

ORDINANCE NO. 869.

AN ORDINANCE AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF ALBANY TO ENTER INTO A CONTRACT WITH W. S. WEAVER FOR THE BUILDING AND CONSTRUCTION OF A LATERAL SEWER BEGINNING AT THE LAMP HOLE AT THE EASTERN END OF THE LATERAL SEWER NOW IN PLACE IN THE SANTIAM ROAD, AND EXTENDING IN A SOUTHEASTERLY DIRECTION ALONG SAID SANTIAM ROAD, A DISTANCE OF 320 feet IN HACKLEMAN'S HEIRS FIRST ADDITION TO THE CITY OF ALBANY, OREGON, WITH VITRIFIED TERMA COTTA SEWER PIPE, ACCORDING TO THE PLANS AND SPECIFICATIONS FILED IN OFFICE OF THE RECORDER OF THE CITY OF ALBANY, ON THE 10th DAY OF MAY, 1916.

WHEREAS by resolution No. 39 of the City of Albany, Oregon, passed by the Council on the 10th day of May, 1916, it was ordered that a lateral sewer be constructed beginning at the lamp hole at the Eastern end of the lateral sewer now in place in the Santiam Road, and extending in a Southeasterly direction along said Santiam Road, a distance of 320 feet in Hackleman's Heirs First Addition to the City of Albany, Oregon, said improvements to be made in accordance with the Charter and Ordinances of the City of Albany, and the plans and specifications and estimates of the City Engineer, then on file with the recorder of the City of Albany, and

WHEREAS, it was provided by ordinance 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 by said ordinance; and

WHEREAS, after due notice and advertisement for bids made and given by the Recorder of the City of Albany, according to said ordinance on the 12th day of July, 1916, W. S. Weaver presented to the Council of said City his bid for making said improvement, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, by which bid the said W. S. Weaver proposed to furnish all material and implements and perform the labor necessary to make the above described improvement for the sum of \$ 144.32; and

WHEREAS, W. S. Weaver was the lowest bidder for said proposed work, and said bid was the lowest and best bid therefor.

T H E R E F O R E

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

Section 1. That the said bid of the said W. S. Weaver for said improvement be and the same is hereby accepted, and the Mayor and Recorder of the City of Albany are hereby authorized to enter into a contract in writing with the said W. S. Weaver for the making of said improvement, as aforesaid, on behalf of the City of Albany, Oregon, upon the terms and

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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 said contract, and be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the first day of September, 1916; and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of \$2.50 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that the said W. S. Weaver shall promptly, as due, make payment to all persons supplying to the said W. S. Weaver labor or material for the prosecution of the hereinabove described work, and that the said W. S. Weaver shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any material or labor furnished for the said work.

The said W. S. Weaver shall furnish a penal bond in the sum of \$75.00, with good and sufficient sureties to be approved by the Mayor of the City of Albany, to secure the faithful performance of all the obligations of such contract on the part of said W. S. Weaver, and particularly against any claim or lien for labor, work or material on the part of any person arising out of said contract.

Passed by the Council July 12, 1916.

Approved July 12, 1916.

L. M. Curl,

Mayor.

Attest:

L. G. Lewelling,

Recorder of the City of Albany.

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

I, L.G. Lewelling, 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. 869 has been by me carefully compared with the original Ordinance Bill No. 953 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. 953, passed by the Council July 12, 1916, and approved July 12, 1916.

WITNESS my hand and official signature and the seal of the City of Albany, this 2nd day of August, 1916.

Recorder of the City of Albany.