

ORDINANCE NO. 823

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 MANHOLE IN THE OAK STREET TRUNK SEWER BETWEEN SANTIAM AND SALEM ROADS AND RUNNING THENCE EASTERLY ACROSS BLOCKS TWO (2) AND ONE (1) OF ABBEY'S ADDITION TO THE CITY OF ALBANY, OREGON; ALSO RUNNING THROUGH THE CENTER OF BLOCK TWO (2) OF SAID ADDITION FROM THE SOUTH LINE OF SALEM ROAD TO THE NORTH LINE OF THE OREGON ELECTRIC RAILWAY COMPANY'S RIGHT OF WAY; AND ALSO RUNNING ALONG THE EASTERN BOUNDARY LINE OF BLOCK ONE (1) OF SAID ADDITION FROM THE SOUTH LINE OF SALEM ROAD TO THE NORTH LINE OF OREGON ELECTRIC RAILWAY COMPANY'S RIGHT OF WAY, WITH VITRIFIED TERRAZO COTTA SEWER PIPE, ACCORDING TO THE AMENDED PLANS AND SPECIFICATION FILED IN THE OFFICE OF THE RECORDER OF THE CITY OF ALBANY, OREGON, ON APRIL 10th, 1917.

WHEREAS, by Resolution No. 8 of the City of Albany, Oregon, passed by the Council of said City on the 11th day of April, 1917 it was ordered that a lateral sewer be constructed beginning at the manhole in the Oak Street Trunk Sewer between Santiam and Salem Roads and running thence Easterly across Blocks two (2) and one (1) of Abbey's Addition to the City of Albany, Oregon; also running through the center of Block two (2) of said Addition from the South line of Salem Road to the North line of the Oregon Electric Railway Company's right of way; and also running along the eastern boundary line of Block one (1) of said Addition from the South line of Salem Road to the North line of the Oregon Electric Railway Company's right of way, 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 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, Oregon, according to said ordinance, on the 13th day of June, 1917, W. S. Weaver presented his bid to the Council of said City for the making of 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 \$814.10; and

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

WHEREFORE

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

Section 1. That the 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, and upon the terms and conditions in said ordinance, advertisement and bid herewithabove 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 1st day of August, 1917; and the City of Albany, Oregon shall be decreed to suffer damages 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 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 said labor or material furnished for the said work.

The said W. S. Weaver shall furnish a penal bond in the sum of \$400.00 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 such contract on any claim or lien for labor, work or material on the part of any person arising out of said contract.

Passed by the Council June 13th, 1917.

Approved by the Mayor June 13th, 1917.

Attest:

I. G. Lovelling
Recorder of the City of Albany, Oregon.

STATE OF OREGON, }
County of Linn. } PS.

I, I. G. Lovelling, Recorder of the City of Albany, in Linn County, State of Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 828 has been by me carefully compared with the original Ordinance Bill No. 987 and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 987 passed by the Council June 13th, 1917, and approved by the Mayor June 13th, 1917.
WITNESS my hand and official signature and the seal of the City of Albany, this 23rd day of August, 1917.

I. G. Lovelling
Recorder of the City of Albany.