

ORDINANCE NO. 1227

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon to enter into a contract with U. G. Hayne for building and constructing a lateral sewer, beginning at the manhole in the Oak Street Trunk Sewer between Sixth and Seventh Streets, and running thence easterly through Block 3 and into Block 6 in Hackleman's Heirs' First Addition, a distance of 374 feet, by laying an eight inch sewer pipe in accordance with the plans and specifications of Charles H. Leonard, Engineer, for said lateral sewer, filed in the office of the Recorder of said City April 14, 1926.

WHEREAS, by Resolution No. 34, of the City of Albany, Oregon, adopted by the Council April 14, 1926, it was ordered that a lateral sewer be constructed, beginning at the manhole in the Oak Street Trunk Sewer, between Sixth and Seventh Streets, and running thence easterly through Block 3 and into Block 6 in Hackleman's Heirs' First Addition to the City of Albany, Oregon, a distance of 374 feet, by laying an eight inch sewer pipe, in accordance with the plans and specifications of Charles H. Leonard, Engineer for said sewer, filed in the office of the Recorder of said City on the 14th day of April, 1926, 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 said City of Albany, Oregon, according to said ordinance, on the 26th day of May, 1926, U.G. Hayne presented his bid to the Council of said City for the making of said improvement, which said 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 U.G. Hayne proposed to furnish all material and implements, and perform all the labor necessary to make the above described improvement, for the sum of \$407.50, 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 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 are hereby authorized and directed 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 the 1st day of July, 1926, and if the City of Albany shall be deemed to suffer damages to the extent of FIVE DOLLARS (\$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 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 filed or prosecuted against the City of Albany for, or on account of, any labor or material furnished on account of said work.

Said U.G. Hayne shall furnish a bond in the sum of TWO HUNDRED FIFTY (\$250.00) DOLLARS, with good and sufficient surety thereon, to be approved by the Mayor of the City of Albany, Oregon, to secure the faithful performance of all the obligations of such contract on the part of the said U.G. Hayne, and particularly on account of any lien or claim for labor or material furnished on the part of any person arising out of such contract.

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

Passed by the Council May 26, 1926.
Approved by the Mayor May 26, 1926.

Attest: -- F.P. Nutting,
Recorder.

J.H. ROBBETT
Mayor,

STATE OF OREGON,
County of Linn, ss. I, F.P. Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of Ordinance No. 1227 has been by me carefully compared with the original Ordinance Bill No. 1327, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1327, passed by the Council May 26, 1926, and approved by the Mayor May 26, 1926.

WITNESS my hand and official signature and the seal of the City of Albany this 27th day of May, 1926.


Recorder of the City of Albany, Oregon.