

ORDINANCE NO. 1084

A BILL FOR AN ORDINANCE, Providing for the time and manner of improving Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, Oregon, providing how the cost of such improvement shall be paid, the penalty or damage 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 party of said street, and providing for the giving by the Recorder of said City of proper notice for bids for the completion of such improvement of said part of said Street, and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. That Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, Oregon, shall be improved in the following manner, to-wit:

1. By grading said street to the proper subgrade;
2. By graveling said street with gravel or crushed rock.

Said improvement to be made in accordance with the charter and ordinance of the City of Albany, Oregon and the plans, specifications and estimates of Engineer J. R. Penland for the improvement of said street, filed in the office of the Recorder of said City of Albany Oregon, on the 27th. day of June, 1923, endorsed, "Engineer's plans and specifications for the improvement of Eleventh Street from the West line of Elm Street West to the corporate limits of the City of Albany, Oregon, and the estimates of the work to be done on said street and the probable cost thereof".

The cost of said improvement of said portion of Eleventh Street shall be paid out of the funds collected and arising upon and out of the assessment hereafter to be made, ascertained and declared by the Council of the City of Albany on the lots and parts of lots adjacent to said portion of said Eleventh Street so to be improved, and especially and particularly benefited thereby, as provided by the charter of said City, except the cost of the intersections shall be paid for out of the general fund of the City of Albany as provided by the charter of the City of Albany.

The said improvement of said portion of said Eleventh Street shall be completed by the 1st. day of October, 1923,

All bids for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany may be rejected.

Any firm, person or corporation with whom any contract may be entered into by the City of Albany 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 surety, in a sum not less than fifty per cent (50%) of the proposal of the contractor conditioned upon the faithful performance of this contract.

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Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Eleventh Street shall not complete the same within the time mentioned and specified in said contract, said City shall be deemed to suffer damages on account thereof to the amount of \$10.00 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 doing the work at the completion thereof, unless the time of completion of said improvement is extended by the Council,

Section 3. 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 portion of said Eleventh Street by publishing such notice ten days in the Albany Daily Democrat, a daily newspaper published in said City of Albany, fully describing in said notice the time and manner of doing the work of said improvement of said Eleventh Street.

Section 4. WHEREAS, It is necessary for the public health, peace and safety of the people of the City of Albany that the foregoing described improvement be immediately constructed and therefore an emergency exists and one is hereby declared to exist and this ordinance shall go into full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council, July 25th. 1923.

Approved by the Mayor, July 26, 1923.

P. A. Young,

Mayor

Attest: D. H. Rodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON, } ss
County of Linn, }

I, D. H. Rodine, Recorder of the City of Albany, in Linn County and State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1084, has been by me carefully compared with the original Ordinance Bill No. 1152 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. 1152, passed by the Council, July 25, 1923, and approved by the Mayor, July 26, 1923.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.



Recorder of the City of Albany.