

ORDINANCE NO. 1011.

AN ORDINANCE, AUTHORIZING THE MAYOR AND RECORDER OF THE CITY OF ALBANY, OREGON, TO ENTER INTO A CONTRACT WITH L.O. HERROLD, FOR THE IMPROVEMENT OF TENTH STREET FROM THE EAST LINE OF ELM STREET TO THE EAST LINE OF CALAPOOIA STREET.

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

WHEREAS, BY ORDINANCE No. 1006 of the City of Albany, Oregon, it was ordered that the following street in the City of Albany, Oregon, to-wit: Tenth Street from the East line of Elm Street to the East line of Calapooia Street be improved in the following manner, to-wit:

- First: By grading said street to the proper sub-grade.
- Second: By graveling said Street.
- Third: By constructing inlets.
- Fourth: By laying sewer pipe.

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 in said 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 according to law and the Ordinance last aforesaid, to-wit: on the 10th day of August, 1921, L.O. Herrold, presented to the Council of the City of Albany, a bid for making said improvement, which bid was made in due form and in conformity with all the conditions imposed by law and the Council, by which said bid the said L.O. Herrold proposed to furnish all material and implements and perform the labor necessary to make the above described improvement for the following named prices, to-wit;

Fill 578 cu.yds.	90¢ per cu.yd.	\$ 520.20.
6 " sewer in place, 164 lin. ft.	75¢ per lin.ft.	123.00
Inlet Type " C" 1 @ \$ 30.00		30.00
Catch Basin-Inlet 1 @ \$ 35.00		35.00
Gravel 271 cu. yds @ \$ 2.20 per cu. yd.		596.20
	Total	<u>\$ 1304.40</u>

AND WHEREAS, the said L.O. Herrold was the lowest bidder for said proposed work and said bid was the lowest and best bid therefor.

Section 1. That the bid of L.O. Herrold for said improvement of said described portion of Tenth Street be and the same is hereby accepted and the Mayor and Recorder of said City are hereby authorized to enter into a contract in writing with the said L.O. Herrold for the making of said improvement on behalf of the City of Albany, Oregon, upon the terms in said bid hereinabove mentioned.

Said contract to provide further that the work of said improvement shall commence within ten days after the signing of said contract and shall be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 15th day of October, 1921, and the

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City of Albany shall be deemed to suffer damages to the extent of \$ 10.00 per day for each and every day the work is delayed beyond the specified time and that the said L.O.Herrold furnish a bond in the sum of One Thousand Dollars to be approved by the Mayor of the City of Albany, Oregon, having as a surety some surety company authorized to do business in the State of Oregon or some person justifying in the amount of twice the amount of the bond conditioned for the faithful performance of the said contract on the part of L.O.Herrold 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.

Passed by the Council August 24th, 1921.

Approved by the Mayor August 29th, 1921.

P.A.Young,

Mayor.

Attest: D.H.Bodine,

Recorder of the City of Albany, Oregon.

STATE OF OREGON)
(ss.
County of Linn)

I, D.H.Bodine, 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. 1011 has been by me carefully compared with the original Ordinance Bill No. 1107, 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. 1107 passed by the Council August 24th, 1921 and approved by the Mayor August 29th, 1921.

WITNESS, my hand and official signature and the seal of the City of Albany this 17th day of March, 1922.

Recorder of the City of Albany, Oregon.