

## ORDINANCE NO. 1184

AN ORDINANCE authorizing the Mayor and the Recorder of the City of Albany, Oregon, to enter into a contract with C.E. Davis for the improvement of Second Street from the west line of Cleveland Street to the West line of Geary Street in the City of Albany by grading and graveling the same.

WHEREAS, by Ordinance Number 1181 of the City of Albany, Oregon, it was ordered that the following Street in said City, be improved, to-wit: Second Street from the west line of Cleveland Street to the West Line of Geary Street, in the following manner, to-wit:

- 1st: By grading said street to the proper sub-grade.
- 2nd: By surfacing the roadway of said Street 12 feet wide with gravel.
- 3rd: By laying sub-grade tile.

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

WHEREAS, it was provided in said Ordinance that the Recorder of said City give notice of the making of said improvement in the manner provided by law, and in said Ordinance, and

WHEREAS, after due notice for bids made and given by the Recorder of the City of Albany, according to the law and the ordinance aforesaid, to-wit: on the 27th day of May, 1925, C.E. Davis presented to the Council of the City of Albany his bid for making said improvement, which said bid was and is, in due form, and in conformity with all the conditions imposed by the Council, by which said bid the said C.E. Davis proposed to furnish all material and implements and to perform the labor necessary to make the above described improvement for the following named prices, to-wit:

218 cu. yds. of excavation, (without classification)	@ 80c per cu. yd. \$174.40
77 cu. yds. of fill,	@ 30c per cu. yd. 23.10
200 cu. yds. gravel	@ 1.40 per cu. yd. 280.00
80 lineal feet of 3 inch drain tile	@ 25c per lin. ft. 20.00
	\$497.50

And, WHEREAS, the said C.E. Davis was the lowest and best bidder for said proposed work, and said bid was the lowest and best bid therefor.

### THEREFORE

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

Section 1. That the bid of C.E. Davis for said improvement of said described portion of Second Street be, and the same is hereby, accepted, and the Mayor and Recorder of the said City of Albany are hereby authorized to enter into a contract in writing with the said C.E. Davis for the making of said improvement, on behalf of the City of Albany, Oregon, upon the terms mentioned in the said bid hereinabove mentioned.

Said contract shall provide that the work of said improvement shall commence within ten (10) days after the signing of said contract, and shall be prosecuted with such vigor that all the work embraced within said contract shall be completed on or before the first day of August, 1925, and the City of Albany shall be deemed to suffer damages to the extent of Five Dollars (\$5.00) per day for each and every day such work is delayed beyond such specified time, and that the said C.E. Davis shall furnish a bond in the sum of Four Hundred Dollars (\$400.00), to be approved by the Mayor of the City of Albany, conditioned for the faithful performance of the said contract on the part of said C.E. Davis, and further indemnifying the City of Albany against any claim or lien for labor, work or material on the part of any person, firm or corporation, arising out of said contract.

Section 2. That in order to preserve the public health and safety of the City of Albany an emergency is hereby declared to exist, and this ordinance shall be immediately effective upon its passage by the Council and upon approval by the Mayor.

Passed by the Council May 27, 1925.  
Approved by the Mayor May 27, 1925.

ATTEST:--

F.P. Nutting,  
Recorder of the City of Albany.

J.H. ROBERTS,  
Mayor.

STATE OF OREGON,  
Linn County, ss.

I, F.P. Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1184 has been by me carefully compared with the original Ordinance Bill No. 1283, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1283, passed by the Council May 27, 1925 and approved by the Mayor May 27, 1925.

WITNESS my hand and official signature and the seal of the City of Albany, this 1st day of June, 1925.

  
City Recorder of Albany, Or.