

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF OREGON, HIGHWAY COMMISSION, FOR THE INSTALLATION AND MAINTENANCE OF A FULLY ACTUATED TRAFFIC SIGNAL AT HIGHWAY 99E AND QUEEN AVENUE, AND FOR CERTAIN MARKINGS, AND DECLARING AN EMERGENCY.

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

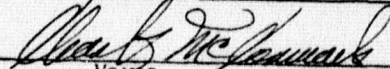
Section 1: That the Mayor and City Manager of the City of Albany, Oregon be and they are hereby authorized to execute an agreement with the State of Oregon, by and thru the State Highway Commission, for the purpose of installing and maintaining traffic signals at Highway 99E and Queen Avenue, and providing for certain markings and signing, a substantial copy of said agreement being attached hereto and, by reference, made a part hereof.

Section 2: The City of Albany shall deposit the sum of \$3,000 with the Oregon State Highway Commission in advance of the construction of the traffic signal described in Section 1 hereof. The said sum of \$3,000 to apply to 50% of the cost of construction of said signal. In the event the construction of said signal costs less than \$6,000 a proportionate amount shall be refunded to the City and provided further that the city shall not be required to pay more than \$3,000.

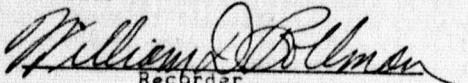
Section 3: Whereas, the existing conditions are such that the peace, health, and safety of the people of the City of Albany, Oregon, are involved, therefore an emergency is hereby declared to exist and this ordinance shall be in effect immediately upon its final passage and approval by the Mayor.

Passed by the Council: April 4, 1956

Approved by the Mayor: April 4, 1956

  
 Mayor

ATTEST:

  
 Recorder

A G R E E M E N T

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1956, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State" and the CITY OF ALBANY, a municipal corporation, by and through its City Officials, hereinafter called "City":

W I T N E S S E T H :

RECITALS:

1. Those certain highways which have been designated as the Pacific Highway East No. 1E (U.S.99E) and the Corvallis East Side Highway No. 210 are State highways under the Jurisdiction and control of the State Highway Commission.
2. Said Pacific Highway East is routed through the City of Albany and within the city limits of said City of Albany is intersected by the Corvallis East Side Highway, which latter highway is routed over that certain city street known as Queen Avenue.
3. Under the provisions of ORS 483.040 the State Highway Commission is authorized to determine the character and type of traffic control signals to be used and to place and erect them upon State Highways, and in addition, under the provisions of ORS 366.775 may enter into an agreement with any City for the improvement of any highway, road or street, upon terms and conditions mutually agreed upon.
4. In the Judgment of the State and City the installation of a fully actuated traffic control signal, at the intersection of said Pacific Highway

ORDINANCE NO. 2648 Continued

East and said Corvallis East Side Highway will contribute to the safety and convenience of the motoring public.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed to by and between the parties hereto as follows:

THINGS TO BE DONE BY STATE:

- 1. State shall install either with its own forces or by contract a fully actuated traffic control signal at the intersection of the Pacific Highway East and the Corvallis East Side Highway. Attached hereto, marked Exhibit "A" and by this reference made a part hereof is a print of one page, setting forth the location and plans for said traffic signal installation.
2. The State shall in the first instance pay all the costs and disbursements necessary to erect the aforementioned traffic signal installation, which costs and disbursements are estimated at Six Thousand (\$6,000.00) Dollars.
3. Upon completion of the project provided for herein the State shall submit to the City an itemized statement of the total actual costs and disbursements incurred in the installation. The total actual cost shall be shared equally between State and City.
4. The traffic control signal shall be integrated into and be made a part of the traffic control system on the Pacific Highway East and Corvallis East Side Highway as determined by the State Highway Engineer or his duly authorized representative.

THINGS TO BE DONE BY CITY:

- 1. City by executing this agreement approves the plans attached hereto marked Exhibit "A".
2. City shall upon return of this agreement signed, submit its warrant or check for Three Thousand (\$3,000.00) Dollars, which sum shall be credited towards the City's share of the total actual cost of said installation.
3. Upon presentment of an itemized statement of the total actual cost of the said installation the City shall pay one-half thereof. In the event the total actual cost is less than the total estimated cost, City shall be reimbursed for the proportionate reduction of its share.
4. After the erection thereof City shall, at its own expense, maintain and operate the said traffic signal installation provided for under this agreement and bear the cost of all maintenance and operation thereof including the necessary electrical energy.

SPECIAL PROVISIONS:

It is agreed between State and City that at such times as the traffic control signal provided for under this agreement is in need of replacement the cost of such replacement shall be shared equally between State and City.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals as of the day and year first above written, the City acting by and through its City Council pursuant to and in accordance with No. \_\_\_\_\_, adopted by the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1956.

ATTEST:

Secretary

APPROVED:

State Highway Engineer

APPROVED AS TO FORM:

Chief Counsel

ATTEST:

STATE OF OREGON, by and through its State Highway Commission:

By \_\_\_\_\_ Chairman

By \_\_\_\_\_ Commissioner

By \_\_\_\_\_ Commissioner

CITY OF ALBANY, a municipal corporation:

By [Signature] Mayor

By \_\_\_\_\_ Recorder