

325

**ORDINANCE NO. 1240**

AN ORDINANCE authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with John Olson for building and constructing a lateral sewer beginning at the manhole in the Cottage Street Trunk Sewer which is 26 feet easterly from the southeast corner of lot 1 in Block 4 in Linnmont Addition to the City of Albany, Oregon, and running thence westerly through the center of said Block a distance of 220 feet to the southwest corner of lot 5 in said Block, by laying an 8" sewer pipe in accordance with the plans and specifications of Charles M. Leonard, engineer, for said lateral sewer, filed in the office of the Recorder of said City January 26th, 1927; and declaring an emergency.

WHEREAS, by Resolution No. 1, adopted by the Council January 23th, 1927, it was ordered that a lateral sewer be constructed beginning at the manhole in the Cottage Street trunk sewer, which is 26 feet easterly from the southeast corner of lot 1 in block 4, Linnmont Addition to the City of Albany, Oregon, and running thence westerly through the center of said Block a distance of 220 feet to the southwest corner of lot 5 in said block, by laying an 8" sewer pipe in accordance with the plans and specifications of Charles M. Leonard, Engineer, filed in the office of the Recorder of said City, on the 26th day of January, 1927, and

WHEREAS, it is 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

WHEREAS, after due notice and advertisement for bids made and given by the Recorder of the City of Albany, Oregon, according to said ordinance, on the 9th day of March, 1927, John Olson 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 said bid the said John Olson proposed to furnish all material and implements and perform all the labor necessary to make the above described improvement, for the sum of \$215.40, and

WHEREAS, John Olson was the lowest bidder for the 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 the said John Olson 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 said John Olson 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 May 1, 1927, and the City of Albany shall be deemed to suffer damages to the extent of \$5.00 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that said John Olson 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 John Olson shall furnish a bond in the sum of Two-hundred fifty dollars, (\$250.00) with good and sufficient sureties thereon, to be approved by the Mayor of said City of Albany, Oregon, to secure the faithful performance of all the obligations of such contract on the part of said John Olson, 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 requires that this ordinance become immediately effective, and by reason thereof and emergency exists, therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately on its final passage by the Council and approval by the Mayor.

Passed by the Council March 9th, 1927  
Approved by the Mayor March 9th, 1927

Attest:--

F. P. Nutting,

Recorder.

MARK V. WEATHERFORD,  
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. 1240 has been by me carefully compared with the original ordinance bill No. 1340, now on file in my office, and that it is a true and correct copy of all of said ordinance bill No. 1340, passed by the Council March 9th, 1927, and approved by the Mayor March 9th, 1927.

WITNESS my hand and official signature and the seal of the City of Albany this 15th day of March, 1927.

  
Recorder of the City of Albany