

Ord. No. 756

An ordinance authorizing the Mayor and Recorder of the City of Albany to enter into a contract with M. T. McAllister and P. H. Walton for the building and construction of a lateral sewer beginning at the west end of lateral sewer constructed through Block 16, across Summer Street, through the center of Block 15, across Cleveland Street and 40 feet into Block 6, all in Hooker's Fourth Addition to the City of Albany, Oregon, with specified sewer pipe according to the plans, specifications and specifications filed in the office of the Recorder of the City of Albany on the 26th day of August, 1914.

Whereas by Resolution No. 29 of the City of Albany, Oregon, passed by the Council on the 26th day of August, 1914, it was ordered that a lateral sewer be constructed beginning at the west end of lateral sewer constructed through Block 16, across Summer Street, through the center of Block 15, across Cleveland Street and 40 feet into Block 6, all in Hooker's Fourth Addition to the City of Albany, Oregon, said improvements 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 by ordinance that the Recorder of the City of Albany give notice of said improvements in the manner provided by law and be said to have; and

Whereas after due notice and advertisement for bids made and given to the Recorder of the City of Albany according to said ordinance, on the 14th day of October, 1914, M. T. McAllister and P. H. Walton presented to the Council of said city his bid for making said improvements, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, by which bid said M. T. McAllister and P. H. Walton proposed to furnish all materials and implements and perform the labor necessary to make the above described improvement for the sum of \$374 ⁰⁰/₁₀₀ and 6/100.

Whereas M. T. McAllister and P. H. Walton was the lowest bidder on said proposed work and said bid was the lowest and best therefor,

Therefore:

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

Section 1. That the said bid of the said M. T. McAllister and P. H. Walton on said improvement be and the same is hereby accepted and the Mayor and Recorder of the City of Albany are hereby authorized

enter into a contract in writing with the said W. 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 and conditions in said ordinance, advertisement and bid hereinafore mentioned. Said contract shall provide that the work on said sewer shall commence within ten days after the signing of said contract and be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 1st day of December, 1914; and the City of Albany, Oregon shall be deemed to suffer damages to the extent of \$2.50 per week and every day the work is delayed beyond said specific time.

Said contract shall further provide that the said W. T. McAllister and P. H. Walton shall promptly, as due, make payment to all persons supplying to the said W. T. McAllister and P. H. Walton labor or material for the prosecution of the hereinafore described work and that the said W. T. McAllister and P. H. Walton shall not permit any lien or claim to be laid or prosecuted against the City of Albany for or on account of any material or labor furnished for the said work.

The said W. T. McAllister and P. H. Walton shall furnish a penal bond in the sum of \$175⁰⁰ with good and sufficient sureties to be approved by the Mayor of the City of Albany, to secure the faithful performance of all said obligations on a contract on the part of the said W. T. McAllister and P. H. Walton and particularly against any claims or lien for labor, work or material on the part of any person arising out of said contract.

Passed the Council Oct. 14, 1914.

Attest:

F. T. Vant and.

Approved Oct. 16th, 1914.

Recorder of the City of Albany.

L. M. Burl
Mayor.

Revised Albany, Oregon

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. 756

has been by me carefully compared with the original

Ordinance Bill No. 437

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. 437, as passed by the Council of the City of Albany,

Oregon, October 14, 1914

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

17th

of

October

1914

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