

ORDINANCE NO. 1276

AN ORDINANCE authorizing the Mayor and the Recorder of the City of Albany, Oregon, to enter into a contract with Geo. R. Weirich for the improvement of Second Street from the east line of Pine Street to the west line of Cleveland Street in the City of Albany, by grading and gravelling the same.

WHEREAS, by ordinance No. 1274 of the City of Albany, Oregon, it was ordered that the following street in said City be improved, to-wit: Second Street, from the east line of Pine street to the west line of Cleveland Street, in the following manner, to-wit:

1st: By grading said street to the proper sub-grade.
 2nd: By surfacing the roadway of said street 16 feet wide with gravel; 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 said City; and

WHEREAS, it was provided in said ordinance that the Recorder of said City give notice of the making of said improvement in the manner provided by law, and in said ordinance, and

WHEREAS, after due notice for bids made and given by the Recorder of the City of Albany according to the law and the ordinance aforesaid, to-wit: on the 25th day of April, 1928, Geo. R. Weirich presented to the Council of the City of Albany his bid for making said improvement, which said bid was, and is, in due form, and in conformity with all the conditions imposed by law and the Council, by which said bid the said Geo. R. Weirich proposed to furnish all material and implements and to perform the labor necessary to make the above described improvement for the following named prices, to-wit:

| | |
|--|----------|
| 495 cu.yds excavation @ 5d. per cu. yd ----- | \$247.50 |
| 105 cu. yds pit run gravel from Sox pit on Pacific Highway, crushed rock, at \$1.00 per cu. yd. ----- | 105.00 |
| 80 cu. yds crushed gravel 3-4 in. to dust @ \$1.00 per. cu. yd. - | 80.00 |
| Total ----- | \$432.50 |

And, WHEREAS, said Geo. R. Weirich was the lowest and best 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 Geo. R. Weirich for said improvement of said described portion of Second Street be, and the same is hereby accepted, and the Mayor and the Recorder of said City of Albany are hereby authorized and directed to enter into a contract in writing with the said Geo. R. Weirich for the making of said improvement on behalf of the City of Albany, Oregon, upon the terms mentioned in said bid hereinabove mentioned.

Said contract shall provide that the work of said improvement shall commence within ten (10) days after the signing of said contract, and shall be prosecuted with such vigor that all the work embraced within said contract shall be completed on or before the first day of July, 1928, and the City of Albany shall be deemed to suffer damages to the extent of Five Dollars (\$5.00) for each and every day such work is delayed beyond such specified time, and that the said Geo. R. Weirich shall furnish a bond in a sum equal to fifty per cent (50%) of the contract price, to be approved by the Mayor of the City of Albany, conditioned for the faithful performance of the said contract on the part of said Geo. R. Weirich, and further indemnifying the City of Albany against any claim or lien for labor, work or material on the part of any person, firm or corporation, arising out of said contract.

Section 2. That in order to preserve the public health and safety of the City of Albany an emergency is hereby declared to exist and this ordinance shall be immediately effective upon its passage by the Council and upon approval by the Mayor.

Passed by the Council April 25th, 1928
 Approved by the Mayor April 25th, 1928

MARK V. WEATHERFORD,
 Mayor.

Attest:--
 F.P.Nutting,
 Recorder of the City of Albany, Or.

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 ~~original~~ Ordinance ~~Bill~~ No. 1276 has been by me carefully compared with the original Ordinance Bill No. 1378, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1378, passed by the Council April 25, 1928, and approved by the Mayor April 25, 1928.

WITNESS my hand and official signature and the seal of the City of Albany this 26th day of April, 1928.

F.P. Nutting
 Recorder of the City of Albany.