

ORDINANCE NO. 739 O.K

Revised Albany, Oregon

Ord No  
739

An ordinance authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with M. T. McAllister and P. D. Walton for the improvement of Eighth Street from the East line of Jackson Street to the West line of Geary Street, excepting the intersection with La Fayette Street.

Whereas by Resolution No. 10 of the City of Albany, Oregon, passed by the Council on the 10th day of June, 1911, it was ordered that the following street in the City of Albany, to wit: Eighth Street from the East line of Jackson Street to the West line of Geary Street, excepting the intersection with La Fayette Street, be improved in the following manner:

- First: By grading said street to the required surface.
- Second: By grading said street six inches deep in the center and three inches deep at the outer edges, twelve feet wide.

Said improvement to be made in accordance with the Charter and Ordinances of the City of Albany and the plans and specifications and estimates of the City Engineer then on file with the Recorder of the City of Albany; and

Whereas it was provided in said ordinance that the Recorder of the City of Albany give notice for bids on the making of said improvement in the manner provided by law and by said ordinance; and

Whereas after due notice and advertisement for bids on work and given to the Recorder of said city, according to law and the Resolution last aforesaid, to wit: On the 20th day of August, 1911, M. T. McAllister by P. D. Walton presented to the Council of said city his bid for said improvement, which bid was made in due form and in conformity with all the conditions imposed by law and the Council of said city, and that the said bidder, P. D. Walton proposed to furnish all material and implements and perform the work necessary to complete and describe improvement for the sum of \$40,000.00.

Whereas, said P. D. Walton was the lowest bidder for said proposed work and said bid was the lowest and best therefore,

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

Section 1. That the said bid of the said bidder, P. D. Walton, and the Resolution for said improvement be and is hereby accepted and the

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same is hereby accepted and the Mayor and Recorder of said city are hereby authorized to enter into a contract in writing with the said M. T. McAllister and P. H. Walton for the making of said improvement as aforesaid on behalf of the City of Albany, Oregon, upon the terms mentioned in said act and the agreement herein above mentioned.

Said contract to provide further that work of said improvement shall commence within ten days after the signing of said contract and to be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the first day of January, 1914, and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of \$2.00 per day for each and every day the work is delayed beyond said time, and that said M. T. McAllister and P. H. Walton furnish bond in the sum of Five Thousand Dollars to be approved by the Mayor of the City of Albany, in and to the said contract, as the part of the said M. T. McAllister and P. H. Walton, and further indemnify the City of Albany against any claim or loss for labor, work or materials or the cost of any persons arising out of said contract.

Attest  
F. W. Hartness

Passed by the Council Aug. 2, 1914

Recorder of the City of Albany.

Approved Aug. 14, 1914.

L. M. Bush  
Mayor.

CITY RECORDER'S CERTIFICATE

State of Oregon, }  
County of Linn } ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of .....

Ordinance No. 739

has been by me carefully compared with the original Ordinance Bill No. 813 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. 813, as passed by the Council of the City of Albany, Oregon, August 12th, 1914

Witness, my hand and official signature and the seal of the City of Albany, this 15th day of August, 1914.

F. E. Van Tassel  
Recorder of the City of Albany.