

ORDINANCE NO. 570.

Ord 570

herein providing for the time and manner of improving Seventh Street in the City of Albany, Oregon, from the east curb line of Calapooia Street to the west curb line of Railroad Street, providing no the cost of such improvement shall be paid, the penalty or damages to the City incurred by the person or persons making such improvement, at 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 said street, and provision for the giving by the Recorder of said City of proper notice for the completion of such improvement of said part of said street.

The Reciprocity to City of Albany Ordinance follows:

Section 1. That Seventh Street from the west curb line of Calapooia Street to the west curb line of Railroad Street, except the intersections with Lyon, Ellsworth, Broadacabin, Perry and Washington Streets, shall be improved in the following manner, to wit:

- First: By grading said street to the proper subgrade.
- Second: By paving the roadway of said street full width with flag intersections with granite bitulitic pavement.
- Third: By laying and constructing granite bitulitic leaders.
- Fourth: By constructing catch basins.
- Fifth: By constructing inlets.
- Sixth: By laying vitrified sewer pipe.
- Seventh: By laying wooden pavement slabs.

Said improvements to be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans and specifications and estimates of the City Engineer of said City, for the improvement of said Seventh Street, filed in the office of the City Recorder of said City of Albany on the 14th day of January, 1922, and titled: "City Engineer's specifications for the improvement of Seventh Street from the east curb line of Calapooia Street to the west curb line of Railroad Street, and the estimate of the work to be done on said street and the probable cost thereof."

The cost of said improvement of said portion of said Seventh Street at the crossings or intersections thereof by other streets shall be paid by the City of Albany out of the General Fund of said city; the remaining portion of the cost of said improvement of said Seventh Street shall be paid out of the

ORDINANCE No. 570.

funds collected and arising upon and out of the assessment theretofore made, ascertained and declared by ordinance No. 569 passed by the Council of said City of Albany, on the 13th day of March, 1912, and approved by the Mayor of said City on the 13th day of March, 1912, in the lots and part of lots adjacent to said portion of said Seventh Street to be so improved, and especially and particularly benefited thereby, as provided by the charter of said city.

The improvement of said Seventh Street shall be completed by the first day of July, 1912.

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

Any firm, corporation or person with which or with whom any contract may be entered into by said City 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 security, in the sum of \$5,000.00 for the faithful performance of such contract.

Section 2. If the firm, corporation or person entering into any contract with the said City of Albany to make said improvement of said Seventh Street shall not complete the same within the time mentioned and specified in such contract, said City shall be deemed to suffer damages on account thereof to the amount of \$25.00 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 the completion of said improvement is extended by the Council.

All payment shall be laid in dry and suitable weather and not otherwise.

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 Seventh Street, by publishing such notice ten days in the Albany Democrat as daily newspaper published in the said City of Albany, fully describing in said notice the time and manner of doing the work of said improvement of said Seventh Street.

Attest:

F. L. Van Tassel
Recorder of the City of Albany

Passed the Council the 13th day of March, 1912.

Approved March 14th, 1912.

P. D. Hixon

Mayor of the City of Albany

CITY RECORDER'S CERTIFICATE

STATE OF OREGON.

COUNTY OF LINN.

ss.

I, *F. Van Tassel*
F. M. Robinson, 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. 570

has been by me carefully compared with the original *Ordinance Bill No. 631*
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. 631, as passed by the Council of the
City of Albany, Oregon, March 13th 1912*

WITNESS, my hand and official signature and the seal of the City of Albany, this

14th day of *March* 191*2*

F. Van Tassel

Recorder of the City of Albany.