

ORDINANCE No. 1103

A BILL FOR AN ORDINANCE Providing for the time and manner of making an improvement in the City of Albany by constructing a lateral sewer beginning at a point at the West end of the lateral sewer in Block No. 90 in Monteith's Southern Addition to the City of Albany, Oregon, and extending West-erly through the middle of Block No. 89 of said Addition a distance of 350 feet to a point which is Easterly 50 feet distant from the West boundary line of said Block No. 89, in 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 part of the above described portion of the City of Albany, and pro-viding for the giving by the Recorder of said City of proper notice for bids for the completion of such improvement and declaring an emergency.

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

Section 1. That the improvement of Block 89 in Monteith's Southern Addition to the City of Albany, Oregon, from a point beginning at the West end of the lateral sewer in Block 90 in Monteith's Southern Addition to the City of Albany, Oregon, and extending West-erly through the middle of Block No. 89 of said Addition a distance of 350 feet to a point which is Easterly 50 feet distant from the West boundary line of said Block No. 89 shall be made in the following manner, to-wit:

1. By laying 334 lineal feet of 8 inch straight sewer
2. By excavating and refilling.
3. By installing "Y" branches
4. By installing large holes
5. By installing man hole

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 City Engineer Chas. H. Leonard for the improvement of said Block 89 in Monteith's Southern Addition to the City of Albany, Oregon, filed in the office of the Recorder of the City of Albany, Oregon, on the 12th. day of September, 1923 endorsed "Plans and Specifications of Lateral Sewer in Block 89 in Monteith's Add. to the City of Albany, Oregon.

The cost of said improvement of said Block 89 in Monteith's South-ern Addition to the City of Albany 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 improvement and especially and particularly benefited thereby, as provided by the charter of said City.

The said improvement of said Block 89 in Monteith's Southern Addi-tion to the City of Albany shall be completed by the 1st. day of December, 1923.

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All bids for the making of said improvement of said Block 89 in Monteith's Southern Addition to the City of Albany 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, 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 contract conditioned upon the faithful performance of this contract.

Section 2. If the firm, person or corporation entering into any contract with the said City of Albany to make said improvement of said Block 89 in Monteith's Southern Addition to the City of Albany 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, 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 Block 89 in Monteith's Southern Addition to the City of Albany, Oregon, 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.

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, October 10th, 1923.

Approved by the Mayor, October 10th, 1923.

P. A. Young,
Mayor.

Attest: D. H. Bodine,
Recorder of the City of Albany, Oregon.

STATE OF OREGON,)
) ss
County of Linn,)

I, D. H. Bodine, 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. 1103 has been by me carefully compared with the original Ordinance Bill No. 1201 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. 1201 passed by the Council October 10th, 1923, and approved by the Mayor, October 10th, 1923.

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

D. H. Bodine
Recorder of the City of Albany.