

## Time and manner of paving part of Elsworth Street from 3rd to 9th St.

Ord 534  
 Time and manner  
 of paving  
 part of  
 Elsworth  
 from 3rd  
 to 9th

An ordinance providing for the time and manner for improving Elsworth street in the City of Albany, Oregon, from the North curb line of Third street, to the North curb line of Ninth street, providing how the cost of such improvement shall be paid, the penalty or damages that shall be paid to the City of Albany, by the person or persons making such improvement, if 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 street, and providing for the giving by the Recorder of said City, proper notice for bids for the completion of such improvement of said part of said street.

The People of the City of Albany do Ordain as follows:

- Section 1. That Elsworth street, from the North curb line of Third street, to the North curb line of Ninth street shall be improved in the following manner to-wit:
- First: By grading said street to the proper curb grade.
  - Second: By paving the roadway of said street full width, with full intersections, with Bitulithic Pavement.
  - Third: By laying and constructing Bitulithic Hekalus.
  - Fourth: By Constructing Inlets.
  - Fifth: By constructing Gator Raisins.
  - Sixth: By laying vitrified sewer pipe.

Said improvements to be made in accordance with the Charter and ordinances of the City of Albany, Oregon and the plans, specifications, and estimates of the City Engineer, of said City, for the improvement of said portion of said Elsworth street, filed in the Office of the City Recorder of said City of Albany, on the 24th day of November 1904 endorsed "City Engineers plans and specifications for the improvement of Elsworth street, from the North curb line of Third street, to the North curb line of Ninth street, and the estimates of the work to be done on said street and the probable cost thereof.

The cost of the said improvement of said portion of said Elsworth street, at the crossings or intersections thereof by Third, Fourth, Fifth, Sixth, Seventh and Eighth streets, and that portion of Ninth street, lying between the North

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curb line of Ninth street and the north line thereof, shall be paid by the City of Albany out of the general fund of the said City, the remaining portion of the cost of said improvement of said Elsworth street, shall be paid out of the funds collected and arising upon, and out of the assessment heretofore made, recited and declared by ordinance No 533, passed by the Council of the City of Albany, on the 8th day of February 1911, and approved by the Mayor of said City, on the 9th day of February, 1911, on the lots and parts of lots adjacent to said portion of said Elsworth street, to be so improved, and especially and particularly benefited thereby, as provided by the Charter of said City.

The said improvement of said Elsworth street shall be completed, by the first day of ~~the~~ <sup>October</sup> 1911. All bids for the making of said improvement of said Elsworth street deemed unreasonable by the Council of said City, 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 \$5000.00 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 Elsworth street, shall not complete the same within the time mentioned and specified in such contract, said City shall be deemed to suffer damage 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 during the work at the completion thereof, unless the time of the completion of said contract is extended by the Council.

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

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Section 3. The Recorder of said City is hereby ordered and directed to immediately give proper notice for bids for making said improvement of said Elsworth street, by publishing such notice ten days in the Evening Daily Herald, a daily newspaper, published daily in said City of Albany, fully describing in such notice the time and manner of doing the work of said improvement of said Elsworth street.

Section 4. Inasmuch as there is urgent necessity for, and the general welfare of said City demands the immediate improvement of said Elsworth street, in the manner aforesaid in order that the same may be completed before the rainy season sets in, an emergency is hereby declared to exist, and this ordinance shall have full force and effect from and after its passage by the Council, and its approval by the Mayor of said City.

Passed the Council March 8<sup>th</sup> 1911  
Approved March 9<sup>th</sup> 1911.

Attest:-

J. M. Redfield  
Recorder of the City of Albany.

J. P. Wallace  
Mayor

## CITY RECORDER'S CERTIFICATE

STATE OF OREGON,

COUNTY OF LINN.

} ss.

I, F. M. REDFIELD, 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. 534

has been by me carefully compared with the original Ordinance bill No. 534

now on file in my office, and that it is a true and correct copy of all and the whole of said

original Ordinance bill No. 534 as passed by the Council of the City of Albany Oregon March 8<sup>th</sup> 1911

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

9<sup>th</sup>

day of

March

1911

J. M. Redfield

Recorder of the City of Albany.