

Ord 597

An ordinance providing for the time and manner of improving Water Street from the east curb line of Lafayette Street to a point 78 feet east of the east line of Sherman Street, providing how the cost of such improvement shall be paid, the penalties or damages 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 satisfactory performance of the work of such improvement of said part of said street, and providing for the giving by the Recorder of said City of proper notice for bids for the construction of such improvement of said part of said street.

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

Section 1. That Water Street from the east curb line of Lafayette Street to a point 78 feet east of the east line of Sherman Street shall be improved in the following manner, to-wit:

- First: By grading said street to the proper sub-grade.
- Second: By paving the roadway of said street full width with full intersections with gravel bitulithic pavement.
- Third: By raising and constructing gravel bitulithic curbs.
- Fourth: By constructing catch basins.
- Fifth: By constructing inlets.
- Sixth: By laying in the sewer pipe.

And in compliance therewith to be made in accordance with the charter and ordinances of the City of Albany, and also the plans and specifications and estimates of the City Engineer of said City for the improvement of said Water Street, filed in the office of the City Recorder of said City of Albany on the 14th day of June, 1892, and for said City Engineer's plans and specifications for the improvement of Water Street from the east curb line of Lafayette Street to a point 78 feet east of the east line of Sherman Street, and the estimates of the work to be done on said street and the probable cost thereof.

The cost of said improvement of said portion of said Water Street at the crossings or intersections thereof by other streets shall be paid by the City of Albany, and by the person or persons of said City in the remaining portions. The cost of said improvement of said Water Street shall be paid out of the funds collected and arising upon and under the assessment heretofore made, ascertained and declared by Ordinance No. 585 passed by the Council of said City of Albany, on the 15th day of May, 1892, and approved by the Mayor of said City on the 15th day of July, 1892, and the lots and part of lots adjacent to said portion of said Water Street to be so improved, and especially and particularly be reflected thereby, as provided by the said Ordinance No. 585.

ORDINANCE NO. 577.

The improvement of said Water Street shall be completed by the first day of November, 1912.  
But bids for the making of said improvement of said street deemed unreasonable by the Council of the City of Albany, may be rejected.

Any firm, corporation or person with which so 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 contracts, 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 said corporation or person enters into any contract with the said City of Albany to make said improvement of said Water Street, shall not complete the same within the time mentioned and specified in such contract, said City shall be deemed to suffer damages and account therefor 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 doing the work at the completion thereof, unless the time of the completion of said improvement is extended by the Council.

All payments shall be paid in dry and suitable weather and not otherwise.

Section 3. The Recorder of said City is hereby and is deemed directed to immediately give proper notice for bids for the making of said improvement of said portion of said Water Street, by publishing such notice ten days in the Albany Evening Journal, a daily newspaper published in the said City of Albany and also giving said notice the time and manner of doing the work of said improvement of said Water Street.

Passed by the Council the 13 day of July, 1912.

Attest:

Approved the 10th day of July, 1912.

F. E. Van Tassel  
Recorder of the City of Albany.

J. D. Gilbert  
Mayor of the City of Albany.

ORDINANCE No. 597.

CITY RECORDER'S CERTIFICATE

STATE OF OREGON.  
COUNTY OF LINN.

I, F. E. Van Tassel, 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. 597*  
has been by me carefully compared with the original *Ordinance Bill No. 659*  
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. 659, as passed by the Council of the*  
*City of Albany, Oregon, July 15<sup>th</sup> 1912*

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

*15<sup>th</sup>* day of *July*, 191*2*

*F. E. Van Tassel*  
Recorder of the City of Albany.