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ORDINANCE NO. 1254

A **ORDINANCE** authorizing the Recorder and Mayor of the City of Albany, Oregon, to enter into a contract with U.G.Hayne for the construction of a lateral sewer, beginning at the north end of the lateral sewer now in place, which is at the southeast corner of lot 2 in block 1 in Albany Heights' Addition to the City of Albany, Oregon; thence running northerly through the center of blocks 1 and 2, in said Addition, to the northeast corner of lot 7 in block 2 in said addition, a distance of 770 feet; and declaring an emergency.

WHEREAS, by Resolution No. 13 adopted by the Council of the City of Albany, Oregon May 11th, 1927, it was ordered that a lateral sewer be constructed in said city, beginning at the north end of the lateral sewer now in place, which is at the southeast corner of lot 2 in block 1 in Albany Heights' Addition to Albany, Oregon, thence running northerly through the center of block 1 and block 2 in said addition to the northeast corner of lot 7 in block 2 in said addition, a distance of 770 feet, by laying an 8" sewer pipe in accordance with the plans and specifications of Charles M. Leonard, Engineer, filed in the office of the Recorder of said City on May 11th, 1927, and

WHEREAS, it was provided by ordinance No. 1250 that the Recorder of the City of Albany give notice for bids for the making of said improvement in the manner provided by law, and

WHEREAS, after due notice and advertisement for bids, made and given by the Recorder of the City of Albany, Oregon, according to said ordinance, on the 13th day of July, 1927, U.G.Hayne presented his bid to the Council of said City for the construction of said lateral sewer, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, and by said bid said U.G.Hayne proposed to furnish all materials and implements and to perform all the labor necessary to make the above described improvement for \$773.60, and

WHEREAS, U.G.Hayne was the lowest bidder for said proposed work, and said bid was the lowest and best bid therefor,

THEREFORE, THE PEOPLE OF THE CITY OF ALBANY, OREGON, DO ORDAIN AS FOLLOWS:

Section 1. That the bid of said U.G.Hayne for said improvement be, and the same is hereby accepted, and the Mayor and Recorder of the City of Albany, Oregon, are hereby directed and authorized to enter into a contract in writing with the said U.G.Hayne for the making of said improvement as aforesaid on behalf of the City of Albany, Oregon, and upon the terms and conditions in said ordinance, advertisement and bid hereinabove mentioned. Said contract shall provide that the work on said sewer shall commence within ten (10) days after the signing of such contract, and shall be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before August 5th, 1927, and the City of Albany, Oregon, shall be deemed to suffer damage to the extent of \$5.00 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that said U.G.Hayne shall promptly, as due, make payment to all persons supplying to him labor and material for the prosecution of the hereinabove described work, and that he shall not permit any lien or claim to be prosecuted against the City of Albany, Oregon, for or on account of any labor or materials furnished on account of said work.

Said U.G.Hayne shall furnish a bond in a sum equal to 50% of the amount to be paid on said contract, with good and sufficient sureties thereon, to be approved by the Mayor of said City of Albany, Oregon, to secure the faithful performance of all the conditions of said contract on the part of said U.G.Hayne, and particularly on account of any lien for labor or material furnished by any person arising out of said contract.

Section 2. WHEREAS the peace, health and safety of the people of the City of Albany requires that this ordinance become immediately effective upon its final passage by the Council and approval by the Mayor, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Adopted by the Council July 13th, 1927
Approved by the Mayor July 13th, 1927.

Attest:--

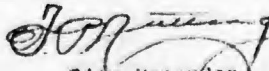
F.P.Nuttins,
Recorder of the City of Albany, Oregon.

MARK V. WEATHERFORD, Mayor.

STATE OF OREGON,
County of Linn, ss.

I, F.P.Nuttins, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1254 has been by me carefully compared with the original Ordinance Bill No. 1356, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1356, passed by the Council July 13, 1927 and approved by the Mayor July 13, 1927.

WITNESS my hand and official signature and the seal of the City of Albany this 15th day of July, 1927.


City Recorder.