots and parts of lots adjacent to said portion
of said Lyon Street to be so improved, and,
especially and particularly benefited thereby,
as provided by the Charter of said City.

The said improvement of the said Lyon
Street shall be completed by the first day of
November 1909. All bids for the making
of said improvement of said Lyon 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, exe-
cute and deliver to said City a good and sufficient
bond with good and sufficient security

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in the sum of \$5000⁰⁰ for the faithful per-
formance of such contract.

Section 2. If the firm, corporation or
person entering into any contract with
the said City of Albany to make said im-
provement of said Lyon Street shall not com-
plete 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 \$2⁰⁰
per day for each and every day the com-
pletion 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 for the completion of
said improvement is extended by the
Council.

All pavement shall be laid in ~~the~~
and suitable weather and not otherwise.

Section 3. The Recorder of said City
is hereby ordered and directed to immedi-
ately give proper notice for bids for the
making of said improvement of said
Lyon Street by publishing such notice
ten days in the Albany Daily Democrat,
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 Lyon Street.

Section 4. In as much as there is
urgent necessity for the general
welfare of said City demands the
immediate improvement of said
street in the manner aforesaid, in
order that the same may be made
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.

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Passed the Council July 26, 1909.

Approved July 31, 1909

J.P. Hildreth
Mayor of the City of Albany

Tested:
J.M. Redfield
Recorder 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, and State of Oregon, do hereby certify that the foregoing ~~and annexed copy~~

Ordinance No. 493
has been by me carefully compared with the original Ordinance bill No. 538
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. 38 as passed by the Council of the
City of Albany, Oregon, July 26, 1909.

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

27 day of July, 1909

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

